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2. PURPOSE

- 7.5 To set out the procedures for dealing with complaints concerning classes, courses, Wheel events and administration of BWY's activities.
- 2.2 Common-sense, courtesy to all involved, counselling and/or retraining must be the main tools used when dealing with complaints.
- 2.3 When complaints are raised they most often involve Yoga teaching situations. In the case of a complaint against a teacher being upheld:
 - a) the first option would be counselling and/or re-training. If the outcome of this strategy is satisfactory, no further action should be necessary.
 - b) if this strategy fails to produce the desired change/improvement, the BWY Ed Comm Chair would recommend, after consulting the Ed Comm and BWY Chair, that the teacher's name be removed from the list of approved teachers.
 - c) Whatever the final outcome, the BWY Ed Comm Chair will write to the complainant with a copy to the teacher involved, explaining what action has been taken.
 - d) A report must be kept on file for the record, both at Central Office, and by the appropriate presiding Officer, of all complaints and decisions taken.

3. COMPLAINTS AGAINST ACCREDITED TEACHERS

- 3.1 The complainant will be given the name, address and telephone number of the current Education Committee Chair to contact.
- 3.2 The Ed Comm Chair will consult with the Accredited Teacher's Governing Organisation.
- 3.3 The Ed Comm Chair will inform the complainant that the complaint will be dealt with as speedily as possible, but that there may be some delay as other BWY personnel will need to be consulted.
- 3.4 Ed Comm. Chair may also ask for assistance or guidance from the BWY Office Manager, or members of The Management or Education Committee.

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4. COMPLAINTS AGAINST BWY DIPLOMA HOLDERS

- 4.1 The complainant will be given the name, address and telephone number of the current Education Committee Chair to contact.
- 4.2 The Ed Comm Chair will inform the complainant that the complaint will be dealt with as speedily as possible, but that there may be some delay as other BWY personnel will need to be consulted.
- The Ed Comm Chair will contact:
 - The teacher concerned to ask them for a short report on their side of the complaint.
 - The relevant Regional Officer and County Representative will discuss the complaint and recommend action to be taken.
- 4.3 The Ed Comm. Chair may also ask for assistance or guidance from the BWY Office Manager, or members of the Education or Management/ Executive Committee.
- 4.4 The Complainant will be informed of the resulting decision as soon as possible.
- 4.5 Where re-training of a Diploma Holder is recommended, Ed Comm. Chair will advise the teacher concerned on the measures to be taken. A copy of ED17 Safety Statement to be sent to the teacher.
- 4.6 A written record of all proceedings must be kept by Ed Comm. Chair and a copy sent to Central Office.

5. COMPLAINTS AGAINST BWY EVENTS

- 5.1 Complaints concerning national BWY events will go to the BWY Chair. Complaints regarding Regional events should be directed initially to the Regional Officer.
- 5.2 Regional officer will consult the BWY Chair, the Event organiser, and any other relevant Wheel Officer.
- 5.3 The Complainant will be informed of the resulting decision and any measures to be taken, as soon as possible.
- 5.4 A written record of all proceedings must be kept by BWY Chair and a copy sent to Central Office.

6. COMPLAINTS AGAINST BWY PUBLICATIONS

- 6.1 Complaints against a BWY National Publication (e.g. Spectrum, Yoga Two) which cannot be resolved initially by either the Editor, Ed Comm. Technical Officer, or Central Office staff, may then be directed to the BWY Chair.
- 6.2. A written account of the complaint must be addressed to BWY Chair at Central Office.
- 6.2 Chair will contact the BWY Editor, Central Office staff, and/or Ed Comm Chair, as appropriate to the nature of the publication and source of the complaint.
- 6.3 The Complainant will be informed of the resulting decision and any measures to be taken, as soon as possible.
- 6.4 A written record of all proceedings must be kept by BWY Chair and a copy sent to Central Office

7. COMPLAINTS AGAINST CENTRAL OFFICE OR REGIONAL ADMINISTRATION

- 7.1 Complaints concerning BWY Central Office should be submitted in writing to Hon.Gen.Secretary.

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- 7.2 Hon Gen Secretary will contact the Office Manager and any other staff concerned to ask for a short report on their side of the issue.
- 7.3 Hon Gen Secretary may consult with Management or Education Committee Officers when necessary.
- 7.3 If a complaint against a paid Officer is upheld, the member of staff concerned will be disciplined and given a written warning. Should the offence be repeated on a future occasion, further action may be taken resulting in the dismissal of the employee.
- 7.4 In the case of a complaint against a County/Area Representative, or member of a Regional Committee, a written account should be addressed to the Regional Officer, who will contact the Voluntary Officer concerned for a report on the circumstances of the complaint. If necessary the RO will consult with BWY Management Committee for further advice.
- 7.5 Complaints against a Regional Officer, should be addressed in writing to BWY Chair at Central office. Chair will contact the Regional Officer and any other relevant persons for a report on the circumstances of the complaint.
- 7.6 Where an issue cannot be settled by telephone or letter, an interview should be arranged, at a mutually convenient location, with the Officer concerned, the Regional Officer (where appropriate), and an Observer appointed by the Management Committee,
- 7.7 Where a complaint against a voluntary Officer is upheld, the person concerned will be given a written account of the proceedings and if necessary may be asked to step down from BWY service.
- 7.8 The complainant will be informed of the outcome as soon as possible.
- 7.9 A written record of all proceedings must be kept by the presiding officer and a copy sent to Central Office.

8. DIPLOMA COURSE STUDENTS

- 8.1 A BWY Diploma Course Tutor, or other students on a BWY Diploma Course, have the right to make a complaint against a student who is consistently disruptive, or who does not fulfil the course obligations outlined in Op ED7, despite verbal or written warnings from the course tutor.
- 8.2 In the first instance the Diploma Course Tutor has the right to ask the student to leave the course. Wherever possible before this action is taken, the Course Verifier should be consulted and if necessary advice sought from the Education Chair.
- 8.3 Ed. omm. Chair will mediate if necessary and advise on any action to be taken. DCT and Ed Comm. Chair to keep a record of all proceedings.

9. DIPLOMA COURSE TUTORS

- 8.1 Complaints against a Diploma Course Tutor made by Diploma Students should be addressed in writing to the Ed Comm Chair via BWY Central Office.
- 8.2 The Ed Comm Chair will inform the complainant that the complaint will be dealt with as speedily as possible, but that there may be some delays as other BWY personnel will need to be consulted.
- 8.1 The Ed Comm Chair will contact the DCT(s) concerned to ask them for a short report on their side of the story. The relevant regional Officer and Verifier, and where necessary, other members of The Education or Executive Committee, will be informed of the circumstances and invited to discuss the complaint and decide on the action to be taken.
- 9.4 Ed.Comm. may decide to send a questionnaire to the other participants on the relevant Diploma Course.

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- 9.5 Where a complaint is upheld, the first option would be counselling by providing a mentor and/or re-training. If the outcome of this strategy is satisfactory, no further action would be necessary.
- 9.6 If this strategy fails to produce the desired change/improvement, the BWY Ed Comm Chair would recommend, after consulting the Ed Comm and BWY Chair, that the DCT's name be removed from the DCT Register.
- 9.7 The Ed Comm Chair may send the complainant(s), on behalf of BWY, a written apology. Should the complainant(s) decide, or be forced, to leave the course, the DCT may be directed to reimburse all or a suitable part of the course fees.
- 9.8 In the case of students being abandoned by a DCT, a replacement DCT will where possible, be provided as soon as possible.
- 9.9** Whatever the final outcome, the BWY Ed Comm Chair will write to the complainant with a copy to the teacher involved, explaining what action has been taken. Ed Comm Chair will keep written records of all data and correspondence involved in the complaint.

10. DIPLOMA COURSE TUTOR TRAINING OFFICER

- 10.1 In the event of a complaint being raised by a Provisional or Probationary DCT against the DCT Training Officer, the complaint should be addressed to the BWY Education Committee Chair, via Central Office.
- 10.2 ED Comm Chair will consult the complainant(s), the DCT training Officer, and any member of the Education Committee present on the occasion of the complaint, to verify the basis and circumstances of the complaint.
- 10.3 Ed Comm Chair will then refer the matter to the Education Committee for further action. Where the complaint/dispute cannot be settled amicably, the matter will be referred to the Executive Committee for action.
- 10.4 Complainant(s) and DCT T/Officer will be informed of the outcome and any measures to be taken as soon as possible.
- 10.5 Ed Comm Chair will keep written records of all data and correspondence involved in the complaint.

11. VERIFICATION COMPLAINTS

- 11.1 In the event of a complaint being raised re-verification of a Diploma Course, the Verification Panel Coordinator will mediate in consultation with Ed Comm Chair.
- 11.2 VPC and/or Ed Comm Chair will contact the DCT and Verifier for a report on their side of the issue.
- 11.2 Should the complaint be upheld, the Verifier concerned may be given a written account of the proceedings and offered re-training. Where this is unsuccessful the Verifier may be asked to resign from the BWY Verification Panel.
- 11.3 VPC and Ed Comm. Chair to keep written records of all data and correspondence involved in the complaint.

12. DISTANCE LEARNING TUTOR(S)

- 12.1 When a complaint is raised against a BWY Distance Learning Tutor general procedures will be as for Route 1 Courses (see Sections 8 and 9).

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- 12.2 In addition the Ed Comm Chair will consult with the Distance Learning Co-ordinator and other persons as deemed necessary during the course of enquiries. The complainant will be informed of the decision taken and any measures decided upon as soon as possible.

13. FOUNDATION COURSES

- 13.1 In the event of a complaint being raised about a Foundation Course Tutor or about Foundation Course Tutor Training, the complaint should be addressed to the Foundation Course Officer who will mediate in consultation with Ed Comm Chair. The complainant will be informed of the decision taken and any measures decided upon as soon as possible.
- 11.4 Written records of all data and correspondence involved in the complaint to be retained by FC Officer or Ed Comm. Chair..

14. MODULAR AND SHORT COURSES

- 14.1 In the event of a complaint being raised about the content or a tutor on a BWY Modular Course or Short Course, in the first instance it is desirable that the complainant should raise the matter with the tutor running the course and the matter be resolved at this level.
- 14.2 If this is not possible, or this has been tried to no avail, the matter should be brought to the attention of the Special Developments Officer, in writing. The Special Developments Officer will mediate, in consultation with Ed. Comm. Chair. The complainant will be informed of the decision taken and any measures decided upon, as soon as possible.
- 14.3 Written records of all data and correspondence involved in the complaint to be retained by the Special Developments Officer.

15. MANAGEMENT AND EDUCATION COMMITTEE OFFICERS

- 15.1 Complaints raised against either BWY Vice-Chair, General Secretary, Hon. Treasurer, or Education Committee Chair, should be addressed in writing to BWY Chair via Central Office.
- 15.2 Chair will contact the Officer involved to ask for their version of the complaint. Chair will also contact any other person involved. Chair will consult with a BWY Trustee and one other member of the Executive Committee in the course of his/her investigations and may decide to deal with the complaint either in writing or set up a meeting with the complainant at a mutually convenient location. The arbitrating Trustee and member of the Exec. should also be present at such a meeting.
- 15.3 When a complaint is raised against BWY Chair him/herself, the complaint should be addressed in writing to General Secretary, via Central Office. Gen Sec. will then contact one or both BWY Trustees who will contact the Chair to ask for his/her version of the complaint. Trustee(s) may seek advice from any other Management or Executive Officer in the course of the investigation, and any other person deemed to be involved. Trustee(s), plus Gen Sec. and one other member of the Executive Committee will deal with the complaint either in writing or set up a meeting with the complainant at a mutually convenient location.
- 15.4 When a complaint is raised against an individual member of the Education Committee this is normally dealt with by the Ed Comm. Chair. (see examples in sections 8 to 14) When a complaint is raised against several or all members of the Education Committee, the complaint should be addressed in writing to BWY Chair via Central Office. Chair will contact Ed Comm Chair and any other members of the Ed Comm involved for their version of the complaint. Having ascertained the circumstances, Chair will present the complaint at a meeting of the Management Committee. Ed Comm Chair will be in attendance, but may be asked to leave the room at any point in the proceedings.
- 15.5 The complainant will be informed in writing of the decision taken and measures decided upon as soon as possible.

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- 15.6 Presiding Officer will keep written records of all data involved. Where a meeting is deemed necessary, a person will be appointed to write a report of the proceedings.

16. BWY APPEALS PROCEDURE

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- 16.3. PREPARATION
- 16.4. PROCEDURE
- 16.5. CONDUCT OF APPEAL HEARING

16.2 PURPOSE

As a member of the British Wheel of Yoga (either as staff or voluntary worker), you may appeal against any disciplinary action or decision taken against you, at any stage, from verbal warnings through to written dismissal or a written decision.

16.3 PREPARATION OF AN APPEAL

You should make your appeal in writing to the BWY Chair, via Central Office, explaining clearly and in detail the reasons why you are appealing. Your letter should arrive at the Chair's office within five days following the decision you wish to dispute. BWY Chair contact details can be obtained from Central Office.

16.4 APPEALS PROCEDURE

- (I) In some cases, the Chair may choose to hear your appeal against a disciplinary or other decision personally. However, s/he reserves the right to delegate all or part of the investigation and appeal to another Management or Executive Officer. In the absence of the Chair, the Management, Education or Executive Committee will hear your appeal – depending on the nature of the appeal. The investigation may involve an interview with you or rely on your written statement. The Chair and the relevant Management/Education/Executive Committee will decide what is appropriate.
- (II) If the Chair wishes to appeal to a decision made against him/her, the Management Education/Executive Committee will hear the appeal depending on the nature of the appeal. The investigation may involve an interview with the Chair or rely on their written statement. The appropriate committee will decide what is appropriate. (NB If the Chair holds another position within the British Wheel of Yoga such as a Diploma Course Tutor, then the appeal will be presented to the relevant committee in the position of Diploma Course Tutor rather than as the Chair of the British Wheel of Yoga).
- (III) In the case of dismissal, your appeal will be heard in person. In all cases of appeal you have the right to be accompanied by a witness. You are also able to bring new evidence to the hearing and have the right to comment on it.
- (IV) After the appeal hearing, you will receive the Chair or committee's decision in writing within two weeks. This decision is final. Your Manager (applicable to staff) or your Regional Officer will be informed at the same time. Whatever decision is reached it is expected that it is accepted in goodwill by all parties.

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- (v) Time is of the essence in this procedure and any unnecessary delay by you while you pursue your appeal may invalidate your arguments. The address to write to is:
- The Chair, British Wheel of Yoga, 25 Jermyn Street, Sleaford, Lincolnshire, NG34 7RU
- You should mark the envelope 'Private and Confidential'.
- (vi) The Central Office Manager will acknowledge receipt of your letter. All appeals will be recorded and kept on file by the Central Office Manager.

N.B: Appeals procedure and conduct for hearings is based upon ACAS Disciplinary Action and Appeals Procedure, Discipline and Grievance Handling documents. ACAS is the Advisory, Conciliation and Arbitration Service. Telephone 08457 474747

16.5 CONDUCT OF APPEAL HEARING

The appeals hearing process should be conducted in the following way:

Preparatory

- BWY will choose an appropriate venue for the hearing
- BWY will ensure there is an independent minutes secretary present
- BWY will ensure that all relevant persons have been informed and are present

Opening - guidance for Chair of the Hearing

- Introduce those present to each other
- Explain everyone's presence clearly
- Explain the purpose of the hearing, how it will be conducted
- Explain the powers that the person or people hearing the appeal have (e.g. the final decision).

Appeal

- Ask the worker/voluntary member to explain why they are appealing against the decision or disciplinary penalty
- Pay particular attention to any new evidence that has been introduced
- Ensure the complainant has the opportunity to comment on it
- Record the appeal in minutes which shall be kept at Central Office

Summing Up

- Once the relevant issues have been thoroughly explored, summarise the facts clearly.
- Call an adjournment to consider the decision

Adjournment

- The adjournment period is an opportunity to review the procedures if necessary.
- Be prepared to overturn a previous decision if it becomes apparent that it was not soundly based.
- Overturning an unfair action does not undermine authority but rather makes clear the independent nature of the appeal.
- If the decision overturned does mean that training for teachers/managers/members/DCT's, needs to be improved, clarification of such extra training must be given in writing.
- BWY shall take this opportunity to review procedures if necessary.

Decision

- Inform the worker/volunteer the results of the appeal and the reasons for the decision.
- Outline any extra training measures to be taken
- Confirm this in writing
- Make it clear that the Appeals decision is final.