

Great Western Society Limited

Problem resolution for volunteers

1 Introduction

A problem resolution policy may seem unnecessary for people who are volunteers and not employees of an organisation. However, as volunteers do not have employment rights or the legal recourses open to employees, it is considered important that there are guidelines to ensure that volunteers are treated fairly and consistently.

This problem resolution may be applied for the following issues -

- Capability - a volunteer's ability to undertake the role
- Performance - how well a volunteer is performing in the role
- Conduct – behaviour when taking part in volunteering
- Unfairness – when a volunteer feels that they have not been treated fairly
- Complaints – where a volunteer feels resentment due to a perceived wrong which has not been adequately addressed.

2 Purpose and scope

The following procedures are, therefore, designed to (a) help and encourage volunteer staff to achieve and maintain satisfactory standards of conduct, attendance and performance and (b) provide volunteers with a pathway for the resolution of complaints and disputes. The aim is to ensure consistent and fair treatment for all volunteers in the organisation. Given the large number of volunteers within the Great Western Society (GWS) and the range of their experience and work type, the procedures outlined should be regarded as a framework which may be subject to variance in individual cases depending on circumstances. Nevertheless, they should generally be regarded as representing the minimum requirement in terms of the action to be taken when dealing with problem resolution issues involving volunteers.

3 Volunteers' rights

Paid employees have employment contracts which give entitlement to the use of disciplinary and grievance procedures as well as conferring other rights such as access to an employment tribunal in appropriate circumstances. Volunteers

do not have a contract or the same legal status or protections enjoyed by paid employees. They also do not have the right to ensure that the GWS follows proper investigative procedures when things go wrong, nor do they have a right of appeal against a decision made by the GWS.

4 *Treatment of volunteers*

As a responsible organisation, the GWS actively promotes and pursues fairness and consistency in their treatment of all workers when things go wrong. To this end it is committed not only to following ACAS guidance in the design and implementation of procedures on discipline and grievance for its employees, but also to adhering to guidance from the National Council for Voluntary Organisations (NCVO) in the administration of problem resolution issues for volunteers. This will ensure that, despite the limitations of their employment rights, volunteers will nevertheless be afforded a reasonable degree of the protection enjoyed by paid employees.

5 *Key principles of the procedure*

- Action at all stages of this procedure will be taken promptly unless there is a good reason for delay. The time limits specified may be extended if it is deemed reasonable to do so.
- All problems or concerns will be treated seriously and volunteers will be given a fair hearing.
- A volunteer may request assistance due to a disability or for personal reasons. GWS will make reasonable adjustments to the procedure to meet such requests, e.g. by allowing the volunteer the support of a colleague or friend at the discussion stage.
- All information and proceedings relating to a problem which is the subject of this procedure should remain confidential as far as possible.
- The procedure may be varied as appropriate to a particular case. It may also be discontinued if all parties agree that it would no longer serve a useful purpose to carry on with it.

Part 1 – Volunteer conduct and performance

6 Sequence of events

a) Initial action

Where a volunteer's performance, attitude or behaviour is thought to be below the required standard, the volunteer's supervisor or other relevant manager will meet the volunteer to discuss the matter and determine the best way forward. This may include instances where the volunteer has failed to reach the standards described in the GWS Values and Behaviours to which all workers are expected to adhere. A decision on the volunteer's future role will not be made without this two-way discussion and the implementation of subsequent measures put in place to remedy the problem.

b) Measures for improvement

The manager will consider how best to offer the support which may help to improve performance or conduct. The discussion will be open, honest and objective and conducted in an amicable, though business-like, manner. The emphasis will be on finding a solution which is agreeable to both parties. Options to be explored will normally include further training, mentoring with a more experienced colleague, changing the volunteer's work pattern or transferring to other duties which may better match the volunteer's qualities and experience.

c) Agreeing further action

Wherever possible, a course of action should be agreed by both the manager and the volunteer at the initial meeting. This will aid commitment by both parties to a successful resolution of the matter under consideration. In these circumstances it will be necessary to set a date for a further meeting(s) when progress can be assessed following the implementation of practical proposals for improvement.

d) Further meetings and decision

At subsequent meetings, the manager will check progress and, once all relevant options have been explored and action taken, will reach a decision on the volunteer's future role within the GWS. At this stage it may also be necessary to consider withdrawal of GWS membership as an appropriate sanction in some cases. The decision will be notified to the volunteer, normally within 14 days of the final meeting.

e) *Written records*

The manager should maintain a concise, factual record of discussions and actions taken throughout the process and give an updated copy to the volunteer at the completion of each stage of the investigation.

7 *Review of the decision*

Volunteers do not have a right of appeal against a decision to either bring to an end their spell of duty with GWS or to impose a sanction as they are not covered by employment legislation. The GWS will, however, grant a request by the volunteer for a review, to be undertaken by the GWS Chairman or other senior manager, of the action taken and the decision made. The volunteer should request the review in writing, giving grounds for the request, within 14 days of notification of the decision. The reviewing officer will undertake an appraisal of the case, which will include consideration of the paper evidence and further interviews with relevant parties as deemed necessary, in order to determine whether a fair and reasonable decision has been reached. The decision reached on review will be issued within 14 days of the conclusion of the review and will be final.

8 *Immediate termination of duty*

Certain offences of misconduct are regarded as so serious that they justify the immediate conclusion of the spell of voluntary duty as well as withdrawal of GWS membership. They include malicious damage to GWS property, theft, physical violence and serious misuse of GWS computer systems. These examples are not exhaustive. The volunteer may be suspended from duty until an investigation has been completed. A decision to end the spell of volunteering will be authorised by a senior manager and confirmed in writing. Wherever possible, the letter and its contents should be conveyed to the volunteer in a face-to-face meeting.

Part 2 – Volunteer complaints and disputes

9 *Definition*

Concerns, problems or complaints may be raised relating to (a) working practices and / or procedures or (b) relationships with fellow employees or volunteers at different levels. In this connection a volunteer may either lodge a complaint or be the subject of a complaint raised by another employee or volunteer. Anonymous complaints will not be considered.

10 Sequence of events

a) Complaint by volunteer – initial meeting

A volunteer may lodge a complaint either verbally or in writing to any relevant manager. In the first instance the manager will arrange a meeting with the volunteer to discuss the complaint in an amicable and business-like manner. In this way it may be possible to quickly address the issue(s) and formulate a solution. If necessary, a course of action will be agreed to tackle the volunteer's concerns and this will be subject to review at a subsequent meeting(s).

b) Complaint against manager

Where the complaint is against the volunteer's manager and the volunteer feels unable to raise the matter directly with them, the initial approach should be made to the Company Secretary who will take all necessary action.

c) Action following initial meeting

The manager concerned will, as appropriate, make enquiries of other staff, check documentary evidence and ensure that all action agreed at the initial meeting is undertaken to assist in the resolution of the complaint.

d) Further meeting(s) and decision

Progress will be assessed at further meeting(s) and the manager will reach a decision on the complaint when all necessary action is adjudged to have been taken. The decision will then be issued to the volunteer, normally within 14 days of the final meeting.

e) Record keeping

The manager should maintain a concise, factual record of discussions and actions taken throughout the process and give an updated copy to the volunteer at the completion of each stage of the investigation.

11 Review of decision

Volunteers do not have a right of appeal against a decision on a complaint issue as they are not covered by employment legislation. Where, however, a volunteer is not satisfied with the scope and/or outcome of the investigation they may request a review, to be undertaken by the GWS Chairman or other senior manager, of the action taken and the decision made. Access to the

review procedure will provide a safety net for those directly involved in the investigation process to ensure that correct decisions are made.

The volunteer should request the review in writing, giving grounds for the request, within 14 days of notification of the decision. The reviewing officer will undertake an appraisal of the case, which will include consideration of the paper evidence and further interviews with relevant parties as deemed necessary, in order to determine whether a fair and reasonable decision has been reached. The decision reached on review will be issued within 14 days of the conclusion of the review and will be final.

12 *Complaint against a volunteer by another person*

Where the volunteer is the subject of a complaint by another person, specific action will depend on the status of the complainant. In this respect, the case will be fully investigated in accordance with the GWS policy for dealing with such matters as outlined either in this document where the complainant is another volunteer or The Grievance Procedure (Employees) where the complainant is an employee. Following the investigation, and depending on the outcome, it may be necessary to consider the impact on the volunteer's future position. This may lead, for example, to further training for the volunteer, a change of duties or in some cases a discussion with a view to concluding the volunteer's spell of duty with the GWS and also withdrawing GWS membership where deemed appropriate. The volunteer will, however, be given the opportunity to request a review of any decision reached on their future, as outlined in paragraph 11.

13 *Impact of complaint on others*

Depending on the nature and impact of the grievance, consideration must be given to providing proportionate support for all staff affected by a complaint case. It is the responsibility of the line manager (or in appropriate circumstances, the GWS Company Secretary) as the investigating officer to determine whether support is required and, if so, to make the necessary provision for individual(s) so that they are not left isolated at a potentially difficult time.

14 *Volunteer and employee involved in same complaint*

A situation may arise where both a volunteer and an employee are directly involved in the same complaint or dispute, e.g. where the behaviour of both staff members causes disruption to others as a result of a clash of personalities. Where this occurs it is important, in the interests of fairness,

that both parties are afforded the same treatment and that they go through the same stages of the investigation process. This may result, exceptionally, in the volunteer being subject to some or all of the provisions of the grievance procedure for employees. Managers will make the best efforts possible to coordinate action relating to key aspects of the investigation process as they directly affect both staff members, in particular in the timing of interviews and the conveyance of decisions. This may prove challenging depending on the availability and the working patterns of the staff concerned, however.

15 Conclusion

The GWS is committed to ensuring that all problems are resolved as soon as possible in accordance with the procedures outlined in this document. Where a volunteer considers that the correct action has not been taken they should contact the Company Secretary.

NB These procedures will be subject to review in a year to assess their effectiveness and whether any amendments are necessary.

September 2018

This procedure was approved by the Great Western Society Board on 15th September 2018 and is due for review in July 2020.