

# BOURNEMOUTH EAST ALLOTMENT SOCIETY LTD

## COMPLAINTS POLICY

*First adopted on 21<sup>st</sup> May 2012; ratified at the AGM on 9<sup>th</sup> December 2012*

*Last reviewed on 23<sup>rd</sup> October 2024; ratified at the AGM on 4<sup>th</sup> December 2024*

The policy and procedures will be reviewed every three years or sooner if new guidance is issued or in line with any changes to the complaints policy and procedure of Bournemouth, Christchurch and Poole Council.

### **1. BACKGROUND INFORMATION**

Originally registered as a Friendly Society in 1935 under the Industrial and Provident Societies Act (1893), Bournemouth East Allotment Society Ltd was re-registered in 2018 under the Co-operative and Community Benefit Societies Act 2014. It is affiliated to the National Allotment Society, previously the National Society of Allotment and Leisure Gardeners Ltd. The allotment sites are leased from Bournemouth, Christchurch & Poole Council and managed by an elected committee.

### **2. INTRODUCTION**

BEAS welcomes suggestions and comments from members, associate members and the local community and takes seriously any complaints that are raised. The policy is available to all members and to others on request. The complaints procedure follows. Problems are less likely to arise if concerns are raised informally, at the first opportunity, in order that a solution can be sought and it is hoped that this approach will be taken by all. All concerns are treated seriously and dealt with promptly.

### **3. COMPLAINTS PROCEDURE**

The Society makes every effort to uphold its bye-laws (rules) and its other policies and it is expected that this should minimise any cause for concern. If a member or neighbour of the Society does, however, have a complaint, they can expect it to be treated by the Society in accordance with this Procedure.

#### **Stage 1 - Informal Resolution**

- Provided that the complainant has supplied adequate contact details, s/he should receive acknowledgement of the complaint within three working days of the secretary receiving the complaint. It is hoped that in most cases, the matter can be resolved within ten working days of the secretary receiving the complaint. Any complaint that needs to be referred to the full committee could take up to **35** working days, depending on the schedule of committee meetings. Dated, written records of all concerns and complaints will be made which will be kept for a minimum of three years.
- Should the matter not be resolved within an agreed period of time, the complainant will be advised to proceed with their complaint in accordance with stage 2 of this Procedure.

#### **Stage 2 - Formal Resolution**

- If the complaint cannot be resolved on an informal basis, the complainant may wish to make a formal complaint. All formal complaints should be made in writing to the Secretary of the Society, marked "Private and Confidential", via the Society's registered office at Lingdale Road, Southbourne, Bournemouth, BH6 5LA. giving clear details of the concern and stating that this is a formal complaint.

- The Secretary and Chair will decide on the best course of action and, in most cases, the Secretary and another committee member will meet or speak with the complainants within ten working days of receiving the complaint. Every attempt will be made to reach a satisfactory resolution at this stage.
- It may be necessary for the two committee members to carry out further investigations and respond more fully in time. Records of all meetings and interviews held in relation to the complaint will be kept.
- Once the Secretary is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made by the two committee members and the complainant will be informed of this decision in writing. Reasons for the decision will be given along with any action taken or proposed.
- If the complainant is still not satisfied with the decision, s/he can ask for the complaint to be heard in a panel hearing under Stage 3 of the procedure.

### **Stage 3 - Panel Hearing**

- The complainant should write to the Chair of the Society, marked “Private and Confidential”, via the Society’s registered office at Lingdale Road, Southbourne, Bournemouth, BH6 5LA. The Chair will convene a panel of three Members not directly involved in the matters detailed in the complaint, two of whom may be committee members (other than the Chair) who have no prior knowledge of the complaint. The third person may be a Member/Tenant who has also had no previous involvement. Each Panel member shall be appointed by the Chair on behalf of the committee with one member being appointed as Chair of that Panel.

However, if the complaint is between the Society or any of its officers and a member\*, or between two members\*, the complainant may choose one of the panel members (arbitrator) and the other party may choose the second. In this case, the Panel Chair will be drawn from the Management Committee of the National Allotment Society (previously known as the National Society of Allotment and Leisure Gardeners Ltd). The costs of such arbitration shall be borne by the disputing parties in such proportion as the arbitrators may determine. (In accordance with Rule 55 of the Rules of the Bournemouth East Allotment Society Ltd.) The Panel Chair will acknowledge the complaint and schedule a hearing to take place as soon as practicable and within twenty working days.

*(\*A member includes any complainant who has for not more than six months ceased to be a member)*

- If the Panel deems it necessary, it may require further particulars of the complaint or any related matter to be supplied in advance of the hearing. Copies of such particulars shall be supplied to all parties not later than five working days prior to the hearing.
- The complainant may be accompanied to the hearing by one other person. Legal representation would not normally be considered.
- If possible, the Panel will resolve the complaint immediately without the need for further investigation.
- Where further investigation is required, the Panel will decide how it should be carried out. After due consideration of all facts considered relevant, the Panel will reach a decision and may make recommendations, which it shall complete within fourteen working days of the Hearing. The Panel will write to the complainant informing him/her of the decision and the reasons for it. The panel’s decision is final

### **Next steps**

If the complainant believes that the Management Committee did not handle their complaint in accordance with the published Complaints Procedure, or they acted unlawfully or unreasonably they can contact the Allotments Officer at Bournemouth, Christchurch and Poole Council. S/he will review the records of the complaint to ensure that the process has been applied lawfully, reasonably, fairly and proportionately. The Allotment Officer's decision is binding on all parties.

### **Confidentiality**

- Correspondence, statements and records relating to individual complaints will be kept confidential except where they may be required for legal purposes.

### **3. MONITORING, EVALUATION AND REVIEW**

The policy will be monitored through:

- Number of informal and formal complaints.
- The outcome of complaints.

The effectiveness of the policy will be evaluated by the Committee on an annual basis using the evidence gathered through the monitoring process.

The policy will be reviewed at three-yearly intervals.

### **4. DISSEMINATION OF THE POLICY**

This policy will be made available to all members of the Society. It will be made available to anyone else on request and on the society's website.