



Reviewed at Management meeting 4th May 2022

Next review date: May 2024

General statement

Poppleton Community Railway Nursery aims to provide its volunteers, members, organisations and individuals with the best possible service. However there may be occasions when users of our nursery services feel that the quality or level of service provided fall short of what they could reasonably expect.

We also want to know about these occasions so that we can make good the problem and plan to avoid its repetition.

If you have a complaint, we would like you to tell us about it so that it does not happen again.

This document is intended to address and correct problems of behaviour or conduct concerning the volunteer whilst they are at the nursery; as well as if he/she has concerns about the way he/she has been treated at the nursery by other volunteers, members of the public or contractors.

However, it must be recognised that as volunteers are not employees, these procedures are followed by way of guidance and are not contractually binding for either party.

They are intended to ensure that there is consistency in the treatment of volunteers at the nursery and any problems are dealt with fairly.

All complainants are initially encouraged to consider speaking to the individual(s) concerned. If you feel uncomfortable doing this, or are unable to resolve the situation, a verbal complaint should be made to the Duty Manager.

Your views will be heard, noted and acted upon promptly it try to achieve an amicable, positive solution to any problems. Reference will be made to the guidelines for settling differences. In the event of a problem all relevant facts should be obtained quickly and you will be supported by the PCRN while it endeavours to solve the problem in an informal manner.

Part A: Complaints about the Nursery or its contractors, by a member or organisation or by volunteers.

1. If you have a complaint to make, it should be made to the Duty Manager, who will try to resolve the issue informally. If the Duty Manager is unable to resolve the issue, you should seek help from the Designated Trustee, Mr Graham Collett.

2. If the issue is serious, or you are not satisfied after raising it with the Designated Trustee, you should make a formal complaint.

3. Your complaint should be made in writing, marked "Private and Confidential", and sent to the Chair person who will acknowledge it in writing (normally within 7 days of receipt). Remember to

keep a copy of your letter. If you need someone to help you make your complaint, PCRN can arrange this for you.

4. The Designated Trustee will - in consultation with the Chair of the Trustee Board - investigate the complaint. (See separate check list, Appendix 1)

5. The Designated Trustee shall communicate the results of the investigation to you within a reasonable time - normally 21 days.

6. You have the right - if dissatisfied with the results of the inquiry - to put your case in writing or personally to a panel comprising at least three members from the PCRN Trustee Board. Both parties have the right to have a friend/advisor present.

7. The decision of the panel will be final.

8. Where appropriate, PCRN will make a written apology to the complainant, and agree any further action necessary to make good the cause of the complaint.

9. All formal complaints and the response made to them will be recorded and filed in a secure place.

10. The Designated Trustee will inform the management team of the outcome in writing and at the next scheduled management meeting,

If a complaint relates to the designated trustee an alternative trustee would be approached.

Poppleton Community Railway Nursery's complaints procedure will be publicised to organisations and individuals who use its services.

Part B: – Complaints by Volunteers about Other Volunteers,

Stage 1 - Verbal Complaint

In order to prevent an issue escalating, initial complaints against another volunteer should be discussed between the volunteer and the Duty Manager as soon as possible. The Duty Manager will make every attempt to resolve the issue within five working days. This could be by having a quiet word with those involved individually or together, if this is not successful the volunteer should proceed to stage two.

Stage 2 – Written Complaint

If the volunteer is not satisfied with the outcome of the verbal complaint, they should make a formal complaint in writing to the designated trustee who will investigate accordingly. If the complaint is upheld and is against another volunteer, then the volunteer will be spoken to and be given an informal verbal warning. The volunteer will receive a response in writing normally within ten working days.

Stage 3 - Opportunity to Appeal

If the volunteer is not satisfied with the outcome of their written complaint, then they can appeal in writing, within ten days, to the designated trustee, who will address the matter with the Chairman. The Designated trustee will review the evidence with the Chairman and will confirm their decision, along with any recommendations, within approximately ten working days. Their decision is final.

Part C: – Complaints by members of the public or contractors against Volunteers

This section focuses on complaints made against the nursery's volunteers by members of the public or contractors.

Stage 1 – Recorded Discussion

Complaints about a volunteer should be made in the first instance to the Duty Manager. The volunteer will be told why a complaint has arisen and they will be able to discuss the issue with the Duty Manager. Every attempt to resolve the matter at this stage should be made and the initial discussion should take place within five working days of receiving the complaint. If required, further investigation may take place at this point.

There are some occasions when a volunteer can be suspended immediately while an investigation is carried out. These include, but are not limited to, acts that constitute gross misconduct, e.g. theft, assault, act of violence, malicious damage, deliberate falsification of documents and harassment or being under the influence of drugs or alcohol. ‡

The decision to suspend a volunteer needs to be confirmed to the volunteer in writing. If the complaint was raised by a third party, they will be informed of the measures taken to rectify the situation where appropriate.

If the complaint is upheld, the volunteer will be offered extra support, supervision and training where appropriate. If there are action points arising from the discussion these will be recorded, signed by both parties and kept by the Duty Manager in line with the data protection policy. A deadline for reviewing the situation with the volunteer will be agreed.

Stage 2 – Written Warning

If the matter is not considered as being of "Gross Misconduct", but hasn't been resolved by the Recorded Discussion or the extra support, supervision and training that may have been provided then the Chairman, after consulting the Duty Manager and the designated trustee, may decide to issue the volunteer with a written warning. This should outline the reason for the complaint and why it is justified.

Prior to the issuing of a written warning, the volunteer should be notified and given the opportunity to respond and state their case at a meeting with the Chairman, the Duty Manager and the designated trustee. During this stage the complaint may be investigated further. Depending on its nature, help may be offered to the volunteer or further objectives set.

Stage 3 – Dismissal

If, following a Recorded Discussion and a Written Warning, the decision to ask the volunteer to leave is made, this should be confirmed in writing and the volunteer should be given the opportunity to appeal.

Stage 4 - Opportunity to Appeal

If a volunteer is not satisfied with the outcome or has been asked to leave then they can appeal in writing, within five days, to the designated trustee, who will address the matter with the Chairman. The Chairman will review the evidence independently and will confirm their decision, along with any recommendations, within approximately ten working days.

Additional Guidelines

The Duty Manager and Designated trustee should be informed as soon as a complaint, verbal or written, is received.

All complaints must be treated confidentially, and should only be discussed amongst those who are directly involved in trying to resolve the issue.

Volunteers may be accompanied by a colleague or friend in any meetings that form part of the problem solving process.

Gross Misconduct

If, following an investigation, a volunteer is deemed to have committed an act of Gross Misconduct, as defined above the nursery reserves the right to dismiss the volunteer immediately and without recourse to an appeal. #

Volunteers are advised that there may be instances of gross misconduct where the Trustees may feel that the police should be involved. These may include assault, theft, persistent pilfering, fraud, or other criminal activity during the course of work.

Poppleton Community Railway Nursery Complaints checklist

Dated: _____

Have you conveyed verbally to the complainant the investigation procedure and timescale?	YES/NO
Have you conducted an interview to establish background to and detail of the complaint?	YES/NO
Have you written a statement about the complaint which you have dated and signed?	YES/NO
Has the complainant countersigned as correct the statement you have taken?	YES/NO
Have you given a copy of the complaint to those associated with its contents	YES/NO
Have you asked, in writing, for a statement from those associated with the complaint within an agreed period of time?	YES/NO
Have you received the statements within the agreed time period?	YES/NO
Have you advised those being interviewed that they can have a union representative or friend with them?	YES/NO
Have you interviewed all those associated with the complaint?	YES/NO
Have you written up, signed, and dated your notes from each of these interviews?	YES/NO
Have you reviewed all the evidence placed before you?	YES/NO
Have you assessed whether or not you feel there are grounds for complaint?	YES/NO
If so, have you considered all the options for action that could/should be taken as a result?	YES/NO
Are you clear in your own mind what will be the content of the discussion with the Chair about this investigation and its findings?	YES/NO
Have you discussed fully with the Chair the findings of your investigation and your recommendations for action?	YES/NO
Have you put these formally in writing to the Chair, together with the statements and notes taken during the course of the investigation?	YES/NO

Poppleton Community Railway Nursery Complaints Report Form

Name:

Address:

Telephone:

Briefly describe the complaint including times and dates

Names and contacts of witnesses:

Name of person completing form:

Date:

Name of person responsible for investigation:

Date:

Action taken

- The use of inappropriate language, offensive or unacceptable to the recipient
- Unhelpful or discourteous behaviour toward a fellow volunteer, an employee, or visitor, of a minor nature.
- Failure to maintain a safe and tidy workplace, which may be in breach of health and safety
- Failure to take proper care of nursery property or resources
- Failure to follow nursery policies and procedures
- Failure to co-operate with any investigation being undertaken by the trustees or the Management Committee
- Failure to attend a Trustees, Management Committee or Sub-Committee meeting at which your presence is required, which may include a disciplinary hearing or interview
- Behaviour which may be considered as harassment, victimisation or discrimination
These may be of a minor or in some cases unintentional nature.
This list provides examples only and is not intended to be exhaustive.

APPENDIX 4: GROSS MISCONDUCT

The following behaviours are normally regarded as gross misconduct.

- Theft or unauthorised removal of Nursery property, property belonging to Nursery fellow volunteers, employees, contractors, or members of the public
- Assaulting a fellow volunteer, a contractor, or member of the public
- Unreasonable abusive or offensive behaviour toward a fellow volunteer, a contractor, or member of the public.
- Serious or repeated offences in failing to comply with Nursery Policies or procedures.
- Unauthorised access or modification to any data or information, written or stored on a computer..
- Disclosure of information to unauthorised individuals/bodies/the media in a way that disregards Nursery policies and procedures.
- Criminal offences outside work which have a bearing on the volunteer's position with the Nursery Criminal offences whilst volunteering in the Nursery
- Fraudulent or corrupt practices within the Nursery.
- Malicious damage to Nursery property, or the property of staff, contractors, volunteers or the public
- Failure to comply with the Nursery's Health and Safety Policy to such an extent that it places other people or property at risk
- Conduct of behaviour which could bring the Nursery into disrepute
- Conduct which results in a breakdown of trust, e.g. Attempts to misdirect a Nursery investigation, providing misleading or untruthful information, or withholding evidence.