

This document is intended as a Guidance Note for CWU representatives on the CWU Complaints Procedure. It is not exhaustive. Any queries should be emailed to: **gsdepartment@cwu.org**

WHAT IS IT?

The Complaints Procedure (CP) has been agreed by the NEC. It is intended to help us handle complaints about the union in a standard and transparent way. This is something our legal advisers have frequently recommended.

WHAT IS IT FOR?

The CP is designed to deal with complaints about how CWU people are alleged to have behaved, or the services that we have provided, where the issue is not so serious as to involve a probable breach of the union's rules.

Matters such as bullying and harassment, electoral malpractice, failure to carry out a reasonable instruction or failure to show respect to members, representatives or employees, will continue to be dealt with under *Rule 14*, if the member affected so desires.

It is also not intended to replace a range of other procedures that may be more appropriate for the issue at hand. More detail on who is covered can be found in *Section 3* of the CP.

HOW DOES IT WORK?

The CP is divided into two parts – informal and formal. We expect that most complaints can and will continue to be resolved speedily and in a straight-forward manner at a local level. It is only if the informal stage fails to provide a resolution that escalation to the formal stage takes place.

WHAT IS THE ROLE OF CWU REPRESENTATIVES IN THE PROCESS?

At a local level, CWU representatives have a key role in the complaints process. Senior branch representatives may be approached by members directly, or as a result of a referral from other branch representatives. They should provide members with a copy of the CP, and ensure that the details of the complaint are recorded in writing (or by email), including the date. They should then, as they do at present, undertake any necessary action to respond to the member's complaint.

The range of necessary action may include an investigation and interviewing of witnesses, or may just be offering clarification or, possibly, an apology if one is appropriate.

The NEC recognises that representatives may be approached with members about an issue that is "in scope" but cannot be addressed locally. In such cases, the issue should be forwarded to the appropriate level in the union.

WHAT HAPPENS IF THE COMPLAINT IS “OUT OF SCOPE?”

If the matter is one that cannot be dealt with by the CP, the member should be advised appropriately. If the member remains dissatisfied with the explanation, then the issue should be progressed to the formal stage.

WHAT HAPPENS IF I CAN'T RESOLVE THE COMPLAINT OR THE MEMBER ISN'T HAPPY WITH WHAT I TELL THEM?

The member has the option of the issue being progressed to the formal stage. Whilst CWU representatives can and should advise members of the ability to do this and the process by which it can be done, it is *NOT* the responsibility of CWU representatives to escalate an issue on a member's behalf.

WHAT HAPPENS WHEN A COMPLAINT IS ESCALATED?

When a complaint is escalated to the formal stage, it needs to be directed to the General Secretary's office. It is not until the complaint receives an acknowledgement for the General Secretary's office that they should regard the complaint/escalation as having been received.

Before consideration of a complaint at the formal stage can commence, the complainant needs to sign the declaration set out in the CP booklet. This is necessary to enable an investigation to take place.

The steps taken by CWU Headquarters are set out in the CP and generally follow the protocols used at the informal stage. These are set out in detail in *Section 5* of the CP.

WHAT ARE THE POSSIBLE OUTCOMES OF THE FORMAL STAGE?

These are set out in the CP under the heading of “Response to the Complaint following Investigation”

WHERE CAN I FIND OUT MORE?

The NEC believes that the role of CWU representatives will not significantly change as a result of the introduction of a complaints procedure. It recognises that in the vast majority of cases, CWU representatives offer an excellent service and respond promptly and positively to any concerns expressed by members. But in standardising the way in which the union as a whole deals with complaints, the NEC believes these already high levels of performance can be improved further, as well as providing a higher level of legal protection in the event of members continuing to feel aggrieved.