

**NCMD Policy No.14 Issue 2**  
**Complaints/Disciplinary/Appeals**



1. General

- 1.1 This policy applies to Policy Committee Members (PCM), Trustees, Members, and Employees/Contractors.
- 1.2 In all cases, formal complaints should be raised by email to the General Secretary (GS): [generalsecretary@ncmd.co.uk](mailto:generalsecretary@ncmd.co.uk), unless it is about the GS, in which case it should be raised with the Chair of the Trustees (CT): [chairoftrustees@ncmd.co.uk](mailto:chairoftrustees@ncmd.co.uk)
- 1.3 Complaints fall into 2 categories: Poor performance/behaviour; and actions that contravene the Constitution/Policies of the NCMD or are illegal.

2. Making a Complaint.

- 2.1 Where a PCM, Trustee or Employee/Contractor has concerns about poor performance/behaviour they should, initially, raise these informally with the GS or CT as appropriate. The GS or CT will attempt to resolve the issue to the satisfaction of all parties.

If the issue persists then a formal complaint should be made.

- 2.2 Where a Member has concerns about poor performance/behaviour of a PCM, Trustee or Employee/Contractor they should make a formal complaint by email (See 1.2).
- 2.3 Where anyone has concerns about contravention of the Constitution/Policies of the NCMD or illegal acts, they should make a formal complaint by email (See 1.2).
- 2.4 The receipt of a formal complaint will be acknowledged by email by the GS or CT.

3. Investigation of Formal Complaints

- 3.1 When a formal complaint has been raised, the GS or CT will investigate the issue and discuss with all parties concerned. Every effort will be made to resolve the issue amicably; if appropriate, third-party mediation may be used. Where the GS or CT feel that the issue can be resolved without going to the disciplinary procedure (See 4.) then, with the agreement of the complainant, the complaint may be closed.

#### 4. Disciplinary Procedure

- 4.1 Where the complaint is considered by the GS or CT to be a minor performance issue then an action plan will be put in place to improve performance.
- 4.2 Where a complaint has not been resolved by the GS or CT, then a disciplinary hearing will be held.
- 4.3 A disciplinary hearing will be called as an Extraordinary General Meeting of the Policy Committee. The GS (or CT if the GS is the accused) will chair the meeting and present the facts from the investigation.
- 4.4 The accused will be invited to make a statement either in person or by email after which they must leave the meeting. The GS or CT will not vote unless a casting vote is needed. Proxy voting will not be permitted. Minutes of the meeting and any discussions of the Committee will not be made public.
- 4.5 Where a complaint is upheld, the Policy Committee will decide appropriate action to take; Acts considered to be Gross Misconduct will result in loss of membership of the NCMD and loss of any post held and, in the case of illegal acts, notification of the relevant authorities.
- 4.6 The accused will be notified by email, by the GS or CT, within 7 days of the meeting.

#### 5. Appeal Procedure

- 5.1 The Accused has 14 days from the date of notification to appeal the decision of the Policy Committee by email (see 1.2) to the GS or CT as appropriate.
- 5.2 The Appeal hearing will be called as a meeting of the Trustees; where the Accused is a Trustee, the members of the Appeal hearing committee shall comprise the two remaining Trustees and the GS. A Trustee shall chair the meeting.
- 5.3 The accused will be invited to make a statement either in person or by email after which they must leave the meeting. Decision will be by simple majority. Minutes of the meeting and any discussions of the sub-committee will not be made public.
- 5.4 The accused will be notified by email (by the GS or CT) within 7 days of the meeting.

#### 6. Complainant

- 6.1 Information provided by the Complainant and the Complainants details will be treated confidentially.
- 6.2 The Complainant will be notified of the actions taken at the end of the process. Updates will only be given where an investigation takes longer than 8 weeks.