



Registered Charity No. 1198865

Colchester Operatic Society Complaints Policy & Procedure

This policy applies to Colchester Operatic Society (COS) and its committees, including Colchester Operatic Society Second Edition (CO2), who are collectively referred to as “The Society” and “Colchester Operatic Society”.

Policy

Colchester Operatic Society believes that members and individuals volunteering or employed for any of our productions are entitled to feel safe and expect courtesy from one another, from members and officers of the Executive committee and members of any sub-committees. Members of the Executive committee, who manage the Society, make every effort that is reasonably possible to ensure that all of its members and appointed/employed personnel are treated with dignity and respect. Bullying, harassment and discrimination of any kind will not be tolerated. We encourage individuals to report any incidents of bullying, harassment and/or discrimination to the Executive committee as per our Inclusion, Equality and Diversity policy. Any evidence or reports of bullying, harassment and/or discrimination will be taken seriously by the Executive committee, discussed and appropriate action taken.

The Executive committee welcome suggestions on how to improve our Society and will give prompt and serious attention to any concerns or complaints about the running of our productions and/or our Society in general. We anticipate that most concerns or complaints will be resolved quickly by an informal approach to an appropriate appointed individual and/or member/s of the Executive committee. If this does not achieve the desired result, we have a set of procedures for dealing with concerns and complaints. We aim to bring all concerns and complaints about the running of our Society and its productions to a satisfactory conclusion for all parties involved.

Whistleblowing

Individuals should feel comfortable to make their concerns and complaints known to the necessary people without fear of reprimand. Any individual receiving a concern or complaint regarding the Society, its management and its productions must report the concern or complaint to any other relevant people including the Executive committee and any appropriate sub-committees both sensitively and appropriately. Where requested or if possible, necessary and/or appropriate this should be done anonymously.

Unreasonable Complainants

Colchester Operatic Society is committed to dealing with all complaints fairly and honestly, openly listening to and taking into account the views of the complainant whilst balancing the importance of acting in the best interests of the Society as a



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whole. However, we do not expect our Executive Committee members and/or appointed personnel to tolerate unacceptable behaviour and will take action to protect individuals from that behaviour, including that which is abusive, offensive or threatening.

COS defines unreasonable complainants as *'those who, because of the frequency or nature of their contacts with the Society, hinder our consideration of their or other people's concerns or complaints and/or hinder our consideration of other important Society matters and decisions'*.

A complaint may be regarded as unreasonable when the person making the complaint:-

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- refuses to co-operate with those trying to address the complaint while still wishing their complaint to be resolved;
- refuses to accept that certain issues are not within the scope of the Society to address (see later section for more information);
- insists on the complaint being dealt with in ways which are incompatible with our complaints procedure, good practice or with the best interests of the Society;
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- makes unjustified complaints about individuals who are trying to deal with the issues and/or are trying to ensure they fulfil their roles & responsibilities within the Society or as appointed by the Society, and seeks to have them replaced;
- changes the basis of the complaint as any investigation proceeds;
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
- refuses to accept the outcomes or findings of any investigation into their complaint where the Society's complaint procedure has been fully and properly implemented and completed;
- seeks an unrealistic outcome;
- makes excessive demands on Society and/or Executive Committee time by frequent, lengthy, complicated and stressful contact with individuals and/or committees regarding the complaint in person, in writing, by email and/or by telephone, especially while the complaint is being dealt with.



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A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone, in writing or electronically:-

- maliciously;
- aggressively;
- using threats, intimidation or violence;
- using abusive, offensive or discriminatory language;
- knowing it to be false;
- using falsified information;
- publishing unacceptable information in a variety of media such as in social media websites and newspapers.

Complainants should limit the numbers of communications to the Society while a complaint is being dealt with. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay an outcome being reached. Whenever possible, the Chair or an Officer of the Society will discuss any concerns with the complainant informally before applying an 'unreasonable' marking. If the behaviour continues the Executive Committee will write to the complainant explaining that their behaviour is unreasonable, asking them to change it.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from attending rehearsals and/or a production or ceasing their membership to Colchester Operatic Society and/or CO2.

Complaints Procedures

Any person who has a concern or complaint about any matter relating to the Society, its management and its productions should report their concern or complaint to the Society through an appropriate means or contact:

- For general public this can be reported through the contact form on our website or via email to the COS Secretary or via post to the address listed on our website.
- At a performance this can be done in person to a member of the front of house team at the Theatre.
- For members this can be done in person or by contacting the appropriate member/s of the Executive committee (if known - see specific procedures and contacts detailed below), their cast representative, the Youth Liaison



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Officer, or the COS Secretary. Concerns can also be raised in the open forum of our AGM.

- For specific complaints or concerns please see the applicable/appropriate procedures detailed below.

Reports of a concern or complaint, either informally or formally, will be shared with relevant people, any appropriate sub-committees and the Executive committee. However, when shared this can be done so anonymously where requested, where possible, where necessary and/or appropriate.

All Society email contacts are listed at the end of this policy and on our website.

Membership and/or Membership Fees

- Any person who has a concern or complaint about their membership and/or fees due should report their concern or complaint to the Secretary or for CO2, the CO2 Secretary who will be able to address the issue and/or report it to the relevant people.
- If they are not present or it is not appropriate to approach them, then please approach the Treasurer or Business Manager.
- If they are not present or it is not appropriate to approach them, then please approach the Chair or Vice-Chair.

Social or promotional events

- Any person who has a concern or complaint about a social or promotional event run by the Society should report their concern or complaint to the individual running the event, who will be able to address the issue and/or report it to the relevant people.
- If they are not present or it is not appropriate to approach them, then please approach the Marketing & Events Chair.
- If they are not present, it is not appropriate to approach them then please approach the Chair or any other member of the Executive committee.

Discrimination

Discrimination is defined as “The unjust or prejudicial treatment of an individual or group because of their protected characteristic/s.” It is against the law to discriminate against anyone because of their age, disability, gender, race, ethnicity, religion or belief, sex or sexual orientation as detailed in the Equality Act (2010).



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- Any person who has a concern or complaint relating to discrimination and inclusion, equality and/or diversity should report their concern or complaint to a known appointed Inclusion Champion who can support in reporting it to the Executive committee and any other relevant people, who can then take action, if and as necessary.
- If they are not present or it is not appropriate to approach them, then please approach the Inclusion Lead who can support in reporting it to the Executive committee and any other relevant people, who can then take action, if and as necessary.
- If they are not present, it is not appropriate to approach them, or the concern or complaint is something that needs to be reported to the Executive committee then please approach any member of the committee who can then take action, if and as necessary.

Please note all incidents of discrimination should be reported in line with our Inclusion, Equality and Diversity policy. Reports of discrimination are often of a sensitive nature and those sharing the reports with other relevant parties will be aware of the need to keep reports anonymous when requested and if possible, necessary and/or appropriate.

CO2 & Youth Members in a COS show

- Any person who has a concern or complaint relating to our younger members in CO2 OR any cast member of any show who is aged 16 years and under should report their concern or complaint to the Safeguarding Lead who will be able to address the issue and/or report to the relevant people.
- If they are not present, you are unsure who the Safeguarding Lead is, or it is not appropriate to approach them, then please approach a chaperone, who will be able to address the issue and/or report it to the relevant people.
- If they are not present or it is not appropriate to approach them then please approach either the CO2 or COS Chair.
- **If the concern or complaint relates to a safeguarding issue or a disclosure and/or witness of abuse, please follow our Safeguarding Policy that provides further details on these matters.**

During rehearsals

- Any cast member who has a concern or complaint during rehearsals for a show should report their concern to their appointed Cast Representative. They can then report the concern or complaint to the relevant people.



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- If you are not sure who the Cast Representative is, one hasn't yet been appointed, they are not present and/or it is not appropriate to approach them then please approach a member of the Executive committee. For CO2 or youth members of a COS show, you should approach the Safeguarding Lead.
- If you are not sure of which members of the Executive committee to approach, who they are, there are no committee members present at a rehearsal and/or it is not appropriate to approach those that are available, then please contact the COS Secretary. For CO2, you can make email contact (see email addresses at the end of this policy).

During productions

Any person who has a concern or complaint during the run of a production should report their concern or complaint to the relevant member of the production team/crew:

- If our appointed production co-ordinator/manager is present during the run of a production they should be the first point of contact. They will be able to address the issue and/or report it to the relevant people.
- If they are not present or it is not appropriate to approach them and the concern relates to backstage, then the stage manager is the next point of contact.
- If the concern or complaint relates to a specific department such as costume/sound/props then the person leading these departments can be approached.
- If you are aged 16 years old or under you can talk to your chaperone, who can help you report the complaint and/or concern to the relevant individuals.

If the concern or complaint is something that the Executive committee needs to be aware of or address in addition to approaching any of the above people, then please approach:

- our Chair or Business Manager or for CO2, the CO2 chairperson.
- If they are not present or it is not appropriate to approach them, then please approach any member of the Executive committee.
- For CO2 or youth members of a COS production, please approach the Safeguarding Lead.
- If you are not sure of which members of the Executive committee to approach, who they are, there are no committee members present and/or it is not appropriate to approach those that are available, then please contact the COS Secretary or for CO2, or youth members of a COS production, email the CO2 Secretary.



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Online content

Any person who has a concern or complaint about any online content posted by or on behalf of the Society or within the Society social media networking groups should report their concern or complaint to the Society through an appropriate means or contact:

- For the website concerns and/or complaints can be reported through the contact form on our website or via email to the COS Secretary
- For Facebook, concerns and/or complaints can be reported through the Facebook Messenger function to the Society's Facebook page or via email to our Secretary and for members by speaking to any member of the committee or one of the Society's Facebook moderators or administrators (if known)
- For Instagram, Twitter or any other social media platform concerns and/or complaints can be reported via our website contact form, via email to the COS Secretary and for members by speaking to any member of the Marketing & Events committee or the Executive committee
- For social media networking groups concerns and/or complaints can be reported through the Facebook Messenger function to the Society's Facebook page or via email to the COS Secretary and for members by speaking to any member of the committee or one of the Society's Facebook moderators or administrators (if known). Members can refer to our Social Media Policy for more details.

We ask members to refrain from publicly complaining using posts on our Facebook group/s and/or other social networking sites, as this can be detrimental to individuals, personal relationships and/or the reputation of the Society.

Written complaints

If following any of the above procedures does not end in a satisfactory outcome, or if the problem reoccurs, an individual can put their concerns or complaint in writing to the Executive committee. Contact emails are listed at the end of this document, although the first point of contact should be the COS Secretary.

We investigate all written complaints made to the Society and address them as a committee at the next relevant committee meeting. If a complaint relates to a member of the Executive committee, then that member may be asked to leave the meeting whilst the complaint is discussed by the rest of the committee. Any response, decisions and/or actions taken will then be reported back to the complainant, following this meeting.



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Actions

As a result of any complaints/concerns we may need to refer to clause 9.4(a)(iv) of our constitution (see below), in particular when the complaint relates to bullying, harassment, discrimination, or general conduct of any individual, especially if the individual fails to meet their duty as a member, in accordance with clause 9.3 of our constitution (see below).

9. Membership of the Society

(3) Duty of members

It is the duty of each member of the Society to follow the Society's published policies and procedures, as ratified by the Executive Committee, and to exercise their powers as a member of the Society in the way they decide, in good faith and acting reasonably, would be most likely to further the purposes of the Society.

(4) Termination of membership

- (a) *Membership of the Society comes to an end if:*
 - (iv) *the Executive Committee decide that it is in the best interests of the Society that the member in question should be removed from membership, and pass a resolution to that effect.*

However, in accordance with clause 9.4(b) the Executive Committee must give notice of this decision, informing the member as to why and allowing the member at least 21 days to make representations as to why they should not be removed which must be duly considered at a meeting of the Executive Committee.

Other actions that may be taken include; removing individuals from our Facebook group/s (in accordance with our social media policy) and/or members area of the website, removing an individual's role, position or status from any of our productions, committees and/or Society and if necessary reporting an individual to the police for criminal prosecution. These actions will not be taken lightly and only in a situation in which other solutions have failed to work.

What happens if I'm not happy with the outcome of my complaint?

The outcome of any written complaint that has been ratified by the majority of the Executive Committee will be final. However, if the complainant is not satisfied that their complaint has been addressed in line with our constitution, policy and procedures, they can request to attend a meeting with the committee or at least 2 selected members of the committee that they feel comfortable meeting. They can also bring an independent witness/mediator or advocate with them to this meeting. An agreed written account of the discussion will be made including any decision or



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action to take as a result. It is important to note that final outcomes will only be overturned following such a meeting in exceptional circumstances. This course of action is a last resort and is in place to ensure all complainants are dealt with fairly, have appropriate opportunities to be heard and to have their complaint addressed in line with this policy and procedures. It is not applicable if complainants simply don't like the outcome of their complaint, have already met with members of the committee and/or have had sufficient amount of time dedicated by the committee to their complaint. If complainants repeatedly contact the Society regarding an ongoing or resolved/closed complaint, they will be deemed unreasonable complainants -please see the 'unreasonable complainants' section of the policy for more information. The Executive Committee will also ensure any complainant has access to the appropriate legal guidelines and advice in line with their complaint, should this be requested and/or necessary. As a registered charity, we adhere to legal guidelines set by the Charity Commission. Details on how to complain about a charity can be found here: <https://www.gov.uk/complain-about-charity>

Please note that all members have the opportunity to stand for election onto the Executive Committee and contribute to the running of the Society. Any members that feel they want to have more involvement in decisions and actions the Society takes should consider standing for the Executive Committee at the next appropriate time.

Complaints outside the Scope of the Society

There may be occasion when a complaint directed towards the Society will not be able to be addressed directly by the Society, as it involves matters and/or individuals that fall outside the scope of the Society. In such instances, complainants will be directed to the appropriate individuals and/or channels to which they can make their complaint.

Matters out of the scope of the Society may include (but are not limited to);

- Complaints regarding outside professionals or individuals not hired or appointed by, or directly working with the Society
- Complaints regarding outside organisations to the Society, including other Societies, Theatres, Police, Local Government Bodies etc. Even if we work in partnership with an organisation, whilst we will make every effort to liaise with them on your behalf, some complaints will need to be taken directly to the organisation itself.
- Complaints regarding government guidance and laws. Whilst we are responsible for ensuring we adhere to these and how we do that, we are not responsible for what the guidance and laws expect and state.



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- Personal issues between individuals, even if they are members of the Society. However, if personal issues between individuals directly impacts on others involved with the Society and the Society's work, we will make every effort to resolve and mediate conflicts and/or take action.

Executive committee and CO2 committee contact emails:

- COS Secretary: secretary@colchesteroperaticsociety.co.uk
- Chair: chair@colchesteroperaticsociety.co.uk
- CO2: co2theatre@colchesteroperaticsociety.co.uk
- CO2 Secretary: co2secretary@colchesteroperaticsociety.co.uk
- Business Manager: business@colchesteroperaticsociety.co.uk
- Treasurer: treasurer@colchesteroperaticsociety.co.uk
- Marketing & Events Team: marketing@colchesteroperaticsociety.co.uk
- Safeguarding Lead: safeguarding@colchesteroperaticsociety.co.uk
- Inclusion Lead: inclusion@colchesteroperaticsociety.co.uk

Colchester Operatic Society fully complies with information legislation. For the full details on how we use your personal information please visit our website <https://www.colchesteroperaticsociety.co.uk/about/privacy-policy/> or speak to our secretary if you are unable to access the internet.