

Implementation Group Note:

This document is still a draft with [] and highlight identifying areas that need to be clarified.

The details of the individuals and roles handling the grievance, and response timelines, will be finalised before the papers are issued for the AGM

GRIEVANCE POLICY

BRITISH MOUNTAINEERING COUNCIL

1. APPLICATION OF THIS POLICY

- 1.1 This policy sets out the procedure to be followed in relation to complaints or grievances brought by [members and volunteers] of the BMC [and funded partners].
- 1.2 In this policy a reference to:
 - 1.2.1 **"the BMC", "us", "we", or "our"** is a reference to the Directors/the Board; and
 - 1.2.2 **"you" or "your"**, is a reference to the [member][person] bringing the complaint or grievance under this policy.

2. AIMS AND OBJECTIVES

- 2.1 The membership forms the heart of the BMC and its objects include representing their interests. We are therefore committed to supporting you in progressing in your chosen activities and championing the causes close to your heart. Whilst we work hard to ensure that we do this, and do this in a way which never gives you cause for complaint, we recognise that sometimes things can go wrong.
- 2.2 If you have a complaint or grievance (referred to interchangeably in this policy as a **"grievance"**) then we ask that you tell us first so that we can try to put things right, and can use the information that you provide to improve our standards and ways of working going forward.
- 2.3 This policy is intended to help us deal with grievances promptly, proportionately, impartially and fairly. However, situations may arise where following the stages and timeframes set out in this policy would not be appropriate or practicable in the circumstances. Where we determine this to be the case, we reserve the right, acting reasonably, to deal with the relevant grievance outside of this policy, whilst still mindful of the need for a fair hearing.

3. SCOPE

- 3.1 A grievance against the BMC may be made by any [member] of the BMC, usually under this policy. There are some grievances which will usually fall outside the scope of this policy, such as:
 - 3.1.1 **Safeguarding**
 - (a) For grievances relating to safeguarding children and/or vulnerable adults, please refer to our Safeguarding Children and Vulnerable Adults Policy and Guidelines.
 - 3.1.2 **Whistleblowing**
 - (a) If you reasonably believe that one of the following has occurred, is occurring, or is likely to occur then please refer to the BMC's Whistleblowing Policy:
 - (i) A criminal offence;
 - (ii) Breach of a legal obligation;
 - (iii) Miscarriage of justice;
 - (iv) Danger to the health and safety of any individual;

- (v) Damage to the environment; or
- (vi) The deliberate concealing of information about any of the above.

3.1.3 Business decisions

- (a) A grievance brought under this policy will not be considered if it is a complaint relating to a business decision taken by the BMC or its staff which it or s/he was validly entitled to make and acted properly in making. It is not the purpose of this policy to provide members with a power to review or substitute decisions validly made by the BMC or its staff in the usual operation of the business of the BMC.

3.1.4 [Are there any other types of grievance that should be referenced here and that are dealt with under another policy?]

- 3.2 If you are unsure as to whether your grievance is covered by this policy, then we ask that you treat it as covered by this policy unless we inform you otherwise.
- 3.3 Please note that we will not investigate grievances which we reasonably believe to be vexatious, unreasonable or malicious in nature and we may take appropriate action against individuals who raise such grievances. Appropriate action may include revocation of the relevant individual's membership of the BMC on the basis that it is harmful to the interests of the BMC.
- 3.4 Where an individual brings more than one grievance against the BMC under this policy, we will have the discretion to appoint the same person to consider all such grievances and deal with them concurrently under this policy.

4. ANONYMOUS GRIEVANCES

- 4.1 Where a member raises a grievance anonymously, the proper investigation of that grievance by the BMC may be impossible given that we would be unable to obtain further information from the member raising the grievance. For this reason we will not normally consider grievances made anonymously and are entitled to conclude that the grievance does not warrant further investigation.
- 4.2 Where an anonymous grievance does, however, contain sufficient information to enable us to investigate it, and we conclude that in the circumstances it is appropriate to investigate it, we will consider the grievance so far as possible in accordance with the procedure set out below save that:
 - 4.2.1 No meeting will be held with the member who lodged the grievance to consider the grievance and that member will not be informed of the proceedings and the decision reached unless, of course, the member waives his/her right to anonymity to receive the response.
 - 4.2.2 No appeal against the decision will be possible unless the member who lodged the grievance chooses to waive his/her right to anonymity and makes an appeal in accordance with this policy.

5. PROCEDURE FOR RAISING A GRIEVANCE

Overview

- 5.1 We will only investigate grievances that are made in writing. Grievances made verbally or via social media platforms will not be investigated. Grievances made via social media platforms may instead be reported by us to the relevant platform(s).
- 5.2 Grievances should be made promptly and in any event within 3 months of the date of the subject matter of the grievance arising. We will only consider grievances made after this time if compelling reasons are presented to the Board to justify this.

- 5.3 Where you are invited to a meeting under this policy, you may bring a trusted family member, friend or another member to support you at that meeting should you wish, please let us know in good time if this is your intention. Due to the nature of the grievances dealt with under this policy, and the manner in which we will seek to resolve grievances, we consider that in most circumstances it will not be appropriate for you to be accompanied by a legal representative, and any request to be accompanied by such a representative should be submitted to us in writing and in good time before the meeting. The Board shall decide, in its discretion, whether to permit such representation.
- 5.4 In certain circumstances, it may not be possible to deal with your grievance in the timeframes set out in this policy. However, we will keep you informed if that is the case.
- 5.5 Any reference in the procedure below to "in writing" shall include a reference to "by email".

Stage 1 – Informal resolution

- 5.6 If you have a concern or grievance which falls within the scope of this policy, we ask that you please raise this informally in writing with your usual contact at the BMC in the first instance. If you do not have a usual contact, it should be addressed to **[insert postal and email address]**. You should try to do this as soon as possible following the incident giving rise to your grievance.
- 5.7 The individual receiving your grievance will try to resolve that grievance directly, within 10 working days following receipt. If the person dealing with your grievance does not consider it possible to resolve your grievance in this way, you may be invited to meet informally with that person to discuss your grievance with them. You will then receive the outcome of your grievance in writing, normally within 10 working days of the meeting.
- 5.8 Whilst we hope that in the first instance your grievance can be dealt with informally in the manner set out above, the person receiving your grievance may, at their discretion, escalate the grievance to Stage 2 without it first being dealt with under Stage 1 if the circumstances deem appropriate.

Stage 2 – Formal procedure

- 5.9 If your grievance is not resolved informally under Stage 1 to your satisfaction, then you should contact **[insert details]** in writing at **[insert postal and email address]** within 10 working days of the date of the notification of the outcome received at Stage 1.
- 5.10 To help us deal with your grievance as appropriately and quickly as possible, please make sure that you provide as much information as possible, including:
- 5.10.1 Details of what your grievance is about
 - 5.10.2 The people involved
 - 5.10.3 Relevant dates
 - 5.10.4 Details of the steps that you have taken to try to resolve the grievance informally, including the response that you received at Stage 1.
 - 5.10.5 What you would like us to do to put things right.
- 5.11 We will acknowledge your grievance, normally within **[5 working days]** of receipt.
- 5.12 Our aim is to arrange a meeting between you and our CEO within **[20 working days]** from the date of our acknowledgement to discuss your grievance. If your grievance involves the CEO then we shall arrange a meeting between you and a senior person within the BMC that we consider appropriate to hear your grievance.

- 5.13 You will receive the outcome of your grievance (together with reasons), normally within **[10 working days]** from the date of your meeting with the CEO.

Stage 3 – Formal procedure

- 5.14 If your grievance is not resolved informally under Stage 2 to your satisfaction, then you should contact **[insert details/name of designated director]** in writing at **[insert postal and email address]** stating the reasons as to why the grievance was not resolved to your satisfaction. This must be submitted within 10 working days of the date of the notification of the outcome received at Stage 2.
- 5.15 We will acknowledge your grievance at this Stage 3, normally within **[5 working days]** of receipt.
- 5.16 A panel of three BMC directors (the "**Panel**") will meet to discuss your grievance within **[20 working days]** from the date of our acknowledgement issued under this Stage 3. The Panel may invite you to meet with them to discuss your grievance in person. You may be asked to provide further evidence or information in relation to your grievance. The Panel may need to speak to other persons named in your grievance.
- 5.17 You will receive the Panel's outcome of your grievance (together with reasons), normally within **[10 working days]** from the date of your meeting with the Panel.

Stage 4 – Appeal

- 5.18 If you remain dissatisfied following the outcome of your grievance at Stage 3, and one of the grounds for appeal applies (see below), you may write to the person who dealt with your grievance at Stage 3 to inform them that you wish to appeal their decision. Your appeal notice must set out:
- 5.18.1 Why you are not satisfied with the response provided at Stage 3.
- 5.18.2 Which ground of appeal applies, those grounds being:
- (a) The BMC did not follow the correct procedure in dealing with your grievance under Stage 1, Stage 2 and/or Stage 3 of the policy; or
- (b) New material information is available which was not previously reasonably available.
- 5.18.3 What you would like us to do to put things right.
- 5.19 You must submit your intention to appeal in accordance with paragraph 5.18 within **[10 working days]** of the date of the response that you received at Stage 3.
- 5.20 We will acknowledge receipt of your appeal within **[5 working days]** of receipt, where possible.
- 5.21 An appeal panel ("**Appeal Panel**") will meet to consider your appeal within **[20 working days]** from the date of our acknowledgement issued under this Stage 4. The Appeal Panel shall comprise either the Chair or the President (as the Board considers appropriate and may comprise both), and two other directors selected and considered suitable by the Board to hear the Appeal. The Appeal Panel shall not comprise any person involved in stages 1-3.
- 5.22 The Appeal Panel may invite you to meet with them to discuss your appeal in person.
- 5.23 The Appeal Panel will aim to produce a decision (with reasons) and send that to you within **[10 working days]** from the date of their acknowledgement to you.
- 5.24 The Appeal Panel's decision will be final.

6. OTHER AVENUES OF GRIEVANCE AVAILABLE

- 6.1 If you are not satisfied with the way we have dealt with your grievance then, depending on the nature of your grievance, you may choose to contact a relevant regulator. Please note, however, that the regulator(s) may decline to investigate your grievance further if they are not satisfied that you have exhausted this grievances procedure first.

7. ADDITIONAL INFORMATION

7.1 Equal opportunities

- 7.2 We are committed to promoting equal opportunities. When we deal with your grievance you will therefore receive equal treatment regardless of age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation. Please refer to our Equal Opportunities Policy for further information on our commitment to upholding the principles of equal opportunities in every aspect of the work we do.

- 7.3 If you have any particular communication needs, or need information in another format, for example, please contact **[insert details]** on **[insert details]**.

7.4 Your personal details

- 7.5 By raising a grievance under this policy you are:

- 7.5.1 Consenting to us using the personal information that you have provided to us for the purpose of dealing with your grievance and to help us improve our practices going forward.
- 7.5.2 Consenting to us sharing the personal information that you have provided with other persons and organisations (e.g. our legal advisers, regulators, the police) to assist us in dealing with your grievance and improving our practices going forward.
- 7.5.3 Consenting to us sharing the personal information that you have provided, as required by law.

- 7.6 Please note that we will retain details of your grievance on our files for a period of 12 months after the final resolution of the grievance.

7.7 Confidentiality

- 7.7.1 We will aim to keep all grievances confidential, unless otherwise required under applicable laws.
- 7.7.2 If you bring a grievance we will treat you with respect, and we expect you to treat us in the same way.
- 7.7.3 If you bring a grievance we expect you to keep the grievance confidential, particularly whilst it is being considered under this policy. Any contravention of this by you may impact on our ability to investigate your grievance independently and in accordance with this policy, and may result in the Board concluding that your grievance is vexatious or malicious and should therefore not be investigated further.
- 7.7.4 Any anonymous grievance investigated under this policy will be treated confidentially, unless the disclosure of the subject matter is deemed necessary by the Board to fulfil its legal or regulatory obligations.

7.8 Ongoing improvements

- 7.8.1 All grievances received, whether formal or informal, will be recorded and monitored by us and used to improve our ways of working and standards going forward.
- 7.8.2 The Board will receive a regular log of complaints and shall seek to identify any trends in complaints being made and take action accordingly.

8. REVIEW OF THIS POLICY

- 8.1 This policy will be reviewed on an annual basis to ensure that its provisions continue to meet our legal obligations and reflect best practice and, importantly, is working for the BMC and its members.

Approved by	
Policy owner	
Policy author	
Date	
Review date	