CONCERNS, COMPLAINTS AND DISPUTES PROCEDURE

Shildon Railway Institute Limited

Supporting Fair Resolution and Responsible Decision Making

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1. Purpose

Shildon Railway Institute seeks to maintain a culture in which concerns can be raised openly, difficulties can be addressed constructively and people are treated fairly when disagreements or allegations arise.

Most concerns and differences should, wherever appropriate, be capable of being discussed and resolved without the need for formal proceedings. There will, however, be occasions when a matter is sufficiently serious, cannot be resolved informally or requires the Society to establish what has happened and consider whether further action is necessary.

This Procedure explains how concerns, complaints and disputes may be raised and how the Society will respond to them.

Its purpose is not simply to provide a route towards warnings or sanctions. It is to help the Society:

- make it straightforward for people to raise genuine concerns;
- address difficulties at an appropriate level and as early as reasonably possible;
- distinguish between matters suitable for informal resolution and those requiring formal consideration;
- establish and retain an appropriate record where formal action may be necessary;
- ensure that people affected by a complaint are heard and appropriately supported;
- ensure that people complained about know what is alleged and have a fair opportunity to respond;
- establish relevant facts before reaching conclusions;
- make decisions impartially, proportionately and on a reasonable evidential basis;
- identify opportunities to resolve difficulties, repair relationships or learn from experience; and
- take formal action where this is necessary to protect people, the Society, its purposes or the integrity of its membership.

Nothing within this Procedure prevents reasonable and proportionate immediate action being taken where this is necessary to protect safety, maintain order or respond to unacceptable behaviour on the Institute premises. Such action is distinct from any subsequent formal consideration of a complaint or membership sanction.

Guiding Principle

Concerns should be easy to raise, but consequential decisions should be made carefully. The Society should support people in speaking up, establish what happened fairly, hear those affected and those complained about, and exercise its authority only on a properly recorded and reasonable basis.

2. About the Society

Shildon Railway Institute Limited is a **Community Benefit Society**, registered under the **Co-operative and Community Benefit Societies Act**.

Throughout this document, and the wider governance framework adopted by the Institute, the terms **"the Society"** and **"Shildon Railway Institute"** refer to the same organisation.

The term **"the Society"** is used where these documents describe the Institute in its legal, constitutional or governance capacity. The term **"the Institute"** may be used where the document refers more generally to the organisation, its premises, activities or community role.

This distinction is intended solely to aid clarity and consistency and does not imply the existence of separate organisations.

3. Principles of Fair Resolution

Anyone involved in raising, considering or responding to a concern under this Procedure should be treated with dignity, fairness and respect.

The Society will seek to apply the following principles:

Concerns should be heard

Nobody should feel unable to raise a genuine concern simply because they are uncertain about the correct procedure, lack confidence in expressing it formally or are worried that raising it will automatically create confrontation.

A concern may initially be raised verbally. The person receiving it should listen and, where appropriate, help the person raising it understand what options are available.

Informal resolution should be encouraged where appropriate

Many disagreements, misunderstandings and lower-level concerns can be resolved through conversation, clarification, acknowledgement, apology or an agreed change in behaviour or arrangements.

Informal resolution should be encouraged where it is appropriate and acceptable to those involved.

It should not be used to minimise serious behaviour, pressure somebody into confronting another person, or avoid formal consideration where the nature, seriousness or recurrence of a concern makes that necessary.

Formal action should be properly recorded

Where a matter is to enter the formal procedure, the concern or allegation should be recorded in writing with sufficient information to establish what is being considered.

This does not mean that the person raising the concern must necessarily prepare a formal written complaint themselves. Where appropriate, the Society should help them to create

an accurate written record of what they have reported and allow them to confirm that it fairly reflects their account.

Nobody should be presumed to be at fault

The raising of a complaint does not establish that the complaint is true.

A person complained about should be informed sufficiently clearly of the substance of the concern, provided with a reasonable opportunity to respond and treated fairly while the matter is being considered.

Equally, the fact that an allegation is disputed does not mean that the person raising it has acted improperly.

Decisions should be based upon relevant information

The Society should seek sufficient information to reach a reasonable conclusion. This may include accounts from those directly involved, witness evidence, records, correspondence, CCTV where lawfully available, or other relevant information.

The purpose is not necessarily to establish events beyond all possible doubt, but to make a fair and reasonable decision on the information available.

Conflicts of interest should be recognised

Nobody should investigate or determine a matter where their own involvement, interests or relationship to the circumstances creates a material conflict of interest.

Where a conflict exists, responsibility should wherever practicable pass to another appropriate person or body.

Responses should be proportionate

Not every upheld concern requires a formal sanction.

Depending upon the circumstances, an appropriate outcome may include clarification, advice, an acknowledgement or apology, additional support or guidance, an agreed change in behaviour or arrangements, a formal warning, or more serious action where justified.

The response should reflect the nature, seriousness, circumstances and, where relevant, recurrence of the behaviour concerned.

Good-faith reporting should be protected

No person should be criticised, disadvantaged or subjected to adverse treatment merely because they have raised a genuine concern in good faith or provided information as a witness.

A concern that is not upheld is not, for that reason alone, a false or malicious complaint.

Knowingly providing materially false information or deliberately making a malicious allegation is a separate matter and may itself require consideration under the appropriate Society procedure.

Guiding Principle

Fairness does not mean taking sides equally; it means approaching each concern without predetermined conclusions, listening to relevant evidence and treating everyone involved with appropriate dignity and respect.

4. Raising a Concern

A person does not need to know whether their concern is informal, formal, disciplinary or governed by a particular Society policy before raising it.

A concern may initially be raised verbally or in writing with an appropriate Committee Member or, where applicable, the duty member of paid staff. Where the person receiving the concern is not the appropriate person to deal with it, they should help ensure that it is passed or referred to someone who is.

The person raising a concern should, so far as they reasonably can, explain:

- what happened or what they are concerned about;
- when and where it happened;
- who was involved;
- whether anybody else witnessed or may have relevant information about it;
- whether the matter has happened previously;
- what impact the matter has had; and
- whether any immediate action has already been taken.

A person should not be discouraged from raising a concern merely because they cannot provide all of this information.

Where the matter appears capable of appropriate informal resolution, the available options should be discussed with the person raising it.

Where the matter may require formal consideration, an appropriate written record should be created in accordance with this Procedure.

Raising a concern does not make the person who raises it responsible for investigating it, proving it or determining its outcome.

Guiding Principle

Speaking up should begin a process of consideration, not transfer responsibility for resolving the problem onto the person who raised it.

5. Routes into Formal Consideration

Formal consideration may become necessary where a concern is sufficiently serious, has not been capable of appropriate informal resolution, involves repeated behaviour, or otherwise requires the Society to establish what has happened and determine whether further action is necessary.

Before formal consideration begins, the substance of the concern must be recorded in writing. This provides a clear and accountable basis upon which the matter can be investigated, allows the person complained about to understand what is alleged, and creates an appropriate record of the Society's actions and decisions.

A matter may enter formal consideration through any of the following routes.

5.1 An Individual Formal Complaint

A Member, volunteer, employee or other person with a legitimate connection to the matter may submit a written complaint asking the Society formally to consider a concern.

The complaint should, so far as reasonably possible, identify:

- the conduct, decision or circumstances giving rise to the complaint;
- when and where relevant events occurred;
- the person or people involved;
- any known witnesses or other sources of relevant information;
- any action already taken to try to resolve the matter; and
- what the person making the complaint would like the Society to consider or address.

A person making a complaint is not required to prove their case before it can be considered. Their responsibility is to provide an honest account and any relevant information reasonably available to them. Responsibility for determining what further enquiries are necessary and what conclusion should ultimately be reached rests with the Society.

The person making the complaint should receive acknowledgement that it has been received and an explanation of what will happen next.

5.2 A Verbal Concern Formally Recorded with Assistance

A person should not be prevented from having a legitimate concern formally considered simply because they lack confidence in preparing a written complaint, are uncertain about how to express it or require assistance to make an appropriate record.

Where a concern is initially raised verbally and appears to warrant formal consideration, an appropriate person acting for the Society may assist the person raising it to create a written record.

The written record should distinguish, as far as reasonably possible, between:

- what the person directly experienced, saw or heard;

- information they have received from somebody else;
- their own understanding or interpretation of events; and
- any other evidence or witnesses they believe may be relevant.

The person raising the concern should be given an opportunity to read or otherwise review the record, make corrections or additions, and confirm that it fairly represents what they intended to report.

Once confirmed, that record may be treated as the formal complaint for the purposes of this Procedure.

Assisting somebody to record a concern does not imply that the person providing assistance accepts the allegation as true or supports a particular outcome. Their role is to help ensure that the concern is recorded accurately and can be considered fairly.

5.3 A Society-Initiated Formal Concern

There may be circumstances in which information comes to the attention of the Society that appears sufficiently serious to require formal consideration even though no individual wishes, or feels able, to pursue a formal complaint.

This may arise, for example, where:

- conduct has been witnessed by employees, Committee Members or several other people;
- an incident has occurred openly on Society premises or during a Society activity;
- information indicates a possible significant risk to people, property or the Society;
- similar concerns have arisen repeatedly;
- relevant information has emerged through another Society process; or
- the nature of the alleged conduct is such that the Management Committee reasonably considers that it has a responsibility to establish what happened.

A Society-initiated concern should not be commenced merely because an individual Committee Member dislikes, disagrees with or has heard unsubstantiated rumours about another person.

Before commencing formal consideration through this route, the Management Committee should be satisfied that there is a reasonable basis for doing so.

The basis for that decision must be recorded in writing and should identify:

- the nature of the concern;
- how the matter came to the Society's attention;
- the information or evidence presently available;
- why formal consideration is considered appropriate; and
- any known conflicts of interest affecting those involved in the decision.

The decision to initiate formal consideration should be made collectively by the Management Committee, excluding from that decision any Committee Member whose direct involvement or other material conflict of interest makes participation inappropriate.

Where circumstances require urgent protective or operational action before the Management Committee can meet, such action may be taken under the appropriate Society authority. This does not itself determine the formal concern, which should subsequently be recorded and considered in accordance with this Procedure.

Once a Society-initiated concern enters formal consideration, the Society assumes responsibility for progressing it. No witness, person affected by the conduct or person who initially brought information to the Society's attention should be required to become the formal complainant simply in order for the matter to proceed.

The person whose conduct is being considered must receive the same procedural fairness as they would following an individual complaint, including sufficient information about the allegation, reasonable opportunity to respond, appropriate investigation and an impartial decision based upon the information available.

Guiding Principle

Formal action must always have a properly recorded basis, but responsibility for protecting the standards and wellbeing of the Society should not depend upon finding an individual willing to carry a complaint alone.

6. Initial Assessment and Next Steps

Once a matter has entered formal consideration, an initial assessment should be undertaken before determining how it should proceed.

The purpose of the initial assessment is not to decide whether the complaint or concern is upheld. It is to understand the nature of the matter, identify any immediate action required and determine the fairest and most appropriate way for it to be considered.

The initial assessment should normally consider:

- what is alleged or otherwise causing concern;
- which people are directly involved or may have relevant information;
- whether there are any immediate concerns relating to safety, safeguarding, wellbeing, property or the continuing operation of the Society;
- whether any information or evidence needs to be preserved, including relevant records, correspondence or CCTV;
- whether the matter falls wholly or partly within another Society policy or procedure;
- whether any person who would ordinarily deal with the matter has a conflict of interest;
- whether any temporary or protective arrangements are necessary while the matter is considered;
- whether the person complained about can and should now be informed;
- what further information may reasonably be required;
- who should be responsible for considering or investigating the matter; and

- whether there remains any appropriate opportunity for informal or agreed resolution without compromising the seriousness or fair consideration of the concern.

The initial assessment and the decisions arising from it should be recorded sufficiently to provide a clear account of how the Society decided the matter should proceed.

6.1 Immediate and Protective Action

The Society may sometimes need to act before the facts of a complaint or concern have been fully established.

This may include reasonable temporary measures intended to protect people, preserve information, maintain the safe and orderly operation of the Institute or prevent a situation from unnecessarily escalating.

Depending upon the circumstances, this might include:

- asking someone to leave the premises;
- temporarily changing access to particular activities, areas or responsibilities;
- making alternative volunteering, staffing or operational arrangements;
- taking steps to preserve relevant records, CCTV or other information;
- asking those involved to avoid direct contact while a matter is considered; or
- taking other reasonable action required by a relevant Society policy or legal responsibility.

Any such action should be necessary and proportionate to the circumstances.

Where temporary restrictions are imposed upon a person whose conduct is being considered, they should be told, as far as reasonably possible, what the restrictions are, why they are considered necessary and how long they are expected to remain in place or when they will be reviewed.

Temporary or protective action does not in itself represent a finding that a complaint or allegation has been upheld and should not be presented or treated as a sanction.

6.2 Identifying the Appropriate Route

The initial assessment should consider whether the matter is properly dealt with under this Procedure or whether another Society policy, procedure or arrangement provides the more appropriate route.

Where another procedure applies, the matter should be referred accordingly and the reason for doing so recorded.

Some matters may involve more than one area of responsibility. Where this occurs, the Society should seek to coordinate its response rather than require the person raising the concern to identify or navigate multiple procedures themselves.

Where there is uncertainty about the appropriate route, this should not be used as a reason to delay necessary action or leave a concern unaddressed.

6.3 Conflicts of Interest and Responsibility for the Matter

An appropriate person should be identified to coordinate the consideration of the complaint or concern.

A person should not be responsible for investigating or determining a matter where they:

- are directly involved in the events concerned;
- made or are the subject of the complaint;
- are a material witness;
- have a close personal interest in the outcome; or
- have another relationship or circumstance that could reasonably call their impartiality into question.

The existence of ordinary acquaintance, disagreement or previous interaction within a relatively small membership organisation does not necessarily create a conflict of interest. The question should be whether the circumstances could materially affect, or reasonably appear to affect, someone's ability to consider the matter fairly.

Where sufficient impartiality cannot reasonably be achieved from within the Society, the Management Committee should consider whether appropriate independent assistance or advice is required.

6.4 Informing the Person Complained About

A person whose conduct is being formally considered should normally be informed as soon as reasonably practicable.

They should be given sufficient information to understand:

- the substance of the complaint or concern;
- the particular conduct or circumstances being considered;
- the process through which the matter will be considered;
- whether any temporary arrangements have been put in place; and
- how and when they will have an opportunity to respond.

Where appropriate, they should receive a copy of the written complaint or formal record upon which consideration is based.

There may exceptionally be circumstances in which notification needs to be delayed—for example, where immediate disclosure could create a safeguarding risk, interfere with another investigation or result in relevant information being lost or compromised.

Any decision to delay notification should have a clear reason, be recorded and remain under review. Notification should not be delayed merely because the allegation may be difficult or uncomfortable to communicate.

6.5 Deciding What Happens Next

Following the initial assessment, the Society should determine and record the appropriate next step.

This may include:

- taking no further action where there is clearly insufficient basis to proceed;
- seeking clarification or additional information before deciding how to proceed;
- referring the matter to another appropriate policy, procedure or authority;
- exploring informal or agreed resolution where this remains appropriate;
- proceeding to formal investigation;
- maintaining, varying or ending any temporary protective arrangements; or
- taking any other action reasonably required by the circumstances.

Where no further action is proposed, the person who raised the matter should normally be told and, where appropriate, given a brief explanation.

A decision not to proceed does not necessarily mean that a concern was unreasonable to raise. It may simply mean that the available information does not provide a sufficient basis for further formal action.

Guiding Principle

Initial assessment is not about deciding who is right or wrong. It is about understanding what needs to happen next so that the matter can be handled safely, fairly and proportionately.

7. Investigation and Establishing the Facts

Where the initial assessment determines that further investigation is necessary, the purpose of the investigation is to establish sufficient relevant information to enable the Society to understand what happened and reach a fair and reasonable decision.

An investigation should not begin from an assumption that a complaint or concern is either true or false. Those responsible for investigating should approach the available information with an open mind and seek evidence that may support, contradict, explain or place the matters raised in context.

The investigation should be proportionate to the nature and seriousness of the concern. A relatively straightforward incident may require only a small number of enquiries, while a more serious, disputed or complex matter may require more extensive consideration.

The Society is not required to investigate indefinitely or pursue every conceivable line of enquiry. It should seek enough reliable and relevant information to enable a reasonable decision to be made.

Guiding Principle

The purpose of investigation is not to build a case for or against somebody, but to establish as fairly as possible what happened.

7.1 Planning the Investigation

Where an investigation is required, the Management Committee should appoint **one or two appropriate people** to undertake it.

In selecting the investigator or investigators, the Committee should consider:

- their ability to approach the matter impartially and with an open mind;
- any knowledge, experience or skills that may assist them;
- the nature and complexity of the matter;
- their relationship to the people or circumstances involved;
- any actual or potential conflict of interest; and
- whether appointing two people would provide useful complementary perspectives, experience or confidence in the process.

The investigator need not hold any particular office within the Society. The Secretary, Chair or another Committee Member may undertake the role where appropriate, but responsibility should not attach automatically to any office.

Where the circumstances warrant it, the Committee may appoint an appropriately independent person from outside the Management Committee or seek external advice or assistance.

Wherever reasonably practicable, a person appointed to investigate should **not subsequently participate as a decision-maker in determining whether the complaint or concern is upheld or what formal action should follow.**

Before beginning substantive enquiries, the investigator or investigators should consider:

- the particular matters or allegations requiring investigation;
- what information is already available;
- what information remains necessary;
- who may have directly relevant evidence;
- what documentary, electronic, CCTV or other records may be relevant;
- whether any information needs to be preserved before it is lost or routinely deleted;
- whether specialist or independent advice may be necessary;
- whether any further conflict of interest becomes apparent; and
- how the investigation can be completed fairly and without unnecessary delay.

The scope of an investigation may change where relevant new information emerges. Significant changes to its scope should be recorded, and the person whose conduct is being considered should be informed of any substantial new allegation that is to form part of the matter they are required to answer.

7.2 Hearing from the Person Raising the Concern

Where appropriate, the person who raised the complaint or concern should be invited to provide any further information necessary to understand their account.

They may be asked to clarify what they personally experienced, saw or heard; identify possible witnesses or relevant records; and explain any important context.

They should not be expected to investigate the matter themselves, obtain statements from other people or prove that their complaint is true.

Where the matter is a Society-initiated concern, there may be no individual complainant. In such cases, information should instead be obtained from those whose accounts or evidence gave rise to, or are relevant to, the concern.

7.3 Hearing from the Person Complained About

The person complained about should be given a fair opportunity to respond to the substance of the concern and provide information they believe is relevant.

They should normally be invited to:

- explain their understanding of what happened;
- respond to the particular allegations or concerns raised;
- identify anything they believe is inaccurate, incomplete or requires context;
- identify relevant witnesses, records or other information;
- explain any circumstances they believe should properly be taken into account; and
- provide any other information they reasonably consider relevant to the matter.

The person complained about is not required to demonstrate their innocence. The responsibility for establishing a reasonable evidential basis for any finding rests with the Society.

A refusal or failure to respond should not automatically be treated as evidence that the allegation is true. Where a reasonable opportunity to respond has been provided, however, the Society may proceed on the basis of the information available.

7.4 Witnesses and Other Evidence

People who may have directly relevant information may be invited to provide an account of what they experienced, saw or heard.

A witness should be encouraged to distinguish between:

- matters they personally experienced, saw or heard;
- information subsequently provided to them by somebody else; and
- their own interpretation, opinion or assumption.

Providing information as a witness does not make someone a complainant, make them responsible for progressing the matter or require them to support any particular outcome.

Relevant evidence may also include, where appropriately and lawfully available:

- CCTV;
- correspondence, messages or other communications;
- Society records;
- meeting minutes or contemporaneous notes;

- photographs or other recordings;
- records of previous relevant action or concerns where properly within the scope of consideration; and
- other information reasonably capable of assisting the Society in understanding what happened.

Evidence should be considered according to its relevance and reliability rather than simply by the number of people expressing a particular view.

7.5 Accounts, Notes and Accuracy

An appropriate written record should be retained of significant information obtained during the investigation.

Where a person's account is recorded on their behalf rather than provided directly in writing, they should wherever reasonably practicable be given an opportunity to review the substantive account, correct inaccuracies and confirm that it fairly reflects what they intended to say.

Minor differences in recollection should not automatically be treated as dishonesty. People may remember the same event differently, particularly where circumstances were stressful, unexpected or fast-moving.

Where accounts conflict, the investigator should seek to understand the differences and consider them alongside the other available evidence rather than assuming that one person must necessarily be deliberately misleading the Society.

7.6 Relevant Previous Conduct

Previous complaints, warnings or other recorded conduct should not normally be used simply to establish that a person is likely to have committed a new allegation.

Where a current concern is upheld, however, relevant previous conduct may properly be considered when determining the appropriate response, particularly where it demonstrates recurrence or that earlier advice, support or warnings have not resulted in improvement.

Previous matters may also be relevant during investigation where they form part of the substance or context of the current concern—for example, where the concern itself relates to repeated or continuing behaviour.

Any reliance upon previous conduct should be relevant, proportionate and properly recorded.

7.7 Concluding the Investigation

When sufficient relevant enquiries have been completed, the investigator should prepare a clear written record or report setting out:

- the complaint or formal concern being considered;
- the enquiries undertaken;
- the relevant information and evidence obtained;
- any significant areas of agreement or disagreement;

- any relevant information that could not reasonably be established;
- and any other matters necessary to assist those responsible for reaching a decision.

The investigation report should distinguish, as far as practicable, between evidence, established facts, disputed matters and the investigator's assessment.

Unless the Society's procedure specifically delegates responsibility for determining the matter to the investigator, the report should not itself impose a sanction.

Those responsible for making the decision should receive sufficient information to understand both the evidence supporting the concern and any relevant evidence or explanation tending against it.

8. Determination and Outcomes

Once any necessary investigation has been completed, the complaint or formal concern should be considered by the Management Committee, or by those Committee Members appropriately appointed to determine the matter.

Those making the decision should not have a material conflict of interest and, wherever reasonably practicable, should not have undertaken the investigation itself.

Their responsibility is to consider the information available, determine what findings can reasonably be made and decide what, if any, further action is appropriate.

The purpose of determination is **not to endorse the complainant, defend the person complained about or validate the conclusions of the investigator.** It is to reach the Society's own fair and reasoned decision on the information available.

8.1 Considering the Evidence

Decision-makers should consider the investigation as a whole, including information that supports, contradicts or provides relevant context to the complaint or concern.

They should consider:
- the original complaint or recorded formal concern;
- the response of the person complained about;
- relevant witness accounts;
- documentary, CCTV or other evidence;
- areas in which accounts agree or differ;
- the relevance and reliability of the information available;
- any material facts that could not reasonably be established; and
- any other information properly within the scope of the matter.

The decision should be based upon the evidence relevant to the particular concern and should not be influenced by personal friendships, disagreements, reputation, popularity or assumptions about the people involved.

A greater number of people expressing one view does not automatically make that view correct, although genuinely independent and consistent evidence from several witnesses may properly strengthen the evidential basis for a finding.

8.2 Standard for Reaching a Finding

A complaint or concern should be upheld where, having considered the relevant information available, the decision-makers reasonably conclude that it is more likely than not that the conduct or circumstances complained of occurred.

Absolute certainty is not required.

Where the available evidence does not provide a sufficient basis for that conclusion, the complaint or concern should not be upheld.

Where a complaint contains several distinct allegations, each may be considered separately. It may therefore be appropriate for a complaint to be upheld in full, upheld in part or not upheld.

A finding that a complaint is not upheld does not mean that the person raising it acted improperly or that their concern was unreasonable to raise.

Guiding Principle

The Society should make the best decision it reasonably can from the evidence available, while recognising honestly where something cannot fairly be established.

8.3 Recording the Decision

The determination should be recorded sufficiently to show:
- what complaint or concern was considered;
- who participated in the decision and any relevant withdrawals because of conflicts of interest;
- the principal information considered;
- which allegations or concerns were upheld, upheld in part or not upheld;
- the reasons for those findings;
- whether any further action is considered necessary; and
- the reasons for any formal outcome or sanction imposed.

The record need not reproduce every piece of evidence or discussion, but should enable a future reader to understand **what was decided and why.**

8.4 Deciding the Appropriate Outcome

A finding that a complaint or concern is upheld does not automatically require a formal sanction. The Management Committee should consider what response is appropriate and proportionate in the circumstances.

Depending upon the nature and seriousness of the matter, this may include:
- no further action beyond recording the finding;
- advice, guidance or clarification;
- an acknowledgement or apology;
- an agreed change in behaviour or arrangements;
- additional support, supervision or training where appropriate;
- restorative or mediated resolution where all relevant parties freely agree and this is suitable;
- a formal warning or other recorded expectation about future conduct;
- consideration of formal action affecting membership in accordance with Section 9 and the Society's Rules;
- consideration of action relating to membership of the Management Committee where applicable and authorised by the Society's Rules; or

- referral to another appropriate procedure, body or authority.

In deciding the appropriate response, consideration may be given to:
- the seriousness and impact of the conduct;
- whether it was deliberate, reckless, careless or arose through misunderstanding;
- whether the behaviour was isolated or repeated;
- any relevant previous upheld concerns, advice or formal warnings;
- whether previous attempts to address similar behaviour have been effective;
- the person's response to the concern and any genuine acknowledgement or steps taken to address it;
- any relevant mitigating or aggravating circumstances;
- the need to protect other people and the interests of the Society; and
- the need for the response to be fair and proportionate.

No person should receive a more serious sanction simply because they exercised their right to dispute an allegation or participate in the procedure.

8.5 Previous Concerns and Escalation

Relevant previous conduct should normally be considered at the outcome stage rather than used to establish whether a new allegation is true, unless that previous conduct properly forms part of the substance or context of the current concern.

Where a current concern is upheld and substantially similar behaviour has previously resulted in advice, an agreed intervention or a formal warning, the Committee may reasonably conclude that a stronger response is now necessary.

Equally, the existence of a previous concern should not automatically require escalation. The Committee should consider its relevance, seriousness, age, circumstances and what has occurred since.

8.6 Communicating the Outcome

The person complained about should be informed in writing of:

- the findings reached;
- sufficient explanation of the reasons for those findings;
- any action or sanction applying to them;
- what is expected of them following the decision;
- the duration or review point of any restriction, where applicable;
- the consequences of relevant further misconduct where appropriate; and
- any right to request review or appeal under this Procedure.

The person who made the complaint should also be informed that consideration has concluded and whether their complaint was upheld, upheld in part or not upheld.

They should receive sufficient information to understand that the matter has been addressed appropriately, but should not automatically receive confidential information about another person's circumstances or every detail of action taken against them.

Where there is no individual complainant because the matter was Society-initiated, appropriate information should be provided to those directly affected where there is a legitimate reason for doing so.

Witnesses should not normally receive details of the outcome simply because they provided evidence, although they may be thanked for their assistance and told that the matter has concluded.

Guiding Principle

An outcome should resolve the Society's consideration of a concern as clearly as possible: those affected should understand what has been decided, why it has been decided and what happens next.

9. Formal Action Under the Society’s Rules

Nothing in this Procedure creates any power to suspend, remove or expel a Member or member of the Management Committee beyond the powers provided by the Society's Rules.

Where formal action is contemplated under the Rules, the relevant requirements, thresholds and safeguards contained within those Rules must be followed. This Procedure supports the fair and consistent exercise of those powers but does not replace, extend or override them.

Where there is any inconsistency between this Procedure and the Society's Rules, **the Rules shall take precedence.**

Guiding Principle

The authority entrusted to the Society must be exercised within the Rules from which that authority comes, and with particular care when a decision may affect someone's rights, membership or position of responsibility.

9.1 Formal Action Affecting Membership

Rule 3.8 of the Society's Rules provides the formal process through which a complaint by one Member about another Member may result in action affecting membership.

Under Rule 3.8.1, a Member wishing to invoke that process must complain in writing to the Secretary that another Member has acted in a way detrimental to the interests of the Society. Where the Secretary is the complainant, the complaint must instead be made in writing to the Chair.

The requirement for a written complaint should not prevent somebody from initially raising a concern verbally or receiving assistance to record it, as described elsewhere in this Procedure. However, formal action under Rule 3.8 must proceed on the written basis required by the Rules.

Having received such a complaint, the Management Committee should consider it in accordance with the Rules and the principles of fairness, investigation and determination established within this Procedure.

The Rules require the Management Committee to take such steps as it considers appropriate to ensure that each Member's point of view is heard. Following consideration, the Committee may:

- dismiss the complaint and take no further action;
- suspend for a period not exceeding twelve months the Member's rights to attend Members' Meetings and vote under the Rules; or
- arrange for a resolution to expel the Member to be considered at the next Management Committee meeting.

The decision and reasons for it should be appropriately recorded.

9.2 Suspension of Membership Rights

Where the Management Committee determines under Rule 3.8.2.2 that suspension is appropriate, the suspension may apply for a period of no more than twelve months and relates specifically to the Member's rights to:
- attend Members' Meetings; and
- vote under the Society's Rules.

A suspension under this Rule should not be described or administered as a general suspension of membership or an exclusion from the Institute premises unless some separate and lawful authority applies.

The Member should be informed in writing of:
- the decision;
- the reason for it;
- the rights affected;
- the date upon which the suspension begins;
- the period for which it applies; and
- the date upon which those rights will be restored, subject to any further action properly taken under the Rules.

Any operational restriction imposed for a different reason—for example, an immediate requirement to leave the premises because of unacceptable behaviour—should be clearly distinguished from a suspension of membership rights under Rule 3.8.

9.3 Consideration of Expulsion

Expulsion is the Society's most serious formal action in relation to membership and must only be considered and determined in accordance with the Society's Rules.

Where the Management Committee has decided under Rule 3.8.2.3 to arrange consideration of a resolution to expel a Member, the requirements of Rules 3.8.3 to 3.8.6 must be followed.

The Member must be provided with the details of the complaint and invited to answer it and attend the Management Committee meeting at which expulsion will be considered. This information must be sent at least fourteen days before the meeting.

At the meeting, the Management Committee must consider the evidence supporting the complaint and any evidence the Member wishes to provide in response. Where the Member does not attend without due cause, the Committee may proceed in their absence.

A resolution to expel a Member requires the support of at least two-thirds of the Management Committee Members present and voting.

The decision, vote and reasons for the outcome should be appropriately recorded, and the Member informed in writing.

A person who has been expelled may subsequently be readmitted to membership only by a resolution supported by at least two-thirds of the Management Committee Members present and voting.

Guiding Principle

The more serious the consequence, the greater the care required in establishing the facts, hearing the person affected and demonstrating that the Society has acted within its Rules.

9.4 Where the Person is a Management Committee Member

Where a concern relates to someone who is also a member of the Management Committee, consideration should be given separately to:
- their position as a Member of the Society; and
- their position as a member of the Management Committee.

Action affecting one does not automatically determine the other.

The Society's Rules require Management Committee Members to sign and comply with the Management Committee Code of Conduct throughout their tenure.

Rule 5.10 provides for removal from the Management Committee where the requirements specified within that Rule are met, including where the Committee Member is, in the opinion of the Management Committee, in serious breach of the Code of Conduct or has failed to perform duties agreed or reasonably expected of them and their continued membership of the Committee is not in the Society's interests. Such removal must be passed by a two-thirds majority of those voting at a meeting of the Management Committee.

The Rules separately permit Members at a Special Members' Meeting to remove a Management Committee Member by simple majority.

Where the same circumstances potentially engage both Rule 3.8 and Rule 5.10, the Management Committee should identify clearly which question it is considering at each stage and follow the requirements applicable to each.

For example, a decision that somebody should no longer serve on the Management Committee does not, by itself, terminate their membership of the Society. Conversely, consideration of a complaint against a Member who happens to serve on the Management Committee should not automatically be treated as a decision to remove them from office.

Any Committee Member whose involvement in the circumstances creates a material conflict of interest should not participate in investigation or determination except where the Rules expressly require otherwise or their participation is necessary to provide evidence.

9.5 Warnings and Other Recorded Outcomes

Not every upheld complaint requires formal action under Rules 3.8 or 5.10.

Where appropriate and within the Management Committee's ordinary responsibility for managing the affairs of the Society, an outcome may instead include advice, guidance, an agreed resolution, a clearly recorded expectation about future conduct or a formal warning.

A formal warning should identify:
- the conduct or concern that has been upheld;
- why it was considered unacceptable;
- what change or standard of future conduct is expected;
- any support, guidance or other action agreed;
- the period, if any, for which the warning will remain relevant to consideration of repeated conduct; and
- what may happen if substantially similar or otherwise relevant misconduct occurs again.

A warning should not claim to suspend, restrict or remove rights conferred by the Society's Rules unless the relevant power under the Rules has separately and properly been exercised.

Previous warnings may be considered in accordance with Section 8 when determining a proportionate response to subsequently upheld conduct, but should not automatically establish that a later allegation is true.

9.6 Recording Formal Action

Where formal action is taken under the Society's Rules, the Society should retain a sufficient written record to demonstrate:

- the authority under which the action was considered;
- the complaint, concern or conduct giving rise to consideration;
- the process followed;
- the information and evidence considered;
- any conflicts of interest and how they were managed;
- the decision reached and reasons for it;
- where relevant, the voting outcome and whether the required threshold was achieved;
- the action taken;
- any period, conditions or review point applying to that action; and
- the information communicated to the person affected.

Records should be sufficiently clear that a future Management Committee can understand what occurred and why, without retaining unnecessary personal information or distributing confidential material more widely than required.

Where meeting minutes record a formal decision, they should provide an appropriate governance record without unnecessarily reproducing sensitive evidence or personal information that is more appropriately retained within the confidential case record.

Guiding Principle

Good records protect everyone involved: they preserve the reasons for decisions, demonstrate the responsible exercise of authority and enable future custodians of the Society to understand what was done.

10. Review and Appeal

The Society should seek to reach fair and well-reasoned decisions through the processes set out in this Procedure. There may nevertheless be circumstances in which a person directly affected by a formal decision believes that it should be reconsidered.

A review or appeal is not intended simply to repeat the original process because somebody disagrees with its outcome. It provides an opportunity to consider whether a significant problem with the process, evidence, finding or outcome means that the decision should not reasonably stand without further consideration.

Where a right of review or appeal is provided under this Procedure, the person concerned should be informed of:

- their right to request it;
- the grounds upon which a request may be made;
- to whom the request should be submitted; and
- the period within which it should normally be made.

Guiding Principle

A decision should carry appropriate finality, but confidence in the Society's governance also depends upon its willingness to reconsider a decision where there is a reasonable basis for believing that something significant may have gone wrong.

10.1 Who May Request a Review or Appeal

A person who is directly subject to a formal finding, warning, sanction or other significant outcome under this Procedure may request a review or appeal.

A person whose formal complaint has not been upheld, or has been upheld only in part, may also request a review where they believe that one or more of the grounds set out below applies.

The fact that somebody would have preferred a different outcome does not, by itself, provide grounds for review.

Witnesses and other people who have provided information do not normally have a right of appeal simply by virtue of their participation in the process.

10.2 Grounds for Review or Appeal

A request should identify one or more substantive grounds upon which the decision is challenged. These may include:

- a significant failure to follow this Procedure or the Society's Rules which may have affected the fairness or outcome of the matter;
- relevant new evidence which was not reasonably available during the original consideration and which could materially affect the findings;
- significant relevant evidence having been overlooked or misunderstood;
- a finding that could not reasonably be supported by the evidence considered;
- a formal outcome or sanction that is materially disproportionate to the findings made; or
- a material conflict of interest, bias or lack of impartiality which was not appropriately recognised or managed.

A review should not normally be granted solely to reconsider evidence or arguments that were already properly considered simply because the person requesting review disagrees with the conclusion reached.

10.3 Requesting a Review

A request for review should normally be made in writing to the Secretary within 14 days of the person being informed of the decision.

Where the Secretary is directly involved in the matter, has a material conflict of interest or was responsible for the decision being challenged, the request should instead be made to the Chair or another appropriate Committee Member identified in the outcome communication.

The request should explain:

- the decision being challenged;
- the ground or grounds upon which review is sought;
- why those grounds are considered to apply; and
- any new information upon which the person wishes to rely.

A reasonable request made outside the normal 14-day period may be considered where there is good reason for the delay.

10.4 Initial Consideration of the Request

The Management Committee should arrange for the request to be considered initially by one or more people who were not materially involved in the original determination, wherever reasonably practicable.

The purpose of this initial consideration is to determine whether the request identifies an arguable ground for review under Section 10.2.

Where it plainly does not, the request may be declined and the reasons should be communicated in writing.

Where an arguable ground is identified, the matter should proceed to an appropriate review.

A decision that there is an arguable ground for review does not imply that the original decision was wrong. It means only that the issue raised warrants further consideration.

10.5 Conducting the Review

The nature and extent of the review should reflect the grounds upon which it has been accepted.

A review may therefore involve:
- reconsideration of a particular part of the evidence;
- consideration of significant new evidence;
- examination of whether the correct procedure was followed;
- reconsideration of a particular finding;
- reconsideration of the proportionality of an outcome or sanction;
- further enquiries where these are reasonably necessary; or
- in exceptional circumstances, a fresh consideration of the matter.

The review should not automatically repeat the entire original investigation.

Those conducting the review should have access to the relevant case record and should consider both the original reasoning and the particular grounds upon which it has been challenged.

Where new evidence or a new matter materially adverse to another person is to be taken into account, that person should normally be given a reasonable opportunity to respond to it before the review is determined.

10.6 Who Should Determine the Review?

Wherever reasonably practicable, the review should be determined by Committee Members who:
- did not undertake the original investigation;
- did not participate materially in the original determination;
- do not have a material conflict of interest; and
- are able to approach the grounds for review impartially.

The Management Committee may appoint an appropriate person or group of people to undertake further enquiries or advise upon the review where necessary.

Where the size of the Committee or circumstances of the matter make complete separation impracticable, the Committee should seek the greatest reasonable degree of independence and record how any unavoidable overlap has been managed.

Where sufficient impartiality cannot reasonably be achieved internally, the Committee should consider appropriate independent assistance.

10.7 Possible Outcomes of Review

Following review, the Society may:
- uphold the original decision;
- uphold the original finding but vary the outcome;
- vary one or more findings;
- overturn a finding;
- require specified further investigation or consideration;

- remit the matter for a fresh determination by appropriately appointed decision-makers; or
- take another action properly available under this Procedure and the Society's Rules.

The outcome and reasons should be recorded and communicated in writing to the person requesting the review and, where appropriate, to another person directly affected by it.
Where formal action under the Society's Rules is affected by the review, any requirements of those Rules must continue to be observed.

A review under this Procedure cannot itself create or exercise a power that the Society's Rules do not provide.

10.8 Finality and Further Dispute Resolution

Once the internal review process has concluded, the Society's internal consideration of the matter should normally be regarded as complete.

Repeated requests to reconsider substantially the same matter need not be accepted in the absence of significant new information or some other compelling reason.

Nothing in this Procedure removes any further right or remedy available under the Society's Rules or applicable law.

Where a dispute concerns the interpretation of, or arises out of, the Society's Rules, the provisions within the Rules relating to dispute resolution and independent arbitration should be followed where applicable and after the other appropriate avenues for resolving the dispute have been explored.

Guiding Principle

Review exists to correct material unfairness or error, not to prevent difficult decisions from ever becoming final.

11. Confidentiality, Records and Communication

Concerns, complaints and disputes may involve personal, sensitive or confidential information. Everyone involved in considering a matter under this Procedure should therefore handle information responsibly, respect the privacy and dignity of those involved and share information only where there is an appropriate reason to do so.

The Society cannot promise absolute confidentiality. Information may need to be shared with those responsible for considering or investigating a matter, with the person complained about so that they have a fair opportunity to respond, or with others where this is reasonably necessary to fulfil the Society's responsibilities.

Information should nevertheless be shared only with those who reasonably need it, and **only to the extent reasonably necessary for the purpose concerned.**

Guiding Principle

Privacy should be respected without allowing secrecy to undermine fairness. People should know that information will be handled carefully, while understanding that a fair process may require relevant information to be shared.

11.1 Expectations of Those Involved

People involved in a complaint or concern should be asked to respect the privacy of others and avoid unnecessarily discussing or circulating information about the matter while it is being considered.

This expectation applies to:
- those raising or responding to a concern;
- witnesses;
- investigators;
- members of the Management Committee;
- employees or volunteers who become involved through their responsibilities; and
- anyone else given access to relevant information for a legitimate purpose.

This should not be used to prevent somebody from seeking appropriate advice, support or representation, raising a safeguarding or other legitimate concern, or making a disclosure which they are entitled or required to make.

Nor should an expectation of privacy be presented as an instruction that people must remain silent about their own experiences.

11.2 Sharing Information During the Procedure

Information should be shared according to what is reasonably necessary for each person's role in the process.

The person complained about should receive sufficient information about the substance of the complaint or concern to understand and respond fairly to what is alleged.

A witness should normally be given only the information necessary to enable them to provide relevant evidence and should not routinely receive other witness accounts or unnecessary details about the wider case.

Those investigating or determining a matter should have access to the information reasonably necessary for them to fulfil their responsibilities.

Where information contains personal or sensitive material unrelated to the matters requiring consideration, consideration should be given to whether that information needs to be shared at all or whether an appropriate summary or redacted version would be sufficient.

Information should not be withheld merely because it is inconvenient, embarrassing or adverse to one party where fairness reasonably requires it to be considered.

11.3 Anonymity and Requests for Confidentiality

A person raising a concern or providing information may ask for their identity or particular information to be kept confidential.

Such a request should be considered carefully and respected wherever reasonably possible, but the Society should not promise anonymity where doing so may prevent the matter from being investigated fairly or make it impossible for another person properly to respond.

Where a request for confidentiality materially limits what the Society can fairly investigate or determine, this should be explained to the person concerned before proceeding wherever possible. Information provided anonymously may be taken into account where appropriate, but its reliability, the ability to test it fairly and the extent to which it can properly support a consequential finding should all be considered.

No significant adverse finding or formal sanction should normally depend solely upon an anonymous allegation that the person concerned has had no reasonable opportunity to answer.

11.4 Records of Concerns and Complaints

The Society should maintain an appropriate record of formal concerns and complaints considered under this Procedure.

Depending upon the nature of the matter, the record may include:
- the original complaint or formal record of concern;
- relevant correspondence;
- notes or statements provided by those involved;
- evidence considered during investigation;
- records of significant procedural decisions;
- the investigation report where one is produced;
- the determination and reasons;
- any warning, sanction or other outcome;
- any review or appeal and its outcome; and
- relevant communications confirming the conclusion of the matter.

Records should be accurate, proportionate and sufficiently complete to enable the Society to understand what occurred, how the matter was handled and why decisions were made.

Personal information should not be collected or retained merely because it might conceivably become useful at some unspecified future point.

Where appropriate, records should distinguish between allegations, evidence, findings and outcomes, so that an allegation which was not upheld is not subsequently mistaken for an established fact.

11.5 Committee Minutes and Confidential Case Records

Where the Management Committee considers or determines a matter under this Procedure, its formal decisions should be appropriately recorded in the minutes.

The minutes should normally record sufficient information to establish:
- the nature of the matter being considered;
- any relevant conflicts of interest and withdrawals;
- the decision reached;
- where relevant, the voting outcome and whether any required threshold was achieved; and
- sufficient reasons to understand the basis of the decision.

Detailed witness statements, sensitive personal information and extensive evidence should not normally be reproduced within general Committee minutes where they can instead be retained within an appropriately controlled case record.

Where necessary, the minutes may refer to a confidential report, case record or other supporting document retained separately.

11.6 Retention and Access

Records relating to complaints and disputes should be retained securely and access limited to those with an appropriate reason to see them.

The period for which records are retained should reflect their nature, seriousness, continuing relevance, the Society's legal and regulatory responsibilities and any applicable records-retention arrangements.

Where an outcome or warning is intended to remain relevant for a particular period, this should be made clear when the outcome is communicated.

The expiry of a warning or other defined period does not necessarily require the destruction of the historical record itself. It means that the Society should distinguish between retaining an accurate record of its history and continuing to treat an old matter as active for future decision-making.

11.7 Communicating During an Ongoing Matter

Those directly involved should, where reasonably practicable, be kept informed about significant stages of the process and any material delay.

The Society should avoid unnecessary speculation or wider discussion about an ongoing complaint, particularly where facts have not yet been established.

Where a matter has become known more widely within the Institute community and some communication is reasonably necessary, the Society should provide only such information as is appropriate and avoid presenting allegations as established facts.

Nobody speaking on behalf of the Society should publicly prejudge the outcome of an unresolved complaint or disclose confidential information without proper reason or authority.

11.8 Communicating the Conclusion

Those directly affected should receive the information about the outcome specified elsewhere in this Procedure.

The Society should distinguish between a person's legitimate need to understand how a matter affecting them has been resolved and wider curiosity about the details of a complaint.

Where wider communication is necessary—for example because an incident or resulting arrangements have affected the Institute community—the information provided should be proportionate and should respect the privacy of those involved as far as reasonably possible.

A concluded complaint should not become a source of unnecessary continuing commentary, gossip or informal punishment.

Guiding Principle

Good governance requires both memory and discretion: the Society should preserve what it needs to remember without unnecessarily preserving or spreading what people have a reasonable expectation will remain private.

12. Support, Representation and Wellbeing

Concerns, complaints and disputes can be difficult for everyone involved. Raising a concern, responding to an allegation, providing evidence, investigating events or making a consequential decision may all involve uncertainty, anxiety or disagreement.

The Society should seek to administer this Procedure in a way that recognises those human circumstances without compromising the fairness, integrity or necessary progress of the process. Support should be offered and arrangements made, where reasonably practicable, to enable people to understand and participate effectively in the procedure.

Guiding Principle

Fair procedure depends not only upon giving people an opportunity to participate, but upon enabling them reasonably to understand and use that opportunity.

12.1 Understanding the Process

People directly involved in a formal complaint or concern should be given clear information about what is happening and what will be expected of them.

This should include, where relevant:
- the stage the matter has reached;
- what information or response is being requested from them;
- who is responsible for considering the matter;
- what will happen next;
- any reasonable timescale applying;
- whether they may be accompanied or supported;
- how they can raise a question about the process; and
- when they can expect to hear further.

The Society should not assume that somebody understands its governance arrangements, terminology or procedures simply because they are a longstanding Member, volunteer, employee or Committee Member.

12.2 Accompaniment and Support at Meetings

A person invited to attend a formal meeting or interview under this Procedure may ask to be accompanied by an appropriate person for support.

The role of a companion is principally to provide reassurance and support, help the person understand the process and, where appropriate, assist them in expressing or clarifying their account.

The companion should not normally answer questions in place of the person concerned, obstruct the process or act in a way that prevents the meeting from being conducted fairly.

A proposed companion may be considered unsuitable where they are directly involved in the matter, are a material witness, have a significant conflict of interest or their involvement would otherwise materially compromise the fair conduct of the process. Where this occurs, the Society should explain the concern and allow the person reasonable opportunity to identify somebody else.

Where somebody would benefit from support but does not know whom to ask, the Society should wherever reasonably possible help them consider an appropriate option.

12.3 Reasonable Needs and Adjustments

The Society should consider reasonable needs that may affect somebody's ability to participate effectively in the procedure.

Depending upon the circumstances, this may include:
- providing information in a more accessible form;
- allowing additional time to read or respond to information;
- arranging meetings at a suitable time or location;

- allowing appropriate breaks;
- helping somebody record an account where they find written communication difficult;
- considering an alternative means of participation where attending in person would present genuine difficulty; or
- making other reasonable adjustments appropriate to the person's circumstances.

Any adjustment should preserve the ability of the Society to consider the matter fairly and should not materially disadvantage another person involved.

A person should feel able to explain what would help them participate without having to disclose more personal information than is reasonably necessary.

12.4 Wellbeing During the Process

The Society should recognise that involvement in a complaint or dispute may affect people's wellbeing.

Those administering the procedure should communicate respectfully, avoid unnecessary confrontation and seek to progress matters without unreasonable delay.

Where appropriate, consideration should be given to practical arrangements that reduce avoidable distress or tension while a matter is ongoing. This might include temporary changes to activities or responsibilities, arrangements intended to avoid unnecessary direct contact, or identifying a consistent point of contact for procedural communication.

Such arrangements should not be presented as findings of fault or used as informal sanctions.

The Society cannot guarantee that consideration of a difficult matter will be comfortable for everyone involved. Its responsibility is to ensure, as far as reasonably practicable, that necessary difficulty is not made worse by avoidable uncertainty, disrespect, delay or poor administration.

12.5 Support Does Not Determine the Outcome

Providing support to someone involved in the procedure does not indicate that the Society accepts their account, rejects somebody else's account or has reached a conclusion about the matter.

A complainant may be appropriately supported while their complaint remains unproven.

A person complained about may be appropriately supported while serious allegations against them are being investigated.

A witness may require reassurance or assistance without becoming a party to the dispute.

Care for the people involved and impartial consideration of the evidence are compatible responsibilities.

12.6 Those Administering the Procedure

The Society should also recognise that investigating or determining a difficult complaint can place significant responsibility upon Committee Members, employees or others asked to assist.

Those undertaking such responsibilities should:
- be given access to the Procedure and relevant Society documents;
- understand the particular responsibility they have been asked to undertake;
- be able to seek appropriate procedural guidance or advice;
- declare any uncertainty or conflict of interest that may affect their involvement;
- avoid carrying responsibility alone where the nature or seriousness of the matter makes additional support appropriate; and

- recognise when specialist or independent advice may reasonably be required.

Seeking advice should not be regarded as evidence that those administering the procedure are incapable of fulfilling their responsibilities. Knowing when additional knowledge or perspective is required is itself part of exercising good judgement.

12.7 Where Relationships Continue

A complaint or dispute does not necessarily end the relationship between the people involved or between them and the Society.

Where people will continue to encounter one another as Members, volunteers, employees, Committee Members or users of the Institute, consideration should be given, where appropriate, to what may help those relationships function reasonably following the conclusion of the procedure.

This does not require friendship, agreement or reconciliation.

It may simply require clarity about future expectations, appropriate boundaries, respectful behaviour and confidence that the matter has been concluded.

Where restorative conversation, mediation or another form of relationship repair may be helpful, this should normally take place only where those directly involved are willing and where doing so would be appropriate and safe.

Nobody should be pressured to reconcile personally with someone simply because the formal procedure has concluded.

Guiding Principle

Resolution does not always mean restoring a relationship to what it was before. Sometimes success means establishing a respectful and workable way forward.

13. Scope and Different Relationships with the Society

Shildon Railway Institute brings together people in different relationships with the Society, including Members, Management Committee Members, volunteers, employees, users of the Institute and people or organisations from the wider community.

A concern or dispute may involve people from one or several of these groups. Some individuals may also occupy more than one position at the same time—for example, a Member may also be a volunteer or Management Committee Member.

The principles of fairness, dignity, appropriate support, impartial consideration and responsible decision-making established within this Procedure should apply consistently regardless of the status of those involved.

However, **the action available to the Society may differ according to its relationship with the person concerned and the authority under which it is acting.**

This Procedure should therefore be used alongside any other relevant Society policy, contractual responsibility, legal obligation or provision of the Society's Rules.

Guiding Principle

People should receive consistent standards of fairness without assuming that every relationship with the Society is the same or that the same powers and procedures apply to each.

13.1 Members of the Society

Members may raise concerns and complaints in accordance with this Procedure.

Where a complaint by one Member about another may result in formal action affecting membership, the requirements of Rule 3.8 and Section 9 of this Procedure apply.

In particular, the constitutional requirements governing written complaints, consideration by the Management Committee, suspension of specified membership rights and possible expulsion must be observed.

Nothing elsewhere in this Procedure should be interpreted as creating an alternative route through which those requirements may be avoided.

A Member may also be subject to reasonable operational action which is distinct from formal action affecting their membership—for example, action necessary to manage behaviour or maintain safety on Society premises. Any such action should be taken under the appropriate authority and should not be misrepresented as a membership sanction.

13.2 Management Committee Members

A member of the Management Committee remains a Member of the Society but also holds a distinct position of responsibility and is subject to the requirements applying to that office.

Concerns relating to a Committee Member should therefore be considered according to the capacity or capacities in which the relevant conduct occurred and the nature of any action being contemplated.

Where the concern relates to their responsibilities or conduct as a Committee Member, the Management Committee Code of Conduct, Roles & Responsibilities of the Management Committee and relevant provisions of the Society's Rules should be considered alongside this Procedure.

The Rules require every Management Committee Member to sign and comply with the Management Committee Code of Conduct and provide separate arrangements under which a Committee Member may be removed from office.

Removal from the Management Committee and action affecting membership of the Society are distinct matters and should be considered separately, even where they arise from the same circumstances.

A Committee Member who is themselves involved in a complaint should not gain procedural advantage or suffer procedural disadvantage merely because of the office they hold.

13.3 Volunteers

Volunteers may raise concerns and may themselves be involved in matters considered under this Procedure.

Where a concern relates to volunteering activity, the Volunteer Code of Conduct, Volunteer Agreement and any other relevant Society policies should be considered alongside this Procedure.

The voluntary relationship is not an employment relationship, and processes or terminology appropriate to employees should not automatically be applied to volunteers.

Where concerns arise about a volunteer's conduct or suitability to continue a particular volunteering activity, the Society should consider the nature and seriousness of the concern, the volunteer's circumstances, appropriate support and whether the volunteering arrangement can reasonably continue.

Where the volunteer is also a Member, any action affecting their membership must be distinguished from action affecting their volunteering relationship with the Society.

13.4 Employees

Employees may raise concerns and may be involved in concerns raised by Members, volunteers, colleagues or others.

Where a matter concerns somebody in their capacity as an employee, the Society should consider whether an employment policy, contractual process or other employment-related procedure provides the appropriate route.

This Procedure should not be used to bypass or replace any employment process, right or obligation that properly applies.

Where an employee reports or witnesses behaviour by a Member, volunteer, Committee Member or other person, their employment status should not prevent the Society from considering the concern under this Procedure where it is otherwise appropriate to do so.

Employees should not be expected to tolerate unacceptable behaviour simply because the person responsible is a Member or holds another position within the Society.

Where a matter involves both employment considerations and wider Society conduct, the relevant processes should be coordinated as far as reasonably possible, with appropriate advice sought where necessary.

13.5 Users, Visitors and Other People

A person does not necessarily have to be a Member of the Society to raise a legitimate concern about something they have experienced or witnessed in connection with the Institute, its activities or those acting on its behalf.

Concerns raised by users, visitors, partner organisations, contractors or members of the wider community should be received respectfully and considered through an appropriate process.

The extent to which this Procedure applies will depend upon the nature of the concern and the Society's relationship with those involved.

Where the person complained about is a Member, Committee Member, volunteer or employee, the appropriate provisions governing that relationship should be followed.

Where the person complained about has no continuing formal relationship with the Society, the Society may nevertheless take reasonable action within its authority to protect people, property, activities and the appropriate use of its premises.

The Society should not imply that it possesses disciplinary or other authority over an external person or organisation where no such authority exists.

13.6 Where a Person Has More Than One Relationship with the Society

Where somebody occupies more than one position or relationship with the Society, the initial assessment should identify the capacity or capacities relevant to the concern and to any possible outcome.

For example, a person may simultaneously be:
- a Member and volunteer;
- a Member and employee;
- a Member and Committee Member;
- a Committee Member and volunteer; or
- involved with the Society in another combination of capacities.

The Society should avoid assuming that action affecting one relationship automatically determines another.

Where the same conduct has legitimate implications for more than one relationship, each should be considered under the appropriate authority and procedure.

The Society should, however, seek to coordinate those considerations wherever reasonably practicable so that people are not subjected unnecessarily to multiple investigations into substantially the same facts.

The same evidence may inform more than one legitimate decision, but each decision must have its own proper basis and authority.

13.7 Where Another Procedure Applies

Where another Society policy or procedure is more specifically applicable to a matter—for example in relation to safeguarding, health, safety and wellbeing, employment, data protection or another specialist responsibility—the Society should identify the appropriate route during initial assessment.

Referral to another procedure should not result in a concern being lost, repeatedly redirected or left without clear responsibility.

Where more than one procedure is relevant, those responsible should determine how they can be coordinated fairly and efficiently and explain this to the people directly involved.

Where specialist, legal or regulatory responsibilities arise beyond the Society's reasonable competence, appropriate external advice or referral should be considered.

Nothing within this Procedure should prevent or delay urgent action required to protect somebody from harm or fulfil a legal or regulatory responsibility.

Guiding Principle

Good procedure should help people find the right route through a difficulty; it should never become a maze through which responsibility can be passed until nobody takes ownership.

14. Implementation and Responsibility

The Management Committee is collectively responsible for ensuring that this Procedure is understood, maintained and applied appropriately on behalf of the Society.

That collective responsibility does not mean that every Committee Member should participate in every complaint or decision. Depending upon the circumstances, particular responsibilities may be allocated to individual Committee Members, investigators or others appropriately appointed in accordance with this Procedure.

For each formal matter, it should be clear who is responsible for coordinating the process and ensuring that necessary actions are progressed.

Responsibility should be allocated according to the nature of the matter, the roles and strengths of those available, the need for impartiality and the requirements of the Society's Rules and this Procedure.

Guiding Principle

Responsibility for fair handling of concerns belongs to the Society collectively, while responsibility for particular actions should be entrusted clearly to those best placed to carry them out.

14.1 Responsibility of the Management Committee

The Management Committee should ensure that:
- this Procedure remains available and accessible to those who may need it;
- Committee Members understand its principal requirements and the responsibilities it may place upon them;
- concerns reaching the Committee are not ignored or left without appropriate ownership;
- appropriate people are appointed to investigate, review or undertake other responsibilities where required;
- conflicts of interest are identified and managed;
- decisions reserved to the Management Committee or required by the Society's Rules are made by the appropriate body;
- appropriate records are created and retained;
- necessary actions and outcomes are followed through; and
- experience gained through use of the Procedure informs future governance and organisational learning where appropriate.

The Committee should periodically consider whether experience of operating the Procedure has revealed weaknesses, uncertainty or opportunities for improvement.

14.2 Coordinating an Individual Matter

When a formal matter arises, an appropriate person should be identified to coordinate its administration.

The coordinator's role may include:
- ensuring that relevant communications are made;
- maintaining appropriate records and case information;
- arranging meetings or other procedural steps;
- monitoring agreed timescales and outstanding actions;
- ensuring that decisions and reasons are recorded;
- identifying when a matter requires consideration or decision by the Management Committee; and
- helping those involved understand what stage the process has reached.

The coordinator does not acquire authority to investigate, determine or sanction merely by undertaking this administrative role. Those responsibilities should remain with the people or body appropriately appointed or authorised to exercise them.

The same person may undertake more than one responsibility where this is appropriate and does not compromise fairness or create a material conflict of interest.

14.3 Responsibilities of Committee Members

Committee Members should support the proper operation of this Procedure by:
- taking concerns seriously and responding respectfully when they are raised;
- avoiding premature conclusions or public commentary about unresolved matters;
- directing or passing information appropriately rather than assuming somebody else will deal with it;
- respecting confidentiality and responsible information handling;
- declaring relevant conflicts of interest;
- participating conscientiously where asked to undertake an appropriate responsibility;
- considering evidence and decisions impartially;
- complying with the Society's Rules and relevant governance documents; and
- supporting agreed decisions once properly reached, irrespective of personal preference.

Nothing in this section requires a Committee Member to undertake a responsibility for which they reasonably believe they are unsuitable, insufficiently impartial or unable to provide the necessary time or attention.

Where this occurs, they should raise the matter openly so that an appropriate alternative arrangement can be made.

14.4 Responsibilities of Those Appointed Under the Procedure

Anyone appointed to coordinate, investigate, review or otherwise assist with a matter should:
- understand the responsibility entrusted to them;
- act within the scope of that responsibility;
- approach the matter fairly and with an open mind;
- maintain appropriate records;
- handle information responsibly;
- identify promptly any conflict, difficulty or need for additional guidance;
- avoid unnecessary delay; and
- report or refer the matter appropriately when their particular responsibility is complete.

Appointment to a particular responsibility does not give somebody ownership of the complaint or its outcome.

Their responsibility is to contribute faithfully to the process entrusted to them.

14.5 Timescales and Avoiding Unnecessary Delay

Concerns and complaints should be progressed within reasonable timescales.

The Society does not prescribe rigid timescales for every stage because the complexity, seriousness and circumstances of matters may vary considerably.

Those coordinating a matter should nevertheless seek to avoid unnecessary delay and keep directly affected people appropriately informed where consideration is taking longer than reasonably expected.

Where a specific timescale is required by the Society's Rules, this Procedure or another applicable requirement, that timescale must be observed.

Delay should never be used deliberately to discourage a complaint, avoid a difficult decision or allow a matter to disappear through inaction.

Conversely, the desire to conclude a matter quickly should not compromise necessary investigation or procedural fairness.

Guiding Principle

A fair process should take the time it reasonably needs, but no longer.

14.6 Learning from Experience

The conclusion of an individual complaint or dispute should not necessarily be the end of the Society's consideration of what can be learned from it.

Without unnecessarily reopening the matter or compromising the privacy of those involved, the Management Committee may consider whether experience has identified:

- ambiguity or weakness in a policy or procedure;
- a need for clearer communication or expectations;
- gaps in training, induction or support;
- practical or environmental factors that contributed to the difficulty;
- recurring patterns that warrant wider attention; or
- opportunities to improve the way the Society prevents or responds to similar situations.

Organisational learning should not be used to reassign blame after a matter has concluded. Its purpose is to consider whether the Society itself can become better as a result of what it has learned.

Guiding Principle

A well-governed Society does not merely resolve difficulties; where there is something useful to learn from them, it carries that learning forward.

15. Related Documents and Sources of Authority

This Procedure forms part of the wider governance framework of Shildon Railway Institute and should not be read in isolation.

Different documents within that framework perform different functions. Some establish the authority under which the Society acts, some define the standards and responsibilities expected of people involved with the Society, and others provide more specific guidance or procedures where particular circumstances arise.

Where documents interact, they should wherever possible be read together and applied consistently.

15.1 The Society's Rules

The Rules of Shildon Railway Institute Limited are the principal source of authority for the Society's governance and take precedence over this Procedure.

The Rules establish, amongst other matters:

- the powers and responsibilities of the Management Committee;
- the Society's ability to make provisions governing its operation;
- the requirements applying to complaints between Members and formal action affecting membership;
- the requirement for Management Committee Members to comply with a Code of Conduct;

- the circumstances and processes through which a Management Committee Member may be removed from office; and
- the requirement for the Society to maintain and follow an internal policy for dispute resolution.

This Procedure provides practical arrangements through which those responsibilities and powers may be exercised fairly and consistently. It does not replace or extend the authority provided by the Rules.

Where there is any inconsistency between this Procedure and the Rules, the Rules take precedence.

15.2 Governance Philosophy

The Governance Philosophy expresses the principles of stewardship, responsibility, trust, fairness, collective endeavour and learning that underpin the Society's approach to governance.

This Procedure should be interpreted and applied in a manner consistent with those principles.

The Governance Philosophy does not replace the specific requirements of this Procedure or the Society's Rules. Rather, it provides the cultural and ethical foundation upon which responsible judgement should be exercised where rules and procedures alone cannot prescribe every circumstance.

15.3 Codes, Responsibilities and Agreements

The following governance documents should be considered where relevant:
- Responsibilities of the Management Committee — setting out the responsibilities associated with Committee membership and particular offices;
- Management Committee Code of Conduct — establishing the standards of behaviour and integrity expected of those entrusted with Committee responsibility;
- Volunteer Code of Conduct — establishing the standards of conduct expected within the Society's volunteering community; and
- Volunteer Agreement — explaining the mutual expectations and nature of the volunteering relationship.

These documents may help establish what was reasonably expected of somebody in a particular capacity. Where a concern arises under one of them, this Procedure may provide the means through which that concern is considered, but the purpose and authority of each document should remain distinct.

15.4 Specialist Policies and Procedures

Some concerns may engage more specific Society policies, procedures or responsibilities. These may include, where applicable:
- Safeguarding;
- Health, Safety and Wellbeing;
- Equality, Diversity and Inclusion;
- Data Protection and information management;
- employment policies and contractual procedures;
- Conflicts of Interest; and
- other relevant operational or governance arrangements.

Where a specialist procedure provides the more appropriate route, it should be followed. Where more than one document is relevant, those responsible should seek to coordinate their application consistently and avoid unnecessary duplication.

The absence of a specific policy should not prevent the Society from taking reasonable action within its lawful authority where a matter requires attention.

Guiding Principle

The Society's governance documents should work together: the Rules provide authority, the Governance Philosophy provides direction, and individual policies and procedures translate both into responsible practice.

16. Review and Maintenance of this Procedure

This Procedure should be reviewed periodically by the Management Committee to ensure that it remains clear, effective, consistent with the Society's Rules and aligned with the wider governance framework.

A review should consider not only whether the wording remains current, but whether experience of using the Procedure has demonstrated opportunities for improvement.

Review should include consideration of:
- any amendments to the Society's Rules;
- changes in applicable legal or regulatory responsibilities;
- changes elsewhere within the Society's governance framework;
- experience gained from complaints, concerns or disputes considered under the Procedure;
- feedback from those responsible for operating it;
- any recurring uncertainty or difficulty in interpretation;
- whether responsibilities and cross-references remain accurate; and
- whether the Procedure continues to reflect the Society's Governance Philosophy.

The Procedure should also be reviewed earlier than its scheduled review date where a significant change or experience indicates that this is necessary.

Amendments should be approved by the Management Committee and appropriately recorded. No amendment to this Procedure may override or reduce a requirement or safeguard contained within the Society's Rules.

16.1 Review Following Significant Use

Following a particularly serious, complex or unusual matter, the Management Committee should consider whether a proportionate review of the operation of the Procedure would be useful. Such a review should focus upon how the procedure operated, rather than reopening findings or assigning further blame.

Questions might include:
- Were responsibilities clear?
- Were those involved able to understand and participate in the process?
- Were conflicts of interest managed effectively?
- Was relevant information identified and preserved?
- Were decisions made at the appropriate level?
- Did unnecessary delay occur?
- Did different Society policies work together effectively?
- Was appropriate support available?
- Did anything occur that this Procedure had not adequately anticipated?
- Is there anything the Society should do differently in future?

Learning arising from such a review should inform future policy, induction, training or organisational practice where appropriate.

16.2 Continuing Alignment with the Rules

As part of each formal review of this Procedure, the Management Committee should consider its continuing alignment with the Society's Rules.

Particular attention should be given to provisions concerning:
- powers and delegation of the Management Committee;
- complaints between Members;
- suspension of membership rights and expulsion;
- responsibilities and removal of Management Committee Members;
- voting requirements and procedural safeguards; and
- internal dispute resolution.

Where the Rules are amended in a way that affects this Procedure, the Procedure should be reviewed as soon as reasonably practicable.

A provision of this Procedure should never be relied upon to justify action that is inconsistent with the Society's Rules.

17. Closing Statement

Shildon Railway Institute is a community of people. Wherever people work, volunteer, socialise and make decisions together, there will sometimes be disagreement, misunderstanding, mistakes and occasions when behaviour falls short of what should reasonably be expected.

Good governance does not depend upon preventing every difficulty. It depends upon creating a culture in which concerns can be raised, people are heard, evidence is considered fairly, authority is exercised responsibly and appropriate lessons are carried forward.

This Procedure exists to provide that framework. It should be applied with fairness and consistency, but also with judgement, proportion and humanity. Its purpose is not to create winners and losers, nor to eliminate honest disagreement, but to help the Society address difficulties without losing sight of the dignity of the people involved or the responsibilities entrusted to it.

In resolving the difficulties of the present, the Society should seek always to protect the trust, principles and relationships upon which its future depends.