



THATCHAM DISCIPLINARY PROCEDURE

Disciplinaries – responsibilities of the Trustees

This procedure sets out how Thatcham u3a will approach problems related to a breach or suspected breach of the agreed Code of Conduct by a member or Trustee. This procedure is intended to ensure any issues are dealt with promptly, fairly, and consistently. All parties are encouraged to take a problem-solving approach to achieve resolution.

In the event of a report of any member or Trustee allegedly breaching the Code of Conduct or if a breach becomes apparent, the Chair will be notified immediately.

In conducting this procedure, Thatcham u3a will ensure the following:

- Every action will be documented.
- Disciplinary matters (including the appeals procedure) will be dealt with quickly and fairly.
- Thatcham u3a will strive to de-escalate any situation and to settle the issue without having to resort to formal disciplinary action.
- Thatcham u3a will seek additional support from Trust staff, the Regional Trustee and Trust volunteers, as required. All requests for support will go via the u3a Office.
- Confidentiality will always be maintained. For more serious issues Thatcham u3a will consult with the Third Age Trust to seek advice and guidance about procedural issues. Sharing of information with the Trust will not constitute a breach of confidentiality due to the affiliation with the Trust. Members involved in the disciplinary procedure will be informed of the Trust's involvement.
- Decisions will be based on facts and evidence.

The disciplinary procedure will be implemented once all steps that have been taken to resolve matters informally have been unsuccessful and/or where a matter is deemed by the u3a Trustees to be so serious that the only relevant course of action is to follow the disciplinary procedure.

1.1 Confidentiality

All procedures and documents relating to a disciplinary must be kept confidential. Information will only be shared with those who have a genuine need to receive it. All situations should be dealt with discreetly and by showing respect for the parties and views involved.

1.2 Informal procedure

It is important to try and resolve disputes amicably and informally. This is more likely to lead to a better relationship between the parties in the longer term. The Chair will use his/her best endeavours to resolve the problem amicably and quickly, through an informal



discussion with the member or Trustee in question. The Trustee or member will be informed that if any areas of activity that could potentially be of a disciplinary nature are found, they will be requested to attend a meeting with a Hearing committee.

The informal discussion will be clear, and all parties should understand their obligations at the end of the meeting. A confidential written record of the outcome of the informal discussion should be kept by the Chair.

1.3 Formal procedure

However, if the initial process is not effective in reaching a solution or if it is felt that the alleged breach is serious enough to require formal disciplinary action, the Chair will appoint an investigating Trustee (who is not involved or connected to any party in the alleged breach) to investigate and gather the evidence to be presented at the Hearing Committee.

Trustees may be told that a disciplinary procedure has been initiated and is being dealt with, but not given any of the detail. This is necessary in order not to bias any appeal that they may be required to hear at a later date.

The result of these investigations must not be disclosed to any other Trustees, at this stage, in order not to bias any appeal.

The Chair will appoint a subcommittee (Hearing Committee) of a minimum two Trustees (where possible) to hear the alleged breach.

The timetable for the date of the meeting to hear the breach of code of conduct will be short, preferably within 14 days from the date that the Chair is first advised.

A letter will be sent to the member/Trustee who is alleged to have breached the Code of Conduct for the purpose of:

- Advising they are subject to a formal disciplinary procedure.
- Advising them of what constitutes the alleged breach of Code of Conduct.
- Asking for their response to the breach in writing.
- Advising them of the date of the breach hearing.
- Advising that they can also attend the subcommittee meeting to state their response in addition to their written response.
- Advising them they may choose to bring a companion, if they wish, who will also be bound by confidentiality.

If the member/trustee advises that there are witnesses to the incident(s) who are willing to give representations, they will ask those witnesses to contact the hearing committee to agree to giving a statement relating to the specific incident(s) that they have witnessed. It is important that any statements taken are a factual representation of what the witness says. The statement should not be an interpretation or opinion of what he/she says.



1.4 The Hearing Committee

The Chair will appoint the Hearing Committee, and they will examine the matter, considering any written statements submitted, verbal statements and any mitigating circumstances. The Hearing Committee will agree whether any disciplinary action needs to be taken place.

Note: If the Chair of the committee is suspected to have breached the Code of Conduct, then the Vice Chair will replace the Chair in the procedure. In this case, and in the event of an appeal, the Vice Chair may choose to ask Trustees from a neighbouring u3a or seek advice or request attendance from Third Age Trust staff or Trustees.

The Hearing Committee may decide there is no breach of conduct in which case they will advise the Chair and the member or Trustee of this outcome. If they do feel that the Code of Conduct has been breached, they can consider any of the following possible forms of disciplinary action. Levels 4 and 5 will only be invoked in the case of significant breaches of the code or a persistent repetition of behaviour about which the member or Trustee has previously been warned, such as not complying with the terms of the constitution.

1.5 Levels of action

1.5.1 Level 1

No case to answer. No further action necessary.

1.5.2 Level 2

A verbal warning which makes clear the nature of the unacceptable behaviour and includes a warning about future conduct and the consequences of non-compliance. The Chair should give the warning on behalf of the Hearing Committee. Details of the warning should be recorded, dated, and kept on file.

1.5.3 Level 3

A written warning from the Chair, on behalf of and agreed by the Hearing Committee, itemising the unacceptable behaviour, stating the improvement required with immediate effect and the consequences of continued non-compliance.

1.5.4 Level 4

A final written warning as above, which states that if the behaviour is repeated the member or Trustee will be asked to leave the u3a or trustees, with immediate effect.

1.5.5 Level 5

The Trustee or member is asked to leave either the trustees or the u3a.



1.6 Gross misconduct

If there is a case to answer, for most problems the process will start at Level 1. However, in the case of an extremely serious proven misdemeanour, for example:

- Sexual/racial abuse, discrimination, harassment, bullying.
- Dangerous or violent behaviour.
- Falsification of expense claims.
- Theft.
- Malicious damage.
- Conduct which brings the u3a into disrepute or is prejudicial to the u3a or the running of the u3a.

The Hearing Committee has the right to move immediately to Levels 4 or 5, including asking the Trustee or member to leave.

1.7 Decision

The decision should be communicated in writing to the Chair and member or Trustee advising them if the breach of the Code of Conduct has been upheld or not upheld. If the breach has been upheld, they will be informed:

- Of the action that will be taken as a result.
- That they have the right of appeal.
- That the right of appeal can only relate to the original breach.
- That the appeal request must be lodged to the Chair within 7 days from the date the decision is communicated.

1.8 Right of appeal

The Trustee or member who is alleged to have breached the Code of Conduct must be informed of their right of appeal at the end of the initial hearing.

The appeal request must be lodged to the Chair within 7 days from the date the decision is communicated and must take the form of written representation with the opportunity to attend an appeal meeting for a right of reply. The Trustee or member must be advised of their right to attend with a companion.

The Chair / appeal panel will then hold an appeal hearing to consider any written response and representations to make their decision on whether to uphold the appeal or not. This will be independent of the initial hearing and Trustees should not discuss this outside of the appeal panel.

If the member or Trustee concerned requests a right of reply to the appeal panel the member or Trustee can be accompanied by a companion who may also speak in a personal capacity if they wish.



The Chair of the appeal panel will summarise the issues involved in the disciplinary hearing and the information provided and then the member or Trustee will be given the opportunity to speak, along with their companion if the companion wishes to speak.

The appeal panel will review its decision, considering any mitigating circumstances, and then make a final decision which must be communicated in writing within 7 days of the appeal meeting.

The committee's decision following any appeal is final and absolute confidentiality must be maintained.

u3a	Disciplinary Procedure – u3a Thatcham	The Third Age Trust
Version	Description of changes	Date
1.0	Policy created from u3a template	15/11/2024 (JC)
2.0	Local policy to be reviewed and approved by local chairperson and Secretary	06/07/2025 (KT)