

Reviewed November 2017
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Member Disciplinary Procedures

Aim

These procedures seek to enable disputes to be resolved fairly and equitably. This includes disputes between members, as well as complaints involving others connected to our organisation (e.g. parents, venues or funders).

All disputes and complaints involving under 18s will be managed using our local group agreements and managing behavior guidelines.

All complaints involving Woodcraft Folk staff will be reviewed using Woodcraft Folk's Staff Disciplinary Procedures.

All concerns which questions the suitability to work with children and young people (including DFs) will be dealt with using our Child Protection Procedures.

Principles

Disputes and complaints should be resolved as quickly, as locally, and involving as few people as possible to achieve a fair and equitable result.

Woodcraft Folk relies on a huge diverse team of volunteers, and membership is open to everyone who supports the organisation's aims and principles. The organisation thrives on the work of a great number of volunteers, including, parents of children who attend our groups, those without their own children, and young kinsfolk, many of whom have made the transition from being young members of Venturer and DF groups to taking on a leadership role. The organisation, and the experience of our young members is made richer by the diversity of our volunteers. All of our volunteers are on a developmental journey, learning, growing and developing with the children and young people through their engagement in groups and activities.

Most times when there are misunderstanding, when expectations are not met or things go wrong, taking steps to identify training or support needs for members is the most appropriate way to resolve an issue. On occasion a formal review may be required, especially where it is believed that a member may have acted inappropriately or not in the best interests of the organisation.

Any member involved in a complaint or dispute will be referred to the Woodcraft Folk volunteer policy (<https://woodcraft.org.uk/resources/volunteer-policy>) and to any other sources of support or advice as may be appropriate.

Overview

This procedure involves three levels:

- 1) Local Arbitration Meeting: Informal. Especially suitable for resolution of disputes between local members. Designed to be quick and efficient.

If this cannot resolve the matter, it can lead to a:

- 2) Special District Meeting. More formal. Suitable to decide a course of action if a complaint has been made about a local member. May take longer than the local mediation meeting.

In a serious or difficult case, it may lead to a:

- 3) Central Investigation Panel: Most formal. Likely to take more time. Suitable when the most serious or contentious allegations have been made.

A District spokesperson should consult with the General Secretary as to the appropriateness of the District's proposed actions (i.e. to invoke a disciplinary panel)

A report of the outcome of the panel will be presented to General Council for formal adoption. Only the panel members will have gone through the full process and heard all the evidence – General Council's role will be to make sure it appoints a panel with whom they have the upmost trust to act on its behalf.

Timescales

Experience suggests that delay in resolving disputes and complaints means they become more difficult to resolve, and have a tendency to create additional problems and injustices of their own.

For this reason there are indicative timescales for each section of this procedure that all parties should seek to meet in normal circumstances. Timescales throughout refer to working days. Notwithstanding this, no part of the process should be rigidly enforced if to do so would be an act of significant injustice.

How to use this procedure:

An individual wishing to resolve a dispute, or make a complaint, should in the first instance attempt to resolve it using the Local Procedure (see below). If not successful the matter can be escalated using the Central Procedure.

Advice and guidance about using this procedure, or the way any particular dispute or complaint should be handled, is always available from the central office of Woodcraft Folk. In the first instance such requests for support should be addressed to the General Secretary.

Local Procedure

Raising a Dispute or Complaint

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- A person having concerns about the conduct of a member of a District should first raise it with the relevant District Chair or Coordinator, and, if appropriate, supply a brief written statement, within 28 days of the conduct causing concern.
- A person having concerns about the conduct of a district chair/coordinator or a member of a lone group, should raise their concern in the same manner with the General Secretary, who will identify a suitable local member (e.g. Local Safeguarding Officer, District Treasurer) to oversee the informal part of the process.
- A person having concerns about the conduct of the General Secretary
Should first raise the matter with the Chair of General Council. Letters
Should be addressed to the Chair of General Council at Woodcraft Folk's registered office, marked "Private and Confidential – Addressee Only".
- A person having concerns about the conduct of the Chair of General Council should first raise the matter with the Chair of Staff Committee. Letters should be addressed to the Chair of Staff Committee at Woodcraft Folk's registered office, marked "Private and Confidential – Addressee Only".

Local Arbitration Meeting

On receiving an oral or written statement of concern the District Chair (or other identified suitable member) should:

Within 7 days - inform the General Secretary, and the person who is the subject of the complaint that concerns have been raised.

Within 7 days - if the statement raises concerns about the safety or welfare of any child, consultation with the Lead Safeguarding Officer (or their deputy, in the case of absence) shall take place who will advise about the next steps to take in line with Woodcraft Folk's Child Protection Procedures (www.woodcraft.org.uk/safeguarding).

Within 7 days - if the statement raises concerns about the suitability of any adult to be in contact with children, or alleges that a member has engaged in criminal behaviour, the matter shall be referred to the General Secretary who will invoke the Central Investigation Procedure without delay.

Within 28 days - facilitate a Local Arbitration Meeting, chaired by a suitably experienced and responsible person who is accepted by all parties concerned as being objective and impartial concerning the matter in hand.

At the Local Arbitration Meeting:

In addition to the Chair, the meeting should be attended by:

- The person who raised the concern
- The person about whom the concern has been raised

Each of the above should have the opportunity to have a friend present as

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observer

An additional member of the District Association, or Regional Committee, Welsh Council or Scottish Executive may be present.

Notes should be taken at this meeting, but the Chair should not permit audio or video recording unless all present consent to this. It should be agreed by those present who should act as the record keeper, this should be someone other than the Chair.

The Chair will attempt to resolve the concerns by negotiation between the parties.

Following the Local Arbitration Meeting, the Chair should:

Within 7 days – supply the General Secretary and involved parties with a note of the outcome of the meeting, including details about any negotiated resolution achieved.

Special District Meeting:

If resolution cannot be achieved at the Local Arbitration Meeting, or if the nature of the concerns demand a more formal response, the Chair of that meeting should:

Within 7 days – supply the General Secretary, as far as is possible, with details about the precise nature of the dispute or complaint.

Within 28 days - in consultation with the General Secretary, facilitate a Special District Meeting.

At the Special District Meeting:

In addition to members of the District, people invited to attend this meeting
Should be:

- The person about whom the concern has been raised, who should be given the opportunity to have a friend present as observer.
- A representative of the appropriate Region or Nation
- A representative of General Council

The meeting should normally be chaired by the District Chair or District Co-ordinator. If this is not acceptable to all parties, then the District Chair/Co-ordinator, Regional/National representative and General Council member present should agree among themselves a suitable alternative.

Minutes of the meeting should be taken, but the Chair should not permit audio or video recording unless all present consent to this.

The Special District Meeting shall have the power to:

1. Suspend the person about whom the concern has been raised from the District
2. Make recommendations to improve practice
3. Recommend to General Council that the Central Investigation Procedure be invoked
4. Agree to take no further action.

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If the Special District Meeting decides to suspend the membership of the person about whom concern has been raised, then it must also either:

- Devise an action plan to enable the suspended member to re-engage with the District (e.g. complete additional training), or:
- Recommend to General Council that the Central Investigation Procedure be invoked

Following the Special District Meeting the Chair of that meeting should:

Within 7 days – advise the person about whom the concern was raised, in writing, of the decisions made by the meeting, especially:

- Of any suspension imposed, practice recommendations or action plan devised
- Of any recommendation to General Council
- How these measures affect the Woodcraft Folk activities in which they take part

Within 7 days – supply the General Secretary with minutes of the meeting, including details of any suspension, practice recommendations, action plan or recommendation to General Council.

Upon receiving advice that a Special District Meeting is to take place, the Chair of General Council should (through the Finance & General Purposes committee if necessary):

Within 14 days ensure that a representative from General Council is available to attend the Special District Meeting.

Upon receiving the minutes of a Special District Meeting, the Chair of General Council should:

Within 3 days ensure that the minutes from the Special District Meeting are brought to the attention of General Council.

Within 3 days if the Special District Meeting has recommended that the Central Investigation Procedure be invoked, convene an emergency meeting of F&GP to discuss the matter.

In any case, ensure that the matter is discussed at the next available meeting of F&GP and General Council.

Within 7 days of a meeting at which the matter is discussed:

Notify the complainant, subject and the convener of the Special District Meeting of the outcome of the discussions and, if appropriate, proceed to invoke the Central Investigations Procedure.

Regional/National Involvement

Role of the Regional Committees, Welsh Council or Scottish Executive

In the event there is no suitable District structure to undertake responsibility for the Local Arbitration Meeting, the General Secretary may pass the matter to the appropriate Region or Nation to perform the District functions, or another suitable group/individual.

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At subsequent meetings concerned with these procedures, if an appropriate member of the District is not available, an appropriate representative of the relevant Region or Nation may undertake the District role.

Central Procedure

Response of the General Secretary to Local Procedures:

Upon receiving first written notification of a dispute or complaint, the General Secretary should:

Within 3 days – acknowledge receipt of the written notification

Within 7 days:–

Identify a suitable person to process the matter,
Pass the details of the concern to that person,
Inform the person who raised the concern that this has been done.

Upon receiving notification from a District Chair that local concerns have been raised, the General Secretary should:

Within 3 days – acknowledge receipt of the notification

Within 7 days - if the written statement raises concern about the safety or welfare of any child, advise the District Chair about the necessity to share this information with local child welfare agencies.

Within 7 days - if the written statement raises concern about the suitability of any adult to be in contact with children or alleges that a member has been engaged in criminal behaviour, invoke the Child Protection Procedures or Whistle-Blowing Policy as relevant

Upon receiving details about the outcome of a Local Arbitration Meeting, the General Secretary should:

Within 3 days – acknowledge receipt of the details

Within 7 days: –

Consult with the District as necessary to ensure a Special District Meeting is Facilitated.

Advise the appropriate Regional or National body that a Special District Meeting is to take place, and ensure that a member has been invited to attend.

Advise General Council that a Special District Meeting is taking place, and ensure that a member has been invited to attend.

Upon receiving minutes of a Special District Meeting, the General Secretary should:

Within 3 days – acknowledge receipt of the details

Within 7 days – pass a copy of the meeting minutes to the General Secretary drawing attention to any action plan or recommendation that meeting made.

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In addition, the General Secretary shall:

- Keep a record of all meetings held under these procedures, and the decisions that are made.
- Seek advice from the Woodcraft Folk solicitor and/or other appropriate bodies as to the organisation's legal duties (if any) to report such allegations to the police or other relevant bodies, and shall provide this advice to General Council in advance of their appointment of a Central Investigation Panel.
- Take responsibility for informing other relevant agencies if the conduct of any member is found to be the cause for concern beyond the Woodcraft Folk organisation itself e.g. Police, Disclosure & Barring Service, Charity Commission
- Following any Special District Meeting or Central Investigation Panel, make contact with members in the local area to discuss any problems resulting from the application of these procedures, and to provide advice and guidance as required.

Central Investigation Procedure

If a dispute or complaint cannot be resolved using local procedures, for whatever reason, General Council should within 28 days:–

- Appoint a Central Investigation Panel
- Set out a timetable for processing the matter
- Inform all the parties involved of the procedures and timescales to be followed.

The Central Investigation Panel should normally comprise three people, including, where possible:

- One member of General Council
- Two lay members
- At least one person from the District or Regional Committee
- Panel members should not be all of the same gender

Members who have already considered the matter at an inconclusive Local Arbitration Meeting, or Special District Meeting, should not serve on the Central Investigation Panel.

The Central Investigation Panel should proceed as follows:

There should be a meeting with the person about whom the concern has been raised. That person should be given the opportunity to have a friend or representative present, who may speak on their behalf and take notes of the meeting.

There should be meetings with other members of the District/Region/Nation as the panel deems necessary.

If the complaint being investigated alleges criminal behaviour, the original complainant and all those meeting with the panel should be informed that details of their conversations with the panel; any written information provided to the panel; and the panel's report to General Council may be passed to the police if General Council, on receiving the panel's report,

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resolves to refer the matter to the police; or if such information is requested by the police.

The Central Investigation Panel should make a report to General Council detailing its findings and making recommendations as necessary regarding the future membership of the person about whom the concern was raised.

General Council Involvement:

Upon receiving written notice of concern about the conduct of the General Secretary the Chair of General Council should

Within 7 days – Inform the General Secretary that a concern has been raised and that this procedure has been invoked.

Within 7 days – Consult with the Chair of Staff Committee to determine whether the Woodcraft Folk's staff disciplinary procedure should be invoked immediately.

Within 7 days of this decision – Inform the General Secretary and the complainant whether the staff disciplinary procedure has been invoked.

Upon receiving written notice of concern about the conduct of the Chair of General Council, the Chair of Staff Committee should:

Within 7 days, inform the Chair that a concern has been raised.

Within 7 days, consult with the Finance & General Purposes Committee to determine whether the Central Investigation Procedure should be invoked.

Within 7 days consult with the Finance & General Purposes Committee to determine whether the Chair of General Council should be suspended.

Additional Powers of General Council

General Council shall have the power to invoke the Central Investigation Procedure in relation to any dispute at any time, should it see fit to do so.

General Council shall have the power to express its concern over any member in the same way as any individual can express such a concern. In this case, the procedures followed shall be identical to those detailed above in the event of an individual expressing concern regarding a member outside their own district.

Additional Responsibilities of General Council

General Council shall, through the Finance and General Purposes Committee, receive regular reports (in respect of the progress and implementation of these procedures, not the detail of the complaint) from the General Secretary of all cases in which this procedure has been invoked.

General Council shall, if called upon by the General Secretary or an individual involved in the local procedures above, provide such support and assistance as may be necessary to ensure that these procedures are implemented in a timely manner.

Following the implementation of these procedures in any matter, General Council shall be

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responsible for identifying and implementing such support and assistance as may be necessary to meet the needs of members, groups and districts involved in the dispute.

Special Circumstances

Implementation of these procedures at large camps

These procedures are to be followed where a dispute or complaint is raised at a regional, national or international residential event or camp. In these situations, the procedures should be compressed as appropriate, allowing for resolution to be achieved during the event wherever possible.

The following substitutions are to be made:

District Chair (if not present) - Village Co-ordinator
Assistant General Secretary (if not present) - Camp Co-ordinator
General Council - Camp Committee
Special District Meeting - Special Village Meeting

In the event of a member being suspended during a large camp, that member should leave the camp for the duration of the suspension. In the event that this is not possible for logistical reasons, the Camp Co-ordinator, in consultation with the Camp Committee, should arrange for suitable accommodation (either on- or off- site) for the member for the length of their suspension.

Full notification of actions taken as a result of a complaint or dispute at a large camp should be sent to the General Secretary within 7 days of the end of the camp. This is the responsibility of the Camp Co-ordinator.

Individuals under 18 years old

Special care should be taken when individuals under 18 years old are involved in these procedures. Whether they are a complainant or otherwise involved in an investigation they should be encouraged to discuss the matter with and seek support from a parent or group leader throughout the process.