



THE ROYAL SCOTTISH PIPE BAND ASSOCIATION COMPLAINTS AND GRIEVANCES

Introduction

The Royal Scottish Pipe Band Association (RSPBA) is a voluntary organisation and a registered company limited by guarantee.

The Company's objects are to promote, encourage and develop Pipe Band music within the United Kingdom and internationally. In doing so set standards for the education and training of Piping, Drumming and Drum Majoring including the issue of certificates; Organises and administers Pipe Band competitions, including the major Championships; and maintains a Panel of approved Adjudicators.

The Royal Scottish Pipe Band Association is committed to providing these services as defined in the Articles of Association and Standing Orders and Rules of the company efficiently and effectively without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

Its aim is to avoid complaints and grievances wherever possible, with openness and fairness as its fundamental objectives.

As with any organisation, however, situations inevitably will arise which result in complaints and grievances.

Grievances are concerns, problems or complaints that RSPBA volunteers / employees raise in the capacity of the role / position they hold in the RSPBA.

The RSPBA will do everything within its power to keep these situations to a minimum and to resolve them quickly and to the satisfaction of all concerned. To ensure transparency, consistency and common understanding, the following procedure has been put in place to deal with all complaints and grievances within the RSPBA's range of activities (with the exception of the RSPBA staff grievance procedures required by employment legislation).

PROCEDURE FOR DEALING WITH COMPLAINTS AND GRIEVANCES

Purpose and Scope

1. The Royal Scottish Pipe Band Association is committed to dealing with grievances fairly, consistently and without unreasonable delay. This policy sets out the way in which a complaint should be made and the way in which the RSPBA will deal with these complaints. This is a non-contractual policy and procedure and can be changed by the RSPBA at any time. If you have any queries about this policy and procedure, you should contact the Chief Executive Officer of the RSPBA.
2. This procedure must not be used to initiate a Protection of a Vulnerable Group (PVG) or Child protection complaint. Please refer to the relevant process.
3. The procedure will be used to process and investigate any complaints and grievances received in relation to the objectives and good standing of the RSPBA that has a bearing on: -
 - the RSPBA as an organisation collectively;
 - RSPBA activities (i.e. education and training, examination results, advertising/media involvement etc);
 - the action of a Board of Director
 - the action of a volunteer in an appointed role on any standing / sub-committee / group of the board properly constituted;
 - RSPBA officials;
 - Members of the Adjudicators Panel (individually or collectively);
 - competition results



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- member bands;
- individual band members.

Primary Principles

4. Grievances will be dealt with confidentially so far as is reasonably possible and all parties must keep information learnt during this process confidential.
5. The purpose of a grievance or appeal meeting is for the complainant / subject(s) to explain his or her grievance/ action and how they think that it should be resolved using evidence available to make representations, allowing the RSPBA to come to a decision.
6. RSPBA members will not be subjected to a detriment for raising a grievance in good faith, even if the grievance is not upheld.
7. If one deliberately gives false information, is dishonest or makes a false complaint during the grievance process, this may lead to disciplinary action being taken by the RSPBA.
8. RSPBA members will not normally be suspended during the grievance process, but the RSPBA reserves the discretionary right to suspend if helpful and reasonable.
9. The aim is to deal with all complaints within two months of receipt by the RSPBA;
10. all decisions should be conveyed in writing to the complainant and the subject(s) of the complaint by the Chief Executive.
11. full written records will be maintained of each complaint, investigation of the complaint, how it was considered, and the action taken, or sanction imposed;

Formal Procedure

12. Stage 1 – Notification

- a. To raise the matter formally complaints should be addressed in writing to the RSPBA Chief Executive and received by the RSPBA within 14 days of the incident, setting out the facts of the grievance, avoiding insulting or abusive language and trying to give specific examples of the complaint, copies of documents, names of witnesses, and dates where possible.
- b. Where possible the official RSPBA Complaints and Grievances Form should be used;

13. Stage 2 – Triage

- c. The Chief Executive should record receipt of the complaint.
- d. Within five (5) working days, the complainant will receive a response in writing, to the written grievance, indicating the action being taken (next steps) by the RSPBA.
- e. The relevant information and circumstances described in the correspondence should be checked and verified by the Chief Executive wherever practical and reasonable, from this initial assessment when:-
 - I. the correspondence is a Protecting Vulnerable Groups (PVG) or Child Protection matter, the relevant process / notifications must be initiated, only when this avenue has run its course can the RSPBA complaints and grievance procedure be considered.
 - II. the matter can be resolved by the Chief Executive immediately, (such as a clarification of the rules or explanation of an event etc), this will be communicated to the complainant.
 - III. there is a likely dispute: Information from the subject(s) of a complaint is needed to make an objective decision, any individual, band, committee etc. against whom the complaint is made will be sent a copy of the correspondence and given the opportunity to submit a statement in defense;

14. Stage 3 – Dispute

- f. The subject(s) of a complaint must respond within five (5) working days of a request from the Chief Executive for their statement of events.



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- g. Where with knowledge of the complaint and the counter statements from the subject(s) the matter can be resolved by the Chief Executive, this will be communicated to the complainant, and any sanctions communicated to the subject(s).
- h. Where there is a conflict between the complaint and counter statements from the subject(s) a decision will be taken to:-
 - Request further information in writing from both parties (complainant and subject(s), where this dispute step may iterate
 - Instigate an RSPBA Complaints Committee as the correspondence is not achieving sufficient clarity on which in the reasonable opinion of the Chief Executive the complaint can be dealt by him effectively.

15. Stage 2 – Complaints Committee

- i. Each complaint referred to the Complaints Committee shall be considered by the full Committee, with all the relevant evidence being made available to all Committee members.
- j. The complaint will be heard by a committee consisting of:-
 - RSPBA Chairman (or the Vice-Chairman as deputy) to act as Chair.
 - RSPBA Chief Executive.
 - Convener of RSPBA Standing Orders and Steering Committee.
 - One or two members of the BoD.
 - An independent observer for the RSPBA (for example Doctor, Councilor, Accountant or Solicitor).
- k. Any member of the Complaints Committee with a vested interest in a complaint or a conflict of interest should withdraw or be substituted.
- l. A representative from the area which is the specific subject of the complaint may also be involved in an advisory capacity to ensure accuracy of information (for example, the Convener of the Adjudicators' Panel Management Board or representative in the case of an Adjudicator complaint, the Music Board Convener or representative in the case of a complaint regarding a Music Board area of interest etc). This representative shall not be a member of the Complaints Committee having no role in deciding the outcome of the appeal.
- m. where in the opinion of the Complaints Committee it is appropriate, the complainant may have the opportunity to appear before the Complaints Committee (or be represented), together with any witnesses;
- n. any subject(s) against whom a complaint is made will have the opportunity to be interviewed by the Complaints Committee.
- o. when considered appropriate a legal view may be obtained from the RSPBA's solicitors before decisions are reached by the Complaints Committee;
- p. all decisions on action to be taken or sanctions imposed on the subject(s) should be made by the Complaints Committee collectively;
- q. the Complaints Committee has the power to censure individuals for minor offences. Any suspensions recommended in more serious situations should be approved by RSPBA's board of directors ;
- r. Individual members of the Committee should not investigate or communicate with the complainant or subject(s) outside of the Complaints Committee meeting. All correspondence should be conveyed in writing to the complainant and the subject(s) of the complaint by the Chief Executive.
- s. Five (5) working days' notice of the meeting will usually be provided to the complainant, subject(s) and they will be informed of their option to be accompanied by a companion.
 - The choice of companion must be a reasonable request and the complainant / subject(s) must advise the RSPBA of the identity of the companion (or any change in their choice of companion) and whether they will require any special adjustments to be made for their or their companion's attendance, at least 24 hours before the start of the meeting
 - The RSPBA supports the use of a companion under this procedure, but would ask the complainant / subjects(s) bear in mind how practical it is for their choice of companion to attend and consider if there is a suitable and available individual who is geographically close to where the meeting is to be held, rather than first considering an individual geographically based further away



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- The role of the companion in this formal meeting is to make notes, confer with their representative and if the representative requests it, to address the hearing to state their case and respond to any views expressed at the meeting. The companion does not have the right to answer questions or address the hearing if the employee does not request this and must not prevent the RSPBA from explaining its case.
- t. If a complainant / subject(s) needed is unable to attend the meeting at the time, date and place specified by the RSPBA, they must notify the chair of the meeting as soon as possible in writing. Except in the case of an emergency, this should be at least 24 hours before the start of the meeting and the individual should advise of a time when they will be available within five (5) working days of the original proposed meeting and provided this is reasonable, the new meeting time will be agreed.
- u. The complainant / subject(s) must make every effort to attend any scheduled meeting under this procedure. If you they are unable to attend more than two scheduled meetings, the RSPBA reserves the right to decide about the grievance using available evidence in the individual's absence.
- v. If the complainant / subject(s) will be referring to any documentation during the formal meeting, this should be sent via the chief Executive to all parties at least 24 hours before the start of the meeting, so that they have a reasonable chance to prepare
- w. The RSPBA through the Chair of the Complaints Committee in its absolute discretion adjourn a meeting to carry out further investigations, after which the meeting will usually reconvene.
- x. After the meeting the Chair via the Chief Executive will give the complainant and subject(s) a decision in writing, normally within 24 hours. Which may be subject to Board of Director approval and Appeal.

16. Stage 3 – Appeal

- a. If the complainant or any subject(s) against whom action is taken is unhappy with the decision and they wish to appeal, they should write to the Chief Executive within fourteen (14) working days of the date of the decision, saying that they disagree with the decision and giving their reason(s) why and providing any new evidence they seek to rely on.
- b. The Chief Executive should record receipt of the appeal.
- c. The parties involved will be invited to an appeal meeting, normally within ten (10) working days of receipt of the letter of appeal.
- d. The appeal will be heard by a Panel consisting of :-
- e. One board member appointed by the RSPBA board I to act as Chair (who should have no vested interest or conflict in the appeal/s being considered)
- f. Two independent members.
- g. The Chair of the Complaints Committee which dealt with the original complaint should also attend the meeting of the Appeals Panel to ensure full understanding of how the decision of the Complaints Committee was reached; but should have no role in deciding the outcome of the appeal.
- h. After the meeting the parties will be given a decision, normally within 24 hours. The RSPBA decision is final and there is no further right to appeal.

Complaints and Grievances Form

A copy of the official RSPBA Complaints and Grievances Form is attached.

Document Version Control

Version	Date	Amendment	Author
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1	29/11/2017	Prepared from document on web and input from the Solicitors	SOSC – Paul Brown
2	01/12/2017	Updated following a review by the CEO for presentation at the December BoD meeting.	SOSC – Paul Brown
3	20/12/2017	Inclusion of Header and Footer pending input from the directors.	SOSC – Paul Brown
4	10/01/2018	Update of the Complaints form layout, and final check.	SOSC – Paul Brown



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Complainant Details	
NAME _____	CONTACT TEL. NO _____
ADDRESS _____	EMAIL ADDRESS _____
_____	_____
POST CODE _____	

Complaint / Incident Details	
DATE OF INCIDENT / COMPLAINT _____	
LOCATION (if appropriate) _____	
NATURE OF INCIDENT / COMPLAINT _____	

(CONTINUE ON SEPARATE SHEET IF NECESSARY)	

WITNESSES	
(1)NAME _____	(2)NAME _____
ADDRESS _____	ADDRESS _____
_____	_____
POST CODE _____	POST CODE _____
CONTACT TEL. NO. _____	CONTACT TEL. No. _____
(CONTINUE ON SEPARATE SHEET IF NECESSARY)	

ADDITIONAL INFORMATION (CONTINUE ON SEPARATE SHEET IF NECESSARY)	

FOR OFFICIAL USE ONLY		OFFICIAL STAMP
RECEIVED BY _____	DATE _____	
ACKNOWLEDGEMENT SENT BY _____	DATE _____	