

Complaints Procedure

A regulation under the constitution of the Palestine Solidarity Campaign

March 2024

Palestine Solidarity Campaign seeks to handle all complaints relating to members in a fair manner. We have therefore adopted the following guidance, allowing all parties involved to understand how the complaints process works.

We take all complaints seriously and wish to ensure that both the complainant and those subject to a complaint are given a fair opportunity to put their case at all appropriate stages of this process.

Our complaints process is only able to take remedies against individuals who are members of Palestine Solidarity Campaign. In the event of a complaint being received about an individual who is not a PSC member, relevant individuals (such as a local Branch Chair) may be informed, but we are unable to progress the matter formally.

As a democratic, member-led organisation, our complaints process is carried out by our volunteer officers. We therefore ask that all involved show understanding of this and its effect on the timescales and level of responsiveness that we are able to offer.

The process we lay out here is intended to act as a core pathway for any complaint, with flexibility to allow for reasonable measures to be taken in response to the particular nature of any complaint – for example cases requiring anonymity, where multiple individuals are subject to a complaint or where there is a need for a modified timescale.

This process begins either upon:

- a) PSC receiving a complaint against a member, where the complainant wishes there to be a formal investigation, or
- b) A matter is brought to the attention of PSC where the Secretary determines that an investigation is necessary

The process shall be as follows:

1. The receipt of a complaint will be acknowledged within 7 days and the complainant advised of this procedure. The complainant may request that their identity be protected from the subject of their complaint. This will be complied with unless it would unduly prejudice the ability of the subject of the complaint to defend themselves.
2. In the first instance, the Secretary will decide if the complaint meets the threshold for investigation in accordance with the terms of the constitution and code of conduct. Where the Secretary feels a complaint does not warrant formal investigation, the complainant will be informed of this.

If the complaint is considered not to meet the threshold for a formal investigation, the Secretary will consider whether the complaint should be rejected or whether an informal resolution of the complaint would be appropriate and whether it is likely to be achievable.

Complaints deemed to be frivolous, vexatious or an abuse of process may be dismissed.

The complainant will be informed of the Secretary's decision.

If the complainant is dissatisfied with the Secretary's decision, they have the right to ask for the decision to be reviewed by the Executive Committee at its next meeting.

3. If it is decided that an informal resolution of the complaint would be appropriate, the Secretary, or a person nominated by them, may help facilitate appropriate steps – for instance a retraction, apology, or discussion between the parties.
4. If it is decided that a formal investigation is appropriate, the complaint will be investigated by members of a standing Investigative Committee (IC) of the EC. This committee will consist of the Secretary plus two nominated EC members, with two further reserve members nominated in the event of a full member being unavailable or needing to withdraw from a particular case.
5. All members of the proposed committee should declare any conflicts of interest that could affect their ability to investigate the complaint and if appropriate, withdraw from the particular case.
6. Following a preliminary consideration, the Investigative Committee will nominate one of its members to lead an investigation.
7. If the Investigative Committee or the nominated lead member is of the view that an interim suspension of the member is required pending the investigation, an urgent application shall be made to the Executive Committee to determine the matter. In the event that the EC decides suspension of the member is appropriate, their relevant Branch Chair may be informed so a decision can be made at a branch level as to any interim action required to address the member's participation in Branch activities.
8. If they have not already done so, the individual making the complaint will be invited to give a full account of the matters they regard as relevant to their complaint.
9. The subject of the complaint will be given notice of the investigation, details of this process and requested to submit their view of the matter(s) in question.
10. If following receipt of the written response, the Investigative Committee or the nominated lead member feel that more information is required, they will undertake further enquiries. This may include seeking further information from the complainant, the subject of the complaint or any other person.
11. Any investigation will end with a report concerning the findings of the investigation being submitted to the Executive Committee. This may include a recommendation for disciplinary action.
12. The Executive Committee would normally be expected to reach a decision on whether disciplinary action is required on the basis of the report and discussion with members of the IC, without the need for further interviews.
13. If the Executive Committee finds there to have been a breach of the rules, they are empowered to use the full range of sanctions available to them, including, if applicable, the suspension or termination of membership of the individual. The Executive Committee shall have regard as to the severity of the breach, its persistence, the conduct of the individual before and after the breach was brought to their attention and any warnings or prior informal processes which they had been subject to. The committee shall consider this in a way that respects the requirements of natural justice and proportionality as well as ensuring the privacy of all those involved is respected as appropriate.
14. The Executive Committee may impose a disciplinary sanction by a simple majority vote. If the proposal is to terminate or suspend the membership of a member, a two-thirds majority vote will be required.
15. The member will be notified of the outcome and EC decision within 14 days. If a decision has been made to terminate or suspend membership, they will be notified of the grounds for this decision, and their rights of appeal. Suspension of membership will be for a maximum period of 1 year.
16. A party to the Complaint may seek to appeal against the decisions of the Executive Committee. This procedure is specified in the 'Appeals Procedure' regulation.