



Irish Girl Guides Complaints Policy

Effective from: October 2021
Designated person responsible: IGG's Safeguarding Officer
Overall responsibility: IGG's Executive committee
To be reviewed: October 2024

Complaints Policy

Objective

To ensure that we handle complaints fairly, efficiently, and effectively.

This policy is intended to ensure that complaints are dealt with properly and addressed in a professional manner and that improvements are made as a result of complaints.

Statement

Irish Girl Guides is committed to dealing effectively and efficiently with complaints received. We are committed to ensuring that all our communications and dealings with our members and the general public are of the highest possible standard.

We aim to make sure all complaints are taken seriously and that we learn from them where we can to make guiding even more enjoyable and accessible to everyone.

We will make sure our process is as clear and supportive as possible for everyone and we are committed to resolving all complaints fairly, speedily and in a way which seeks a reasonable resolution.

Scope

This policy is for:

- Staff, volunteers, adult members, and youth members
- Parents /Guardians of youth members
- General public

We handle all complaints in line with this policy and its related procedures.

Standards

We encourage that a complaint or issue is raised as soon as possible so that we can begin to address it in good time.

When a complaint is made, Irish Girl Guides will;

- Deal with all complaints fairly, constructively, and consistently.
- Effectively address complaints to support volunteers to deliver great guiding.
- Listen to complaints and feedback, treat them seriously and learn from them.
- Share information between National Office and local level as appropriate, making sure each complaint is effectively handled.
- Follow the policy and procedure for every complaint.
- Handle all information sensitively and in accordance with current data protection legislation.

Making a complaint

A complaint can be made directly to Irish Girl Guides National Office by contacting the Safeguarding Officer by phone or by email. Such complaints will be dealt with by the Safeguarding Officer in the first instance.

Where a complaint is received in person or over the phone, we will try to resolve the issue there and then. If this is not possible, the Safeguarding Officer will advise on the appropriate complaints procedure and initiate these as soon as possible.

If a complaint is received by email or in writing, we will acknowledge the complaint within 14 days and advise that we will do everything we can to resolve it within 28 days. If this is not possible, we will explain why and provide a new deadline.

Volunteers, members, and parent/guardian may also directly make a complaint at local level to the Unit Leader or Commissioner. In this instance the Unit Leader or Commissioner will follow the appropriate Complaints procedure as outlined in this policy and in Irish Girl Guides *Safeguarding and Child Protection* Booklet.

If the complaint is about a member of staff, their line manager should be contacted directly, and the Complaints/Grievance or Disciplinary Procedures as laid out in Irish Girl Guides *Staff Handbook* should be adhered to.

Irish Girl Guides will refuse a complaint which is 'unreasonable' – in that it is abusive, frivolous, vexatious, or malicious.

Anonymous complaints will be considered where there is sufficient information provided to enable IGG to investigate. Where there is not sufficient information provided, IGG may decide to take no further action but keep a record of the complaint in case it becomes clear that action is required at a later date.

Complaints Procedures

Irish Girl Guides have a number of procedures for handling different types of complaints. Depending on the nature and the seriousness of the complaint the appropriate complaint or disciplinary procedures will be advised and initiated.

Where possible local or informal resolution will be sought, and the Safeguarding Officer will contact the appropriate person to assist as per the relevant complaint's procedure. Where local or informal resolution is unsuccessful or if the matter is considered to be so serious that formal procedures should be immediately invoked, the Safeguarding Officer will assign a Reporting Officer.

In such cases, a *Complaint Form* should be completed by complainant and forwarded to the Safeguarding Officer.

Irish Girl Guide's complaints and disciplinary procedures are outlined in the following pages.

Procedure for handling Complaint against Leader/Senior Branch member over 18/Trefoil Guild Member

If a complaint is made against a Leader, Senior Branch member over 18 or Trefoil Guild member or when their behaviour within a Unit or in any other aspect of Guiding, causes concern or is seen to be a negative influence, then, in order to protect the organisation and the Guiding ethos, the following steps should be taken:

1. Where appropriate another Leader should talk privately to member in question and, giving reasons, make her aware that her behaviour is not acceptable.
2. In the event of this informal procedure being unsuccessful, the District/Area Commissioner should be contacted to deal with the matter on an informal basis.
3. If the situation does not improve or is not resolved following this, or if the matter is considered to be so serious that formal procedures should be immediately invoked, the Safeguarding Officer should be contacted.
4. The Safeguarding Officer will offer support and provide guidance and, where appropriate, assign a Reporting Officer. The Safeguarding Officer will send a *Complaint/Incident Report Form* to be completed by the complainant and to be returned to the Safeguarding Officer.
5. In such cases, a copy of the *Complaint/Incident Report Form* is forwarded to the Reporting Officer by the Safeguarding Officer. The Reporting Officer will contact the member in question and inform her that she [the Reporting Officer] must take the necessary measures, which should be proportionate to the level of risk, and should not unreasonably penalise the member unless this action is necessary to protect children. If their behaviour or negative influence is considered by the Reporting Officer or the Commissioner to be causing concern, the member will withdraw or be withdrawn, pending the investigation.
6. The Reporting Officer will gather appropriate information regarding the complaint with a view to resolving the matter and keep the Safeguarding Officer and Commissioner informed. A copy of the *Complaint/Incident Report Form* should be made available to the member who should be offered an opportunity to respond to the complaint. Any further information, such as witness statements, will also be furnished to the member against whom the allegation has been made, in order that she can respond to the allegations.
7. Please note Irish Girl Guides will not accept complaints which are deemed to be malicious or of a frivolous or vexatious nature. If at any time during the investigation it becomes clear that the complaint is frivolous, vexatious, or malicious, the Reporting Officer can determine that there is no case to answer and close the case.
8. On completion of the investigation, the Reporting Officer will submit a written report of her findings to the Safeguarding Officer who will inform those concerned of the outcome in writing and furnish them with a copy of the report.
9. If the Reporting Officer determines that the member has breached Irish Girl Guide's standards, policies and/or procedures, formal disciplinary procedures will be invoked.

Procedure for handling Complaints against a Unit Helper

If a complaint is made against a Unit Helper, or when a Unit Helper's behaviour within a Unit, or in any other aspect of Guiding, causes concern or is seen to be a negative influence, then, in order to protect the Unit and the Guiding ethos, the following steps should be taken:

1. The Unit Leader should talk privately to the Unit Helper in question and, giving reason, make her aware that her behaviour is not acceptable.
2. In the event of this informal procedure being unsuccessful, the District/Area Commissioner should be contacted to deal with the matter on an informal basis.
3. If the matter is considered to be so serious that formal procedures should be invoked, the Safeguarding Officer should be contacted.
4. The Safeguarding Officer will offer support and advice, and where appropriate assign a Reporting Officer. The Safeguarding Officer will send a *Complaint/Incident Report Form* to be completed by the complainant and to be returned to the Safeguarding Officer.
5. In such cases, a copy of the *Complaint/Incident Report Form* is forwarded to the Reporting Officer by the Safeguarding Officer.
6. The Reporting Officer will follow the standard reporting procedures.

Complaints procedure for Parents/Guardians

There may be occasions when parents have cause for concern e.g. about a Leader, a Guiding event, or another child in the Unit. Irish Girl Guides takes complaints seriously and has set out the following procedure. When a parent/guardian makes a complaint known to the Leader/Commissioner, the following steps should be taken:

1. An informal meeting to discuss the complaint should be arranged with the parents/ guardians and the Leader of the Unit, in the presence of another Leader/adult.* The Leader should outline the Irish Girl Guides' complaints procedure, including the availability of a *Complaint Form*.
2. An informal meeting to discuss the complaint should also be arranged with Leader / parents/guardians of child, whom complaint has been made against and the Leader of the Unit, in the presence of another Leader/Adult.*
3. If the matter is not resolved following this and if the parent/guardian wishes to further this matter, they may complete the *Complaint Form* and return it to the Safeguarding Officer, c/o National Office.
4. A copy of the form will be given to the appropriate Leader/Parents/Guardians.
5. The Safeguarding Officer will ensure that a Reporting Officer is allocated and give her a copy of the *Complaint Form*.
6. The Reporting Officer will then make direct contact with the complainant and will adhere at all times to Irish Girl Guide's *Safeguarding and Child Protection* booklet.

*On occasion the Regional Development Officer may be requested to assist with this meeting where the complaint involves the Unit Leader/Leaders, where there is no District/Area Commissioner available to assist or where further support is required.

Procedures for dealing with challenging or disruptive behaviour

If a child's behaviour is disruptive on a number of occasions and you have already tried to deal with it at Unit level without success, you should have an informal chat with her parent/guardian, where appropriate, to gauge if there is anything going on at home or outside of the Unit which could be affecting the child and contributing to her behaviour e.g. separation of parents, upset over arrival of new little sister or brother, bullying in school. This way you will have a better insight into the cause of the behaviour and also the parent/guardian will be aware of the situation and hopefully be able to address it so that it does not continue.

If the child's behaviour continues to be disruptive and interferes with the organised running of the Unit then, in the best interest of the Unit, the following steps should be taken:

1. Discuss the child's behaviour with another Leader and ensure that this Leader is present if any action has to be taken e.g. meeting with parent/guardian.
2. Talk with or write to the parent/guardian explaining the situation. A written warning of suspension/membership termination if the child's behaviour continues should be given to the parent/guardian either in person or by letter. Any such correspondence must be sent direct to the parent/guardian and not sent home with the child in question.
3. Inform the Commissioner of the situation and steps that were taken.
4. If the child continues to be disruptive, suspend her for up to one month. Inform the parent/guardian as above.
5. If the child returns and is still disruptive, the Commissioner, in consultation with the Leader, will ask her to leave and inform the parent/guardian as above.
6. If the parent/guardian disagrees with any of the steps taken, they can complete the *Complaint Form* and return it to the Safeguarding Officer as per the Complaints Procedure for Parents.

Disciplinary procedures

Irish Girl Guides is a volunteer-led organisation that operates on a basis of trust. At the same time, it is run in a professional manner and the Irish Girl Guides *Safeguarding and Child Protection* booklet embodies the values and principles that underpin the association. Volunteers have rights and responsibilities, as does Irish Girl Guides as an organisation. In general, there is an implicit understanding and expectation that difficulties should be sorted out informally and confidentially.

However, if a member's conduct or performance is considered to be in breach of Irish Girl Guide's standards, policies and/or procedures, it may be necessary to invoke formal procedures and take disciplinary action. Please see the procedures below which should be followed as appropriate.

1. Procedures for disciplinary action against a member at local level

If a complaint is made against a member at local level the standard complaint procedures are adhered to and, where necessary, a Reporting Officer is assigned to investigate.

If a member refuses to cooperate with the complaints procedure, this will not prevent Irish Girl Guides from proceeding with an investigation because the other parties referred to in a complaint are entitled to due process. Accordingly, a complainant who refuses to cooperate with an investigation will be advised that the investigation will proceed. Based on the information that becomes available during the process, Irish Girl Guides will then form its conclusions regarding the complaint and take whatever action may be necessary.

If the Reporting Officer determines that the member has breached Irish Girl Guide's standards, policies and/or procedures, the Safeguarding Officer will be informed. The Chief Executive Officer (CEO) will be informed by the Safeguarding Officer of the outcome.

The CEO will initially call a meeting of the Disciplinary Panel to assess the report findings. The Disciplinary Panel will consist of the CEO and two other people not associated with the case. They will make a decision on what action should be taken next i.e. standard disciplinary procedures followed, whether immediate sanctions need to be imposed or whether immediate termination of membership is appropriate. Each case will be dealt with on a case by case basis. At all stages confidentiality will be adhered to.

2. Procedures for disciplinary action against a member at Regional and/or National Level

If there is a concern over a member's conduct or performance at Regional and/or National level the Safeguarding Officer should be informed. The Safeguarding Officer will subsequently pass on the information to the CEO who will endeavour to resolve any issues as raised and, where necessary, will follow procedures as set out below.

In all cases of alleged serious misconduct, a full investigation will be carried out to establish the facts.

- The investigation will be conducted thoroughly and objectively by a Reporting Officer with due respect for the rights of the member to natural justice.
- The investigation will be governed by clear terms of reference.
- Every effort will be made to carry out the investigation within three months, although timescales may be extended in exceptional circumstances.
- The member will be advised of the right to be accompanied by a person of choice throughout the investigation and at any subsequent hearings, should such arise.

If a member refuses to cooperate with the complaints procedure, this will not prevent Irish Girl Guides from proceeding with an investigation because the other parties referred to in a complaint are entitled to due process. Accordingly, a complainant who refuses to cooperate with an investigation will be advised that the investigation will proceed. Based on the information that becomes available during the process, Irish Girl Guides will then form its conclusions regarding the complaint and take whatever action may be necessary.

On completion of the investigation, the Reporting Officer will submit a written report of her findings to the CEO and to the member.

If the Reporting Officer determines that the member has not breached Irish Girl Guide's standards, policies and/or procedures, she will be informed officially by the CEO that her name has been cleared.

If the outcome of the investigation is that, on balance of probability, the member is guilty of the alleged misconduct, formal disciplinary procedures will be invoked. The CEO will initially call a meeting of the Disciplinary Panel to assess the report findings. The Disciplinary Panel will consist of the CEO and two other people not associated with the case. They will make a decision on what action should be taken next i.e. standard disciplinary procedures followed, whether immediate sanctions need to be imposed or whether immediate termination of membership is appropriate.

Each case will be dealt with on a case by case basis. At all stages confidentiality will be adhered to.

Stages of Disciplinary Procedures

The disciplinary procedures adhere to principles of natural justice which include the right to:

- be heard
- know the allegations in the matter, why a sanction is being imposed, the manner in which the issues will be determined, and any other relevant information that will be taken into account
- impartiality in both the investigation and the decision-making process

A member also has the right to an appeal hearing.

The stages of the disciplinary procedure are as follows:

Stage 1: *Oral/Verbal Warning*

A member whose conduct falls below required standards or is deemed to be in breach of Irish Girl Guide's policies will be issued with a formal oral/verbal warning by the CEO. The member will be advised of the precise nature of the complaint, the improvements required and the timescale for same. If any immediate sanctions are imposed by the Disciplinary Panel the member will be informed of these and also given written confirmation of these by the CEO. Failure to improve may result in further disciplinary action under Stage 2 of the procedures. A record of the warning will be kept on file and then removed after the stipulated period, subject to satisfactory improvement.

Stage 2: *Written Warning*

If the member fails to make the necessary improvements, or if the conduct is more serious, then a formal written warning will be issued by the CEO. As in Stage 1, the formal written warning will specify the precise nature of the complaint, the improvements required, the timescale for same, plus any appropriate sanctions that may be imposed. A record of the warning will be kept on file and then removed after the stipulated period, subject to satisfactory improvement.

Stage 3: *Final Written Warning*

If there is still no evidence of improvement, or if the conduct is extremely serious, a final written warning will be issued by the CEO. It will specify the precise nature of the complaint, the improvements required, the timescale for same and appropriate sanctions. The member will also be advised that failure to improve will lead to a disciplinary hearing.

Stage 4: *Disciplinary Hearing*

If the requirements of Stage 3 are not met, the CEO will request the member to attend a disciplinary hearing. Sanction(s) may include suspension or termination of membership of Irish Girl Guides. The hearing will be conducted by the Disciplinary Panel. The Chief Commissioner of Irish Girl Guide will not be a party to the disciplinary hearing.

The progressive stages of this disciplinary procedure may not apply to some offences for which the consequence may be termination of membership without notice. Examples include theft, fraud, falsification of documents, gross negligence, dereliction of duties, an inability to act responsibly as a result of substance misuse and bullying or harassment of other members. This list is not exhaustive.

Appeal Hearing

A member who wishes to appeal the outcome of a disciplinary hearing may do so within seven working days of the notification of the decision. The appeal must be in writing and state the ground(s) on which the appeal is being made.

An appeal hearing is not intended to repeat the investigation and disciplinary stages but to address specific issues which the member feels may have received insufficient consideration, such as mitigating circumstances, procedural deficiencies or the severity of the sanction imposed.

The member will be invited to attend an appeal hearing which will normally be held within ten working days of the appeal being lodged. The hearing will be conducted by the Chief Commissioner and one other person with no association to the case.

If the member is not satisfied with the outcome of the appeal hearing, it is open to her to take her case to the Executive Committee of Irish Girl Guides and thereafter to the General Council of Irish Girl Guides, as per the Constitution if she so chooses. The member must make her intention to appeal known to the CEO within 14 days of notice of the termination of her membership. Details of the appeal must be lodged with the CEO within 7 days of notification of the appeal. A meeting of the ~~General Council~~ Executive Committee will be called within 30 days. The member against whom a complaint has been made will be entitled to arrange for someone to attend with her for moral support.

A record of the investigation and any hearings will be kept on file in Irish Girl Guide in compliance with the Data Protection legislation.