

# MS Society Resolving Volunteer Issues Procedure

Procedure Name:	Resolving Volunteer Issues (RVI) Procedure
Purpose	<ul style="list-style-type: none"> <li>- To provide a fair, transparent and swift process through which individuals can raise concerns/ complaints relating to volunteers, or the volunteering experience</li> <li>- To ensure that effective arrangements exist for dealing with any issues in relation to the conduct/ behaviour of volunteers</li> <li>- To ensure that everyone is treated fairly, consistently and in a timely manner when issues are raised</li> </ul>
Region	UK
Scope	This procedure is relevant to all staff and volunteers
Responsibilities	<p>Volunteer Managers are responsible for operating within this procedure, and for ensuring volunteers they manage are aware of and understand it.</p> <p>All staff members and volunteers are responsible for operating within this procedure when resolving a volunteer issue</p>
Lead Officer	Head of Volunteering
Responsible Directors	Executive Director of Digital and Services
Key Consultation	<p>Volunteers from local groups (including 10 Group Coordinators located across all nations); Helpline; Research Network; Volunteering Strategy Group</p> <p>Head of Community Networks; Head of Helpline and team; Head of Governance; Head of Finance; Assistant Director of HR; Regional Development Team</p>
Approver	Executive Group
Last review	July 2021
Review cycle	Every three years
Key words	Volunteer, Issues, RVI
Definitions	<p>“Volunteer”: A volunteer is anyone who, without compensation or expectation of compensation beyond reimbursement of out of pocket expenses, performs a role at the direction of and on behalf of the MS Society</p> <p>“Volunteer Manager”: a volunteer or staff member responsible for recruiting and/ or acting as the key contact for a volunteer, providing day-to-day support and ensuring the volunteer understands and acts/ does their best within</p>

	<p>their role. For Trustees and Council Chairs, the Volunteer Manager is the Chair of the Board, and for National Council members, it is the Council Chair.</p> <p>Volunteering Team: led by the Head of Volunteering, responsible for support to volunteers outside of Community Networks (local groups)</p> <p>Community Networks Team: led by the Head of Community Networks, responsible for support to volunteers within Community Networks (local groups)</p>
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## Introduction

The involvement of volunteers should be a positive experience for everyone, but there may be times when an issue about volunteering, or a volunteer's behaviour, needs to be addressed.

The [Resolving Volunteer Issues \(RVI\) Policy](#) ensures there is a fair and transparent approach to resolving volunteer issues, and (as much as possible) empowers individuals to take action and resolve issues for themselves.

This procedure should be read alongside the [Resolving Volunteer Issues \(RVI\) Policy](#), which sets out in greater detail the purpose of the policy, its scope and principles, and the kinds of issues that can be raised.

### 1. What kind of issue might be raised?

**1.1** An issue may arise for a variety of reasons; whether about a volunteer's experience, their performance or conduct, or in relation to differences with another volunteer.

**1.2** The following are examples of issues that may be raised about a volunteer, but this list is not exhaustive:

- Behaving in a manner incompatible with our [Code of Conduct](#) (eg failing to show respect to others)
- Behaving in a way which is obstructive to the goals of the MS Society
- Not adhering to our policies and procedures (eg misuse of data, or disregard of health, safety and security requirements)
- Not fulfilling, or acting outside of, their volunteer role
- Unreasonable refusal to follow an instruction given by a Volunteer Manager
- Deliberate damage to MS Society property
- Persistent poor quality of volunteering (caused by negligence or non-compliance – see section 1.4 below)
- Misuse of the MS Society's systems, equipment, or name
- Discrimination or harassment

- Bringing the MS Society into disrepute
- Posting inappropriate comments or content on social media or in the press
- Failure to disclose a conflict of interest

**1.3** Serious misconduct is unacceptable behaviour of a very serious kind, which is likely to necessitate immediate formal action (see section 3). Examples of serious misconduct include (but are not limited to):

- Any criminal offence likely to involve police proceedings which may affect a volunteer's duties or ability to carry out those duties
- Threatening or abusive behaviour or assault
- Inappropriate contact with a vulnerable person
- Theft, fraud, dishonesty, falsification of records, corruption or other serious unlawful conduct
- Incapability whilst volunteering caused by alcohol or illegal substances
- Serious breaches listed under the headings in section 1.2 above

**1.4** The MS Society differentiates between underperformance caused by negligence and/ or non-compliance ("won't"), and, lack of skill and/ or capability ("can't").

**1.5** Where underperformance is caused by "can't" (ie lack of skill and/ or capacity), it will not be dealt with under this policy, but through day-to-day management processes, such as additional support and one-to-one/ review sessions instead. Consideration should be given to possible redeployment if a volunteer is deemed incapable of performing particular tasks.

**1.6** Where underperformance is caused by "won't" (ie negligence and/or non-compliance) it will be addressed under this policy. For the purposes of brevity, where "underperformance" is referred to in the remainder of this document, it is in referral to underperformance due to negligence/ non-compliance.

## **2. Informal process**

**2.1** Issues should not be left to build up and should be addressed as soon as they arise or are raised. In most cases, an informal discussion with the relevant parties will resolve the situation.

**2.2** As a first step, for minor issues, individuals should try to resolve issues themselves with those involved. For example, if the issue concerns the behaviour of a volunteer, respectfully and calmly outlining how this behaviour has (eg) been upsetting, difficult or offensive (with examples) can lead to better understanding and relationships, and the matter may be resolved.

- 2.3** If this does not resolve the issue, or if the issue is more serious/ complex, volunteers should raise it with their Volunteer Manager, who will then be responsible for dealing with the issue.
- 2.4** Where it is unclear who the Volunteer Manager is, volunteers should raise the issue with the Community Networks Team, who will then be responsible for appointing an appropriate person (such as a staff member from that team, or another volunteer) to deal with the issue.
- 2.5** Where the issue concerns the Volunteer Manager, or the volunteer feels it is not appropriate to raise it with their Volunteer Manager, the volunteer should raise it with:
- The Community Networks Team (if a Community Networks volunteer);
  - The Governance Team (if a Trustee or National Council member);
  - The Volunteering Team (if they are not a Community Networks Volunteer, Trustee or National Council member),
- who will decide how the matter is to be dealt with.
- 2.6** If appropriate, the Volunteer Manager (or person appointed to deal with the issue) should facilitate an informal discussion between all parties, the aim of which should be a resolution with which all parties are satisfied. It may be helpful to share this policy with those involved ahead of this meeting.
- 2.7** This informal discussion should, where possible, be done in person or via video conference and/ or may take place as part of a regular review with the volunteer involved.
- 2.8** Notes should be made as a record of the discussion and any agreement regarding actions. These notes should be shared with those present and kept for future reference.
- 2.9** The informal process should take no longer than one month to complete.
- 2.10** See Appendix 1 for a flowchart depicting this process.

### **3. Formal process**

- 3.1** Where an issue has not been resolved informally, a formal process may be used to reach a resolution.
- 3.2** In exceptional circumstances, a formal approach may need to be taken straight away (eg where the issue concerns serious misconduct).
- 3.3** Where an issue concerns serious misconduct, it is appropriate to consider immediate withdrawal of the opportunity to volunteer. Volunteer Managers must obtain approval from the Volunteering or Community Networks Team before carrying out this action.

- 3.4** To ensure the procedure is being followed correctly, Volunteer Managers must obtain approval from the Volunteering Team, Community Networks Team or Governance Team (for issues concerning Council members or Trustees) before proceeding with a formal process.
- 3.5** The Volunteering, Community Networks or Governance Team will appoint an individual to lead the investigation. This person will usually be the Volunteer Manager, but in certain circumstances (eg if the Volunteer Manager has been involved in the issue, or the case is particularly complex) an alternative staff member or volunteer may be appointed.
- 3.6** The person appointed to conduct the investigation is referred to as the Investigating Officer (IO) throughout the remainder of this document.
- 3.7** In exceptional circumstances, where there is an unacceptable level of risk to individuals or the organisation (eg if the complaint relates to serious misconduct) the Volunteer Manager needs to consider (in discussion with the Volunteering or Community Networks Team) if it is necessary to temporarily remove the volunteer from role while the issue is being investigated. This is for the protection of the volunteer as well as the MS Society, and to ensure the investigation can be conducted unimpeded.
- 3.8** Volunteer Managers should ensure such volunteers are supported and kept informed of the ongoing process.
- 3.9** See Appendix 2 for a flowchart depicting this process.

#### **4. Investigation process**

- 4.1** The IO must first ensure the individual making the complaint has clearly set out what the complaint is. For example:
- Not behaving in accordance with the MS Society Code of Conduct
  - Not behaving in accordance with the MS Society Dignity at Work and Volunteering Policy, or (eg) bullying behaviour

It is important that the complaint is clear/ concise, and backed up with examples/ evidence.

- 4.2** The IO must tell the volunteer they are under investigation and clearly set out what the complaint is, and what the possible outcomes of the investigation are (see section 5.1). It is recommended that this news is conveyed verbally, and then followed up with a letter. See Appendix 3 for a template letter.
- 4.3** All relevant information should then be gathered by the IO, including notes from any related issues concerning the same volunteer(s). IOs may need to gather information from witnesses. Witnesses should be made aware their statements may be used as evidence. A meeting

with each of the parties involved may be needed. The IO can decide whether a meeting with the volunteer (to whom the complaint pertains) is necessary either before and/ or after any witnesses have been interviewed/ other information obtained. The meeting date(s) and location should be confirmed in writing in advance (the meeting may take place via video link if necessary).

IOs may find a note-taking template helpful for investigation meetings; See Appendix 7.

- 4.4** The volunteer to whom the complaint pertains may bring another volunteer/ staff member with them to the meeting(s). The role of this person will be to provide emotional support; they must not speak on behalf of the volunteer. Volunteers must provide prior notification of who will accompany them to the IO.
- 4.5** If the volunteer the issue is regarding refuses to attend this meeting, they should be contacted again and informed that a decision will be made in their absence based on available information.
- 4.6** Once all meetings have taken place and all the relevant information has been gathered, the IO will make a decision or recommendation regarding the outcome and may recommend a subsequent action plan. This decision must be one of those listed in section 5.1.
- 4.7** See Appendix 2 for a flowchart depicting this process.

## **5. Decision**

- 5.1** The IO may conclude any one of the following options:
  - 1. The issue raised is unfounded
  - 2. The issue raised is founded, but now resolved
  - 3. The issue raised is founded and an action plan is to be drawn up and implemented
  - 4. The issue raised is founded and the volunteer should no longer continue in some or all of their current role or roles.
- 5.2** Where more than one issue is raised in the complaint, a decision will need to be made on each issue.
- 5.3** The decision and/ or recommendation should take into account all of the roles held by the volunteer involved.
- 5.4** If options 2 or 3 are concluded, the IO may also decide to issue:
  - An RVI letter to the volunteer (setting out why the issue was founded, and details of action plan if applicable)

See Appendix 4 for a template letter for this purpose.

**5.5** If options 2, 3 or 4 are concluded, the IO may also recommend issuing:

- A Serious RVI Letter to the volunteer (setting out why the issue was founded, details of any action plan if applicable, and warning that the opportunity to volunteer may be removed should the same wrong-doing/ misconduct happen again)

See Appendix 5 for a template letter for this purpose.

**5.6** If the IO concludes either option 4 or a Serious Letter, either/ both of these recommendations must go to a panel for final decision, and (in either situation) a written report is required from the IO explaining the investigation and how the decision/ recommendation was reached.

See Appendix 8 for a template of the report to be used.

**5.7** Each decision-making panel will be made up of two members from a pool of the Head of Volunteering, Head of Community Networks and the Head of Governance, or of staff members/ volunteers appointed by them.

**5.8** The IO may also choose to put particularly complex cases to a panel for a decision.

**5.9** If it is recommended that a volunteer can no longer continue in their current role/s, the panel should also decide when/ if that decision can be reviewed by the Head of Volunteering.

**5.10** When a decision has been reached, all relevant parties should be informed in writing (see Appendix 5 for template letter). It is recommended this news is first conveyed verbally, and then followed up with a letter.

**5.11** The formal process should take no longer than six weeks to complete. If it will take longer, this should be communicated to all those involved.

## **6. Appeal**

**6.1** Appeals can be made on two grounds:

- Process: when individuals involved are not satisfied that the process has been followed.
- Outcome: when individuals involved feel the resolution is not appropriate to the issue raised.

**6.2** Appeals must be raised in writing through the Volunteering Team ([volunteering@mssociety.org.uk](mailto:volunteering@mssociety.org.uk)) within 14 days of the date of the letter stating the outcome of the investigation.

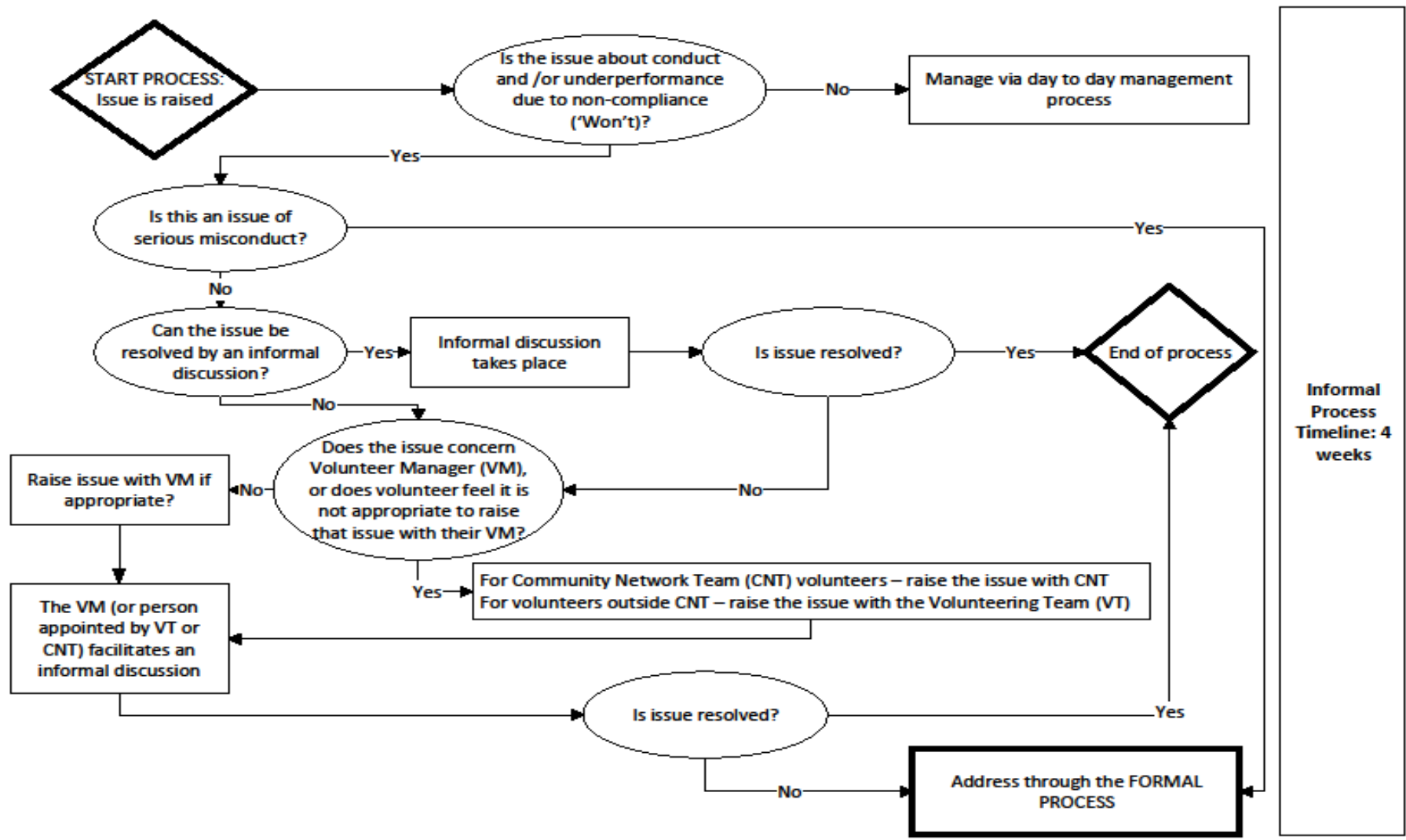
**6.3** The appeal will then be considered by a two staff members or volunteers (“appeals assessors”) appointed by the Volunteering Team, who have not previously been involved in the process. They may conduct a paper review and/ or speak to individuals involved in the investigation, depending on the situation. The Volunteering Team should inform the individual of the outcome of the appeal within one month of the appeal being raised (if a delay occurs this should be communicated to the individual raising the appeal). See Appendix 6 for template letter.

## **7. Record keeping**

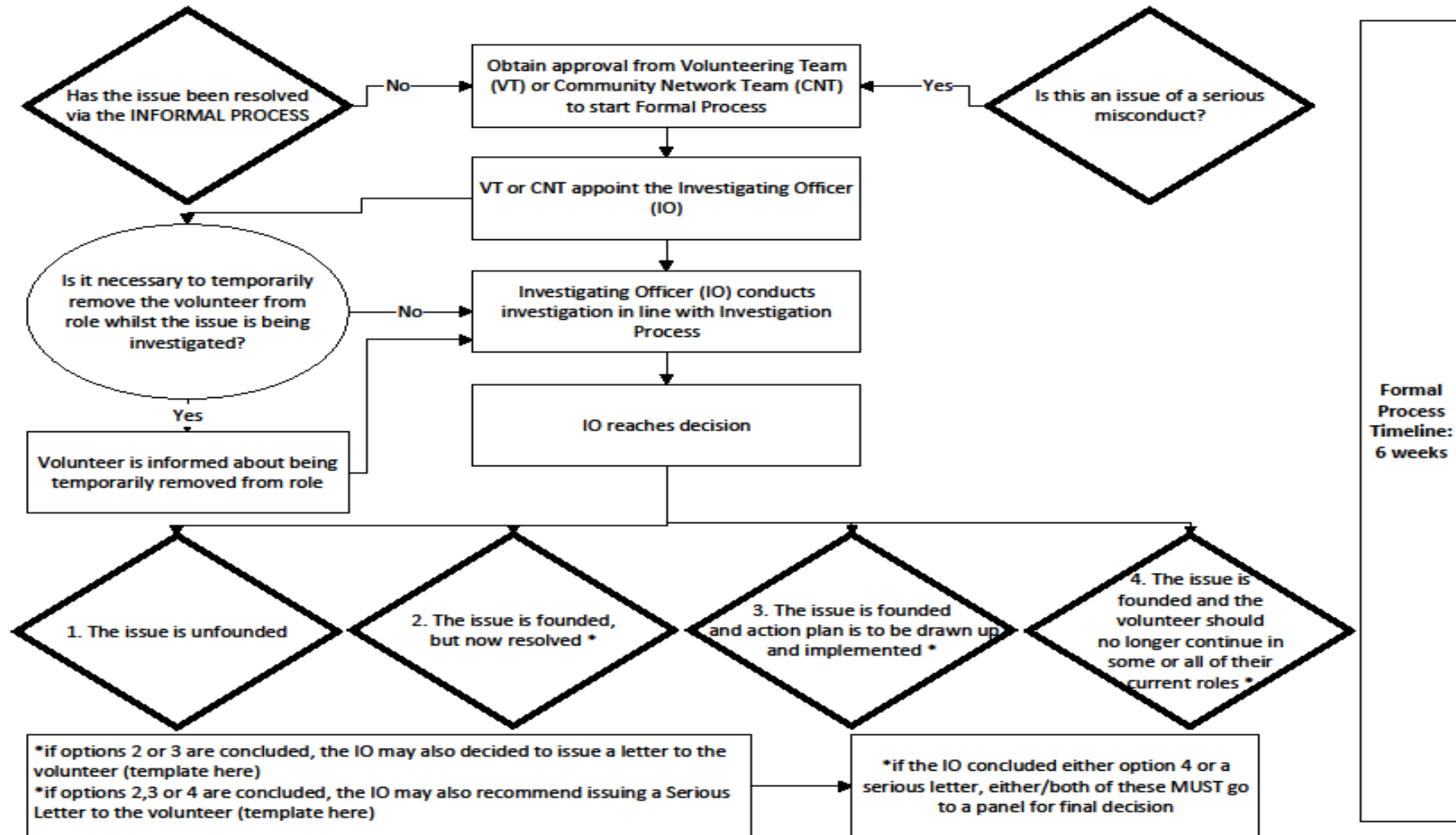
- 7.1** Staff or volunteers responding to an issue must keep a record of any discussions, correspondence and actions taken regarding an issue with an individual volunteer, whether at an informal or formal stage.
- 7.2** It is recommended that other volunteers involved also keep their own notes.
- 7.3** Notes, records and correspondence may be requested from parties involved as part of a formal process or appeal.
- 7.4** Appropriate records of formal procedures will be kept by the Volunteering Team.
- 7.5** Records must be stored in accordance with the MS Society Data Protection Policy.



# Appendix 1 – informal process flowchart



## Appendix 2 – formal process flowchart



## **Appendix 3 - Letter to inform a volunteer that a complaint has been made against them and that a formal investigation will be taking place**

DATE

Addressee

Title

Add 1

Add 2

Add 3

POST CODE

Dear (Name of the Recipient),

### **RE: Investigation to take place under the Resolving Volunteer Issues (RVI) Policy**

I am writing to inform you that a complaint has been made about your conduct whilst volunteering with the MS Society, by *(insert name)* on *(insert date)*, about *(outline the allegation clearly and very succinctly)*

I will be formally investigating this as outlined in the Resolving Volunteer Issues (RVI) Policy (please see the policy [here](#)).

Possible conclusions of this investigation include those set out in the RVI policy, which are:

1. The issue raised is unfounded
2. The issue raised is founded, but now resolved
3. The issue raised is founded and an action plan is to be drawn up and implemented
4. The issue raised is founded and the volunteer should no longer continue in some or all of their current role or roles.

Further to the above, I would like to invite you to a meeting to discuss this matter at *xxx on (date) (this may take place via video link if necessary)*.

If you wish, you can be accompanied to that meeting by another volunteer/ staff member, who can provide emotional support for you. If you would like to do this, please provide me with prior notification of who will accompany you.

If you cannot make this date and time, please let me know and we can arrange an alternative. If you decide not to attend any meeting, please note that a decision will be made about this complaint in your absence, based on available information.

I appreciate this may be a challenging situation. Volunteer wellbeing is of the utmost importance to the MS Society. If you would like emotional support whilst going through this process, please contact [volunteering@mssociety.org.uk](mailto:volunteering@mssociety.org.uk) to arrange this confidentially.

Kind regards,

xxx

**DIGITAL SIGNATURE**

Name

TITLE | MS National Centre

DD: \*\*\* \*\*\*\* \*\*

Email: [firstname.lastname@mssociety.org.uk](mailto:firstname.lastname@mssociety.org.uk)

PP

CC

## **Appendix 4 - Letter to inform a volunteer about the outcome of formal investigation, when option 2 or 3 are reached**

DATE

Addressee

Title

Add 1

Add 2

Add 3

POST CODE

### **RE: Decision about outcome of the formal investigation**

Dear [insert name],

I am writing to inform you about the outcome of the investigation into the complaint raised by [insert name], on [insert date], which was addressed under our Resolving Volunteer Issues Policy (please see the policy [here](#)).

I concluded the formal investigation in this case, and, based on all the evidence gathered, I can see that the issue raised is:

(PICK AN APPROPRIATE OPTION)

- founded, but now resolved
- founded and an action plan is to be drawn up and implemented

I came to this conclusion based on *(summary of evidence that led to this outcome)*.

(Insert if appropriate): I am attaching the report which arose from the investigation, and you can see further detail there about how this decision was reached.

(INCLUDE IF ISSUE RAISED IS FOUNDED AND AN ACTION PLAN IS TO BE DRAWN UP. DELETE OTHERWISE)  
In this case, I recommend the following action plan:

- List the actions implemented in the suggested Action Plan

I appreciate this has been a challenging situation for everyone involved. Volunteer wellbeing is of the utmost importance to the MS Society. If you would like emotional support at any point in this process, please contact [volunteering@mssociety.org.uk](mailto:volunteering@mssociety.org.uk) to arrange this confidentially.

(INCLUDE IF APPROPRIATE) You have the right to appeal this decision, on the basis of:

- process (if you are not satisfied that the process has been followed according to our RVI Policy and Procedure), or
- outcome (if you feel the resolution is not appropriate to the issue raised)

Appeals must be made within 14 days of the date of this letter and directed to [volunteering@mssociety.org.uk](mailto:volunteering@mssociety.org.uk).

Kind regards,

xxx

**DIGITAL SIGNATURE**

Name

TITLE | MS National Centre

DD: \*\*\* \*\*\*\* \*\*\*\*\*

Email: [firstname.lastname@mssociety.org.uk](mailto:firstname.lastname@mssociety.org.uk)

## **Appendix 5 - Serious RVI Letter to inform a volunteer about the outcome of formal investigation**

DATE

Addressee

Title

Add 1

Add 2

Add 3

POST CODE

### **RE: Serious RVI letter and conclusion of formal investigation**

Dear (Name of the Recipient),

I am writing to inform you about the outcome of the investigation into the complaint raised by [insert name], on [insert date], which was addressed under our Resolving Volunteer Issues Policy (please see the policy [here](#)).

Based on all the evidence gathered following the investigation, I have concluded that (*pick the appropriate conclusion*):

- The issue raised is founded, but now resolved
- The issue raised is founded and an action plan is to be drawn up and implemented
- The issue raised is founded and the volunteer should no longer continue in some or all of their current role or roles.

I am attaching the report which arose from the investigation, and you can see further detail there about how this decision was reached.

(Insert if appropriate): In this case, and to mitigate for a similar situation taking place in the future, I recommend the following action plan:

- List the actions

I'd like to make it clear that the MS Society takes these issues seriously. Should this same issue occur again, the opportunity to volunteer with us may be removed.

(INCLUDE IF APPROPRIATE) You have the right to appeal this decision, on the basis of:

- process (if you are not satisfied that the process has been followed according to our RVI Policy and Procedure), or
- outcome (if you feel the resolution is not appropriate to the issue raised)

Appeals must be made within 14 days of the date of this letter and directed to [volunteering@mssociety.org.uk](mailto:volunteering@mssociety.org.uk).

I appreciate this may have been a challenging situation for everyone involved. Volunteer wellbeing is of the utmost importance to the MS Society. If you would like emotional support at any point in this process, please contact [volunteering@mssociety.org.uk](mailto:volunteering@mssociety.org.uk) to arrange this confidentially.

Kind regards,

xxx

**DIGITAL SIGNATURE**

Name

TITLE | MS National Centre

DD: \*\*\* \*\*\*\* \*\*\*\*\*

Email: [firstname.lastname@mssociety.org.uk](mailto:firstname.lastname@mssociety.org.uk)



## Appendix 6 - Letter to inform a volunteer about the outcome of the appeal

DATE

Addressee

Title

Add 1

Add 2

Add 3

POST CODE

### RE: RVI Appeal Outcome

Dear (Name of the Recipient),

I am writing to follow up on your appeal to the decision reached by (name of IO investigating the case previously) during their consideration of the case (summary of the allegation), which was addressed as per our Resolving Volunteer Issues Policy (please see the policy [here](#)).

The Appeal Panel including (name and roles of the people making decisions as an Appeal Panel) considered your case and came to the conclusion that: (outline of the decision)

The decision of the Appeal Panel is final and there is no further right to appeal.

I appreciate this has been a challenging situation for everyone involved. Volunteer wellbeing is of the utmost importance to the MS Society. If you would like emotional support at any point in this process, please contact [volunteering@mssociety.org.uk](mailto:volunteering@mssociety.org.uk) to arrange this confidentially.

Kind regards,

xxx

**DIGITAL SIGNATURE**

Name

TITLE | MS National Centre

DD: \*\*\* \*\*\*\* \*\*

Email: [firstname.lastname@mssociety.org.uk](mailto:firstname.lastname@mssociety.org.uk)

PP

CC

## Appendix 7 – RVI meeting note-taking template

Use this template while recording a raised issue or during a meeting to discuss an issue. You may choose to add or remove questions as needed.

<b>Date issue received:</b>		<b>Person recording the issue:</b>	
<b>Person raising the issue</b>		Name:	
Leave blank if they wish to remain anonymous.		Role:	

<b>Meeting Details:</b> If you're using this form to take notes at a meeting.	
<b>Who's present at the meeting:</b>	
<b>Date:</b>	
<b>Location:</b>	

<b>What's the issue?</b> Use this section to raise an issue in writing or to take notes when discussing an issue during a meeting.	
<b>When did this issue start?</b> Include dates and times	
<b>Where did this issue take place?</b>	
<b>Who does the issue involve?</b>	

Include full names and roles	
<p data-bbox="203 188 618 220"><b>Details about the issue</b></p> <p data-bbox="203 264 882 339">Include factual evidence (what happened, what was seen, said or felt)</p> <p data-bbox="203 384 622 416"><b>Some useful questions:</b></p> <ul data-bbox="255 424 936 687" style="list-style-type: none"><li data-bbox="255 424 573 456">• What happened?</li><li data-bbox="255 464 651 496">• How did this happen?</li><li data-bbox="255 504 936 616">• What did you witness or experience? What did the other person say? What did you see? How did it make you feel?</li><li data-bbox="255 624 936 687">• What else may be contributing to this issue?</li></ul>	

**What are the possible solutions?**

Include:

- Solutions that are proposed
- Who would be involved
- What impact this solution will have on the people involved and/or their volunteer role(s)

**Some useful questions:**

- What do you hope will happen now?
- What would be a good resolution to this issue?

**Action Plan**

If appropriate, complete the Action Plan table below. If not, use the space provided to write the actions that have been agreed.

**What actions have been agreed?**

Include:

- What needs to be done
- How will this be achieved
- By whom
- By when
- How will everyone involved be kept informed

**Some useful questions:**

- Who needs to do what next?
- When will that be reviewed?
- What happens if the action plan isn't followed by one or all parties?

Action	Who	By when	Is any help required?

Remember to keep these notes stored confidentially, and in line with guidance for storing personal data under GDPR.

## **Appendix 8 – Investigation report template**

### **Investigation report**

#### **1. Introduction**

This should summarise why the investigation was carried out (eg to investigate a complaint about behaviour outside of our Code of Conduct on [insert date] by [insert name of complainant]).

The details should be the same as those already put to the volunteer; no new complaints should be introduced that have not been raised before or during the investigation.

#### **2. The volunteer's details**

Name:

Role held:

Area of volunteering:

#### **3. Background information**

Only information relevant to the case should be included and this will differ from case to case. It may include:

- a) Type of volunteering
- b) Responsibilities
- c) Reference to procedures or policies

#### **4. Background to complaint**

This should be included if relevant to the complaint (eg any notable events that took place during the incident in question or prior to the incident).

#### **5. Summary of the investigation**

This is a chronological account of how the investigation was conducted and may include such matters as:

- a) Why the decision was made to investigate
- b) How the volunteer responded to the complaint
- c) Names and roles of people spoken to as part of the investigation and the dates of those conversations. A brief summary of what the witnesses said would be helpful and reference to appendices should be made.

#### **6. Findings**

The information gathered during the investigation should have allowed the investigating officer to establish facts relating to the complaint. State where witnesses' versions of events and statements or any other evidence support the facts or any points that are in dispute.

#### **7. Conclusion**

This is a very brief statement outlining the conclusions the Investigating Officer has reached, which must be one of the four options in section 5.1 of the Resolving Volunteer Issues Procedure.

#### **8. Appendices**

List the appendices to this document (eg policies, emails, witness statements, etc).