

RESOLUTION OF PROBLEMS

Introduction

Railfuture is an organisation run entirely by volunteers. It is important that all members reflect on this when dealing with others. People join Railfuture and give of their time because they believe in the organisation's aims and objectives, they do not do it for financial reward.

This "Resolution of Problems" document covers two issues:

1. What a member should do if they have a complaint about the actions or behaviours of another member.
2. What Railfuture does if it believes that a member has acted in a way that has, or might have, brought Railfuture into disrepute, breached the members' Code of Conduct, or has caused Railfuture some form of material loss.

Volunteer organisations are not covered by the legal provisions of either employment law or equality legislation in respect of employment issues. However the general requirements of the Equality Act 2010 do apply to Railfuture. The aim of these procedures is to ensure that any issues are dealt with quickly, openly and fairly without the need for bureaucratic, quasi legal processes.

1. What a member should do if they have a complaint about the actions or behaviours of another member.

Members may come into conflict with another member for a number of reasons. The Code of Conduct is very clear that discrimination, harassment, verbal or physical abuse is unacceptable. If a member feels that they have been the victim of unacceptable behaviour by another member they should take the following steps:

- i) Advise the person who is the cause of the issue that their behaviour is unacceptable and ask them to desist from such actions.
- ii) If this resolves the matter then no further action should be taken.
- iii) If however the action continues, or the matter is so serious that it cannot be remedied between the parties, then the individual should report such behaviour to their local branch official. If the case involves a branch official, then the matter should be reported to the branch liaison Director.
- iv) The appropriate branch official (or Director) will appoint an "Investigating Official" (I.O.) to investigate the complaint and gather any supporting evidence as may be necessary, conduct interviews, call for reports etc. He (she) must, on the basis of the investigation, decide whether the complaint is justified or not.
- v) The parties involved will be advised by the Investigating Official of the results of the enquiry. If the complaint is considered justified, then an attempt should be made to get the parties to settle their differences. If that is not possible, the Investigating Official will decide whether action should be taken against the person found at fault. (See section 2) If the complaint is considered to be unfounded or malicious then the Investigating Official will advise the complainant of his (her) conclusions.
- vi) That is the end of the process.

2. What Railfuture does if it believes that a member has acted in a way that has, or might have, brought Railfuture into disrepute, breached the members' Code of Conduct, or has caused Railfuture some form of material loss.*

The vast majority of members behave in a way that is considerate, responsible and ethical. Minor infringements of Railfuture's policies and procedures should be dealt with informally if possible by Branch officials or Board members. However serious breaches of expected standards and behaviours will be dealt with in the following way:

i) The Branch, or in the case of matters affecting the Board or one of its Working Groups, the Board, will appoint an "Investigating Official" (I.O.) who will be responsible for establishing the facts of the case. This may involve the gathering of evidence, interviewing of individuals, calling for reports etc. At the end of this process the I.O. will decide whether there is case to answer. If it is concluded that there is no case to answer, the persons involved will be advised. If however it is considered there is a case to answer, then the Branch, or the Board, as appropriate, will appoint a person to hear the disciplinary case (Hearing Official, H.O.).

ii) The individual(s) will be advised of the nature of the accusations in writing.

ii) They will be invited to a hearing at a mutually agreed time and place. (Reasonable expenses will be paid to attend such meeting)

iii) They may be accompanied by another Railfuture member if they so wish.

iv) They will be given an opportunity to state their case at the interview and to challenge evidence that is presented to them. All relevant documentation will be sent to the parties involved prior to the date of the interview.

v) A secretary will be provided to record the relevant matters discussed. Copies of the interview notes will be provided to the interviewee(s).

vi) At the end of the interview the H.O. will decide whether the accusations have been proven or not.

vii) If it is established that there is no case to answer then the individuals involved will be advised in writing.

viii) If the H.O. concludes that the facts are proven then he (she) must decide an appropriate sanction. These may include the following:

- a) formal censure and warning as to future conduct.
- b) suspension of Railfuture membership for up to 12 months.
- c) recommendation to the Board of expulsion from Railfuture.

In all cases the persons involved will be advised of the H.O.'s decision in writing. In the case of "a" and "b" there is no right of appeal and that is the end of the process. In the case of "c" the provisions of the Articles of Association (as amended 21st May 2016), clauses 6, 7 and 8 will be applied. It should be noted that any person who is expelled under clause viii c, will be considered suspended until the appeal process is completed.

ix) That is the end of the process.

* In exceptional circumstances, covering serious allegations where the individual involved is a Branch Official or a Board Member, the Chairman of Railfuture may authorise the immediate suspension of the member pending the application of procedure 2.

**Approved by the Board of Directors on 26th November 2016 to apply from 01.01.2017
Revised on 1st January 2018 for change of company name but no changes to the process**

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