



Disputes Guidance and Procedure

1. Disputes Between Volunteers/Members and/or other Volunteers/Members Page 2

2. Disputes Between Volunteers/Members and Member(s) of the Management Committee Page 4

3. Formal Complaint Resolution Process Between Members and the Management Committee Page 6

4. Disciplinary Action/Removal of Members from the Society Page 7

5. Disciplinary Action/Removal of Committee Members Page 8

6. Confidentiality, Violation of this Policy, and Refusing Applications for Membership of the Society Page 9

Stockland Community Pub Limited (SCPL) is a Registered Society for the Benefit of the Community, registered with the FCA no. 32191R
Registered Office: Shorms, Shore Bottom, Stockland, Honiton, Devon EX14 9DQ www.scpl.org.uk
We are supported through the 'More Than A Pub' program by:



1. Disputes Between Volunteers/Members and/or Other Volunteers/Members

Informal Dispute Process

If you have a grievance or complaint to do with your volunteering, the people you volunteer with or other Members of the Society you should, wherever possible, start by discussing it with the other party/parties to the dispute. You should be able to agree on a solution informally between yourselves. If you are unable to reach a solution informally, you may decide to raise a formal complaint.

Formal Dispute Resolution Process

Guidance on raising a problem or complaint:

- Keep a record of all the incidents and any related discussions. The details should be noted, including when it happened, where it happened, who was involved, and any witnesses who may have seen or heard it. Your complaint will still be looked into even if you did not keep records.
- Describe the problem or complaint you have.
- State what actions you have taken to resolve the matter so far.
- Think about how the problem could be resolved / the resolution you seek.

Making the complaint:

If you would like to make a formal complaint this should be done in writing and submitted to the Secretary either via email, Royal Mail, or hand delivery to the registered office at the address below. (email contact@scpl.org.uk).

Complaints should be made as soon as possible, but no later than 30 days from the date of the incident(s). All efforts will be made to ensure that formal complaints are resolved within 30 days, or within a specified time as discussed with the complainant.

Follow up interview:

The Chair or Committee nominated person will arrange to meet and interview the complainant.

Notes should be taken at this meeting and a copy reviewed and signed by the complainant; each party should retain a copy.

Two additional people may attend the meeting by mutual agreement. One to observe and take notes, another to support the complainant.

Investigation:

The Chair or nominated person will thoroughly investigate the complaint, including any necessary consultation with other Volunteers/Members or Management Committee Members.

The report and reporting to the Management Committee:

At the conclusion of the formal investigation, a report will be discussed with the Management Committee which will include the allegations and the investigation's findings, conclusions and recommendations.

Outcome:

The Management Committee will review the report and a decision regarding the actions that should be taken will be made.

A response to the complainant will be provided by email or a written letter, following the meeting at which the matter was discussed.

Stockland Community Pub Limited (SCPL) is a Registered Society for the Benefit of the Community, registered with the FCA no. 32191R
Registered Office: Shorms, Shore Bottom, Stockland, Honiton, Devon EX14 9DQ www.scpl.org.uk
We are supported through the 'More Than A Pub' program by:

2. Disputes Between Volunteers/Members and Member(s) of the Management Committee

Informal Complaint Resolution Process

If you have a grievance or complaint with a Committee member you should, wherever possible, start by discussing it with that person. You should be able to agree on a solution informally between yourselves. If you are unable to reach a solution informally, you may decide to raise a formal complaint.

Formal Complaint Resolution Process

Guidance on raising a problem or complaint:

- Keep a record of all the incidents and any related discussions. The details should be noted, including when it happened, where it happened, who was involved, and any witnesses who may have seen or heard it. Your complaint will still be looked into even if you did not keep records.
- Describe the problem or complaint you have.
- State what actions you have taken to resolve the matter so far.
- Think about how the problem could be resolved / the resolution you seek.

Making the complaint:

If you would like to make a formal complaint this should be done in writing and submitted to the Secretary either via email, Royal Mail, or hand delivery to the registered office at the address below. (email contact@scpl.org.uk).

If your complaint is against a Member of the Management Committee, the Secretary will refer it to the Chair. If it concerns the Chair, then the Secretary will refer the matter to the Vice Chair or Treasurer.

Complaints should be made as soon as possible, but no later than 30 days from the date of the incident(s). All efforts will be made to ensure that formal complaints are resolved within 30 days, or within a specified time as discussed with the complainant.

Follow up interview:

The Chair or Committee nominated person will arrange to meet and interview the complainant.

Notes should be taken at this meeting and a copy reviewed and signed by the complainant; each party should retain a copy.

Two additional people may attend the meeting by mutual agreement. One to observe and take notes, another to support the complainant.

Investigation:

The Chair or nominated person will thoroughly investigate the complaint, including any necessary consultation with other Volunteers/Members or Management Committee Members.

The report and reporting to the Management Committee:

At the conclusion of the formal investigation, a report will be discussed with the Management Committee apart from the person involved who should be asked to step out due to a Conflict of Interest, which will include the allegations and the investigation's findings, conclusions and recommendations.

Outcome:

The Management Committee will review the report and a decision regarding the actions that should be taken will be made.

A response to the complainant will be provided by email or a written letter, following the meeting at which the matter was discussed.

Stockland Community Pub Limited (SCPL) is a Registered Society for the Benefit of the Community, registered with the FCA no. 32191R
Registered Office: Shorms, Shore Bottom, Stockland, Honiton, Devon EX14 9DQ www.scpl.org.uk
We are supported through the 'More Than A Pub' program by:

3. Formal Complaint Resolution Process – Between Member(s) and the Management Committee

Making the complaint:

If you would like to make a formal complaint regarding the Management Committee this should be done in writing and submitted to the Chair or Secretary. Complaints should be made as soon as possible, but no later than 30 days from the date of the incident(s).

Investigation:

Receipt of the complaint will be acknowledged in 2 weeks.

The Management Committee will review the complaint – either at the next meeting or call a special meeting. The complainant should be encouraged to attend part of the meeting to put their case to the Committee and hopefully resolve the issue.

The outcome:

A response to the complainant will be provided by email or a written letter, following the meeting at which the matter was discussed, within 30 days of the meeting.

The appeal process:

A Member can appeal the decision of the Committee in a Special Members' Meeting (SSM). This meeting will be called within 2 weeks to 30 days after the notice to the Member. It is advisable for there to be an impartial observer to make notes.

A Member can call an SSM as per the Governance Rules (Rule 4.5) providing that they can obtain the necessary supporting signatures. If the SSM goes ahead, the Members present can use their voting rights under Rule 5.10.5 to remove a Member(s) of the Management Committee with immediate effect.

4. Disciplinary Action/Removal of Members from the Society

The Management Committee may authorise disciplinary action or the termination of membership of Members under the provisions of the Governance Rules (Rule 3.8).

Deciding to remove Members:

The Management Committee will review any Members who are proposed for removal at a regular committee meeting and call a subsequent meeting specifically to consider the matter.

Details of the complaint must be sent to the Members complained of not less than 14 days before the subsequent meeting with an invitation to answer the complaints and attend the meeting. At this meeting, the Management Committee may pass a resolution, approved by not less than two-thirds of the Committee Members present to expel the Members being considered for removal.

If the vote is in favour of expulsion from the Society, the Members are removed with effect from that time (refer to Rule 3.8.6).

Issuing the notice:

A response to the defendant should be provided by email or a written letter, following the meeting at which the matter was discussed, within 30 days.

The notice to the Member shall set out the reasons for the termination of their Membership.

There is no right of appeal under the Governance Rules.

Expelled Members' Shareholdings:

An expelled Members will be removed from the Share Registry and their shareholdings will be converted to a loan under the provisions of Rule 8.7 quoted below:

- 8.7 In the event that a Member resigns from membership, is removed from the Register of Members, or is expelled in accordance with the Rules, shares held by them at the date of resignation, removal or expulsion shall thereupon become a loan, repayable to the former Member by the Society. The terms of repayment shall be those applying to the withdrawal of share capital set out in the Rules and notice of withdrawal shall be treated as having been given at the point of resignation, removal or expulsion.

Expelled Members' Wishing to Re-join the Society:

No person who has been expelled from the Society may be permitted to re-join unless a vote in favour by more than two-thirds of the Committee Members present at a Committee Meeting vote in favour of them doing so (Rule 3.9).

5. Disciplinary Action/Removal of Committee Members from the Management Committee

The Management Committee Members may pass a resolution authorising disciplinary action or the removal of a Committee Member, using the process described in Rule 5.10 in the Governance Rules.

Deciding to remove Members:

The Management Committee will review Committee Members who are proposed for removal from the Committee at a Committee Meeting and call a subsequent meeting specifically to consider the matter.

Details of the complaint must be sent to the Committee Member/s complained of not less than fourteen days before the subsequent meeting with an invitation to answer the complaints and attend the meeting.

The letter or email sent to the Member of the Committee shall set out the reasons for the intention to remove them from office. The Committee Member has 2 weeks to respond and can do so by email or by a written letter, or in person at the subsequent meeting.

At this subsequent meeting the Management Committee may pass a resolution, approved by not less than two-thirds of the Committee Members present, to expel the Committee Member/s being considered for removal from the Committee.

The Members of the Management Committee present may also vote to expel the defendant from the Society altogether, following the procedure set out in section 4 above.

The outcome:

The notice; a written letter or email, to the Committee Member shall set out the reasons for removal from office, and, if applicable, their removal/expulsion from the Society. This response to the defendant will be sent within 30 days of the meeting.

There is no right of appeal under the Governance Rules.

6. Confidentiality, Violations of this Policy, and Refusing Applications for Membership of the Society

Confidentiality

All persons involved with a complaint must endeavour to ensure that the matter remains confidential. To this end, complaints shall be investigated both confidentially and objectively, with respect to the rights of all parties involved.

Anyone conducting the investigation of a complaint should advise all persons interviewed that they will be expected to treat the matter as confidential and that they may be disciplined if they breach confidentiality.

Violation, Failing to Take Action, Fraudulent or Malicious Behaviour

Any Member, Volunteer or Management Committee Member who violates this policy, and/or fails to take action when advised of a violation, will be subject to appropriate disciplinary action, up to and including termination of their membership; asked to stop being a volunteer/removal from the Management Committee. Disciplinary action will also be taken if a complaint is found to have been made fraudulently and with malicious intent.

Refusal of Application for Membership

The Management Committee may refuse any application for membership at its absolute discretion as per the Governance Rules (Rule 3.4).

There is no right of appeal under the Governance Rules.