

TVB

Grievance Procedure



TEST VALLEY BRASS

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Policy Author: Paul Thompson

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PEOPLE WHO NEED TO KNOW ABOUT THIS PROCEDURE

Band members	Should be aware of this procedure, its location and have access to it for reference.
Committee Members	Should have a working knowledge of this procedure, will lead on its implementation, be able to offer advice on the policy and can make recommendations for improvement and change.
External accrediting agencies, regulatory agencies or funding bodies.	Will have reader access to this procedure by request.

CHANGE CONTROL DETAILS

Version	By	Content changed	Committee Approval date.
First draft	Paul Thompson	Draft Document	pending

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1. Procedure Statement.

- 1.1 Test Valley Brass aims to be a welcoming friendly organisation where people enjoy each other's company and are able to learn and play music together in a safe, mutually supportive and encouraging environment. The band wishes to promote a culture where the views of all members are equally respected and where members abide by the constitution and policies that govern the band. It is however inevitable that by human nature, a misunderstanding or difference of opinion will occasionally arise, somebody may feel unfairly treated, or it may be felt that due procedure has not been followed.
- 1.2 Such instances, though rare, are commonly resolved amicably amongst individuals involved, or people may just agree to differ. This procedure can be invoked when a grievance cannot be settled in that way, or where a serious matter requires a formal resolution. It should be emphasised that attempts to resolve grievances or issues should be made between those concerned before this procedure is invoked as a last resort.
- 1.3 For the purposes of this procedure a member raising a grievance will be referred to as the Aggrieved and the party against whom the grievance is being taken will be referred to as the Respondent. The terms 'Aggrieved' and 'Respondent' in the context of this document are in no way intended to imply fault by either party.
- 1.4 This procedure is intended for internal grievances only. Grievances held externally (*e.g.* audience members, neighbours or clients having booked the band) should be dealt with as a complaint and addressed initially to the TVB secretary, the chairperson or the contact on the booking.

2. Legal and Procedural Framework.

This policy is governed by and cannot override:

The Charities Commission

The Charities Act

The equality act

The Test Valley Brass (TVB) Constitution

TVB rules of membership

TVB policies and procedures



3. Roles connected with this procedure.

- The Committee
- Welfare Officer
- Band Secretary
- Band Manager
- Where a Band Manager is not in place, or party to the grievance, a member of the Band steering group will act as Band Manager for the purposes the implementation of this policy.
- Trustees

4. Overview

- 4.1 This policy should be read in conjunction with, and is a part of, the prevailing Constitution and rules of Test Valley Brass.
- 4.2 At all stages of the grievance process the Aggrieved and the Respondent may be supported and accompanied by another member or other advocate of their choice. Any conflict of interest held by a person acting as advocate or in a support capacity should be declared at the start of proceedings or if arising during proceedings, as soon as possible.
- 4.3 The aggrieved will be given a fair hearing concerning any grievances they may have.
- 4.4 Where the aggrieved or respondent has a disability, TVB will make reasonable adjustments to ensure they are not treated less favourably. For example, if the aggrieved is unable to submit a written grievance, because of a disability, TVB will provide assistance where reasonable.
- 4.5 It is incumbent upon all members to try to resolve grievances as quickly and informally as possible without resorting to the formal process. This is encouraged as part of our ethos and sense of community in Test Valley Brass.

5. Stage 1 – Informal Procedure

- 5.1 The aggrieved will discuss the matter initially with the Band Welfare Officer or Band Manager.
- 5.2 The Band Manager or Welfare Officer should reply orally to the grievance as soon as possible, and in any case within 7 days.
- 5.3 The Band Manager or Welfare Officer should convene a meeting to consider the matter not more than 21 days after the submission of the report.
- 5.4 After the meeting, The Band Manager or Welfare Officer should note the nature of the grievance, the name of the aggrieved and the respondent and report the issue to the committee for consistency of outcome and to identify reoccurring themes..



6. Stage 2 – Formal Procedure

6.1 Raising A Formal Grievance

A member invoking this procedure must state their grievance formally in writing or by email to the committee via the band secretary. The written complaint must state clearly and confine itself to the facts of the complaint.

6.2 Action On receipt of a Formal Grievance

Where the grievance concerns another person, a copy of the complaint should be forwarded to them by the secretary. The Respondent should have the opportunity to submit any comments and should do so within 14 days.

6.3 Arbitration

If the grievance arises from a dispute, consideration should be given to nominating a mediator at the agreement of both parties to arbitrate and propose conciliatory negotiation with the aim of agreeing settlement or compromise. Possible mediators could include the welfare officer, a committee member or a voluntary outside source.

6.4 Committee Resolution

6.4.1 If an acceptable resolution is not found through arbitration, or arbitration does not take place, the band secretary in consultation with the chair person will convene a panel of five committee members, not including trustees, the aggrieved or the respondent, but should include the Chairperson and Secretary.

6.4.2 The panel will consider all evidence submitted by either party and can call on the aggrieved and the respondent to speak. Every opportunity should be given to put their point across including answering questions from panel members.

6.4.5 A decision will be formulated by the panel and a resolution put forward. Resolutions may include but are not limited to:

- Retraction and apology by the respondent to the aggrieved.
- Reversal of the decision causing grievance.
- Disciplinary action against a member ranging from a warning to withdrawal of membership.
- A notice of expected behaviour to all band members.
- Involvement of the police or legal action.



7. Stage 3 - Committee Report

7.1 On the panel reaching a decision, the band secretary will formulate a report on behalf of the committee to include:

- A brief outline of the grievance considered
- Findings of the panel
- Action to be taken
- Reasons for action

The band committee will discuss and approve action to be taken.

8. Appeal

8.1 If the aggrieved or respondent are still dissatisfied, they will be given the opportunity to appeal against the decision or lack of one. A meeting of the committee to discuss the appeal must be convened, where an appeal panel will be formulated.

8.2 The appeal panel should comprise committee members who were not present at the initial hearing. If necessary, band members can be co-opted to the committee for that purpose. Members of the panel that made the initial decision should be present at the appeal hearing only for the purpose of explaining the decision but they must not be involved in the final appeal decision. The panel can be chaired by the chairperson and minutes of the appeal taken by the secretary, but if involved in the original hearing neither should vote on the appeal decision.

8.3 A date for an appeal hearing will be agreed in consultation with the aggrieved and the respondent.

9. Appeal to The Board of Trustees

9.1 Should either side feel the constitution, policy or rules have been infringed, or that the law has been broken, the matter can be referred to the Board of Trustees for appeal and final judgement and decision. The trustees will not consider appeals where due process has been properly followed and the law has not been broken. Appeals to the board of trustees will only be heard if either side feel aggrieved by mismanagement of process, and not because of dissatisfaction of the outcome. Appeal to the committee (section 8) should always be exhausted first. Any decision made by the Trustees will be final.

10. Learning from Experience

10.1 Following the closure of a formal case, the committee will consider undertaking a critical review of the cause of the grievance, the grievance procedure and its implementation. The committee will decide if changes to rule, procedure or policy are warranted or necessary. A plan of action to implement changes will be agreed.

10.2 Should a member resign or have their membership withdrawn as a result of a matter of grievance, they will be encouraged to have an exit interview with the Band Manager and another member of the Band Committee at a mutually convenient time and place to allow the departing member to provide constructive feedback.



TEST VALLEY BRASS

11. Appendices

None attached