



1. Introduction

It is preferable that problems are addressed informally and within the relevant activist structure or at the relevant event. However, this is not always possible. In these cases, we will follow the activist complaints process which allows for both a formal and informal resolution of complaints.

2. Key principles

Timelines

Concerns should be raised as soon as possible after the incident and where possible within two months of the occurrence of the incident. This timescale may be extended in exceptional cases if there is good reason to do so, for example where concerns have arisen over an accumulation of events. Every effort will be made to deal with this in a timely manner, balancing the need to resolve issues quickly with ensuring that they are dealt with appropriately, as it is recognised that a drawn-out process is not in the best interest of either party. In cases where there is unavoidable delay to investigation or any other part of the process all parties will be kept informed of progress via updates at least once per month even if no progress has been made.

Natural justice

Any person against whom a concern has been raised has the right to know the nature and sufficient details of the concern in order to respond. It is important that no decision is taken until the concern has been investigated and the person against whom the concern has been raised has had the opportunity to respond. Any evidence which is entered into the official record and/or is used to make a decision must be shared with the person against whom the complaint has been raised.

Confidentiality

All information relating to the concerns must be treated in the strictest confidence by all parties, limited to those who have a need to know and only to the extent necessary. We may seek advice from expert AIUK teams where required. We may seek advice and involve external authorities where there is an obligation to do so. Matters must be dealt with confidentially and sensitively by all parties involved. In some circumstances, witness statements or other information may require disclosure (for example in the context of a Tribunal claim) but matters will be kept confidential to the extent that this is possible.

Safeguarding and criminal reporting

In the event that criminal behaviour has been identified or suspected at any stage in this process, this procedure will be superseded and the issue will be immediately notified

to the police. Any issue potentially dealing with issues of child protection will IMMEDIATELY on discovery be notified to the appropriate appointed authorities by either the Head of Community Organising Human Rights Education and Events (CORE) team, the Director of Supporter Care and Communications (SCC) or the Panel Chair after consultation with the Head of Safeguarding.

Representation

The person(s) who has raised a concern and the person(s) against whom the concern has been raised may be accompanied to formal meetings by an AIUK member who may act as that person's representative.

Support

All parties will have access to support during and following the conclusion of the process through the employee assistance program (available to activists) and relevant staff members, where appropriate.

3. Process

Complaints about activists' conduct should be emailed to the Head of the CORE team, or the Director of Supporter Campaigning and Communications at activism@amnesty.org.uk making it clear in the subject line that you making a conduct complaint.

The Director of Supporter Campaigning and Communications and the Head of the CORE team will, at this stage, decide whether they believe that the complaint can be resolved informally. This is normally the preferred course of action. They will consult the complainant to ensure that they agree with an informal approach before proceeding further. If not, the formal process will be followed.

This flowchart (see page 4) outlines the process for responding to complaints. The document below explains this in more detail.

4. Informal complaints process

Informal action will usually involve a conversation with the activist concerned describing the complaint and listening to their version of events. If the grounds for complaint seem reasonable, recommendations may be provided in writing on how to mediate a complaint and conduct a process aimed at resolution within the activist structure. If, during discussion, it appears that informal action will not satisfactorily address the complaint, the formal process may be used.

5. Formal complaints process

A formal process will be used where a complaint or allegation is deemed serious, or where repeated concerns about behaviour have arisen or where a complainant requests the use of the formal process. In such circumstances, the Head of the CORE team or the Director of Supporter Campaigning and Communications will need to satisfy themselves that there are grounds to proceed to an investigation. A decision to investigate does not indicate support for a complaint, merely that further enquiry is necessary.

After determining that grounds for an investigation are merited, the Head of the CORE team or the Director of Supporter Campaigning and Communications will appoint an investigator who may be an AIUK staff member or another appropriate person trained to undertake investigation and to make recommendations.

Recommendations will be made to the Head of the CORE team or the Director of Supporter Campaigning and Communications as appropriate (or AIUK Director if the complaint is against the Director of Supporter Campaigning and Communications).

The activist(s) will be notified in writing and will be provided with the name of the person who will undertake the investigation. The activist(s) may wish to seek support from another activist during the process, including attendance at any meetings together. If the activist(s) whose behaviour is being investigated does not know who to approach, they can contact the Head of the CORE team, or the chair of a representative activist body. Every effort will be made to identify someone willing and able to provide support.

If the Director of Supporter Campaigning and Communications or Head of the CORE team judges that the alleged conduct of the activist poses a reasonable concern for the safety and wellbeing of others, then the activist will be notified of a requirement to restrict attendance at Amnesty events or participation in Amnesty communications as appropriate for the duration of the complaints process. Any breach of this request can and will be used in any subsequent Code of Conduct hearing. Note that any such requirement is not nor will be used as evidence of wrongdoing provided the requirement is adhered to by the activist(s) concerned.

AIUK aims to complete any investigation within 30 days, although this may not always be possible and all parties will be notified in this event and an estimated date of completion given. The purpose is to establish whether there are reasonable grounds for believing that a breach of the Code of Conduct has occurred.

5.1 No reasonable grounds for a breach of the Code of Conduct

If no reasonable grounds for a breach of the Code of Conduct are found, the activist(s) and the complainant will be notified and the matter closed.

The complainant may appeal against a decision not to proceed by notifying the Chair of the Activism Sub Committee in writing via activism@amnesty.org.uk, within 14 days stating the reason for the appeal. The Chair of the Activism Sub Committee (or their delegate) will consider the appeal and notify the complainant within 14 days of receipt of their appeal. Their decision will be final.

5.2 Reasonable grounds for a breach of the Code of Conduct

If reasonable grounds are deemed to exist, the activist(s) will be notified in writing and requested to attend a Code of Conduct meeting, which will normally be convened within 15 days. The findings assessment arising from the investigation report as well as any relevant supporting evidence will be provided to the activist(s) concerned as well as the designated persons responsible for conducting a Code of Conduct meeting.

The Code of Conduct meeting will normally be conducted by the Head of the CORE team sitting with one other person ('the panel') and with the activist present ideally in person or via video or phone. Composition of the panel will be determined by the Director of Supporter Campaigning and Communications. The panel will receive and review all evidence presented both in writing and verbal to determine whether to uphold the complaint and determine a course of action.

The panel may draw on advice from AIUK's Human Resources team and will always involve a note-taker. In some circumstances, the meeting may wish to hear from witnesses who can provide additional information.

Both the complainant and the person(s) who is/are the subject of the complaint may request witnesses to attend subject to the agreement of the panel to receive these witnesses into evidence. However, the panel is under no obligation to agree to such requests.

When a witness is invited to attend, they may meet the panel alone or accompanied by someone who is willing and able to provide support. However only the information provided by the witness themselves may be entered into evidence for consideration by the panel. Any new information arising from this discussion will be put to the person(s) who is subject to the complaint or the originator of the complaint.

In exceptional circumstances, a witness may provide information anonymously. However, anonymous information will be summarised for the Code of Conduct meeting and the person(s) being complained about. This will be in a format that does not compromise the individual supplying the evidence. If this is not possible, the information will not be used.

The activist will be informed in writing of the results, including the reasons for any decision, within seven working days and they will have 14 working days to appeal the decision.

5.3 What happens if the complaint is not upheld?

The complainant and the person who is the subject of the complaint will be informed by the chair of the panel that the complaint has not been upheld within seven working days of the hearing date.

The complainant may appeal against a decision not to proceed by notifying the Chair of the Activism Sub Committee in writing via activism@amnesty.org.uk within 14 days of receipt of the decision. They must state the reasons for their appeal. The Chair of the Activism Sub Committee (or their delegate) will convene a panel to consider the appeal. The panel will write formally to the complainant within 14 days of receipt of the appeal with their decision which will be final.

5.4 What happens if the complaint is upheld?

If the complaint is upheld by the panel then the panel will determine any remedial action required.

This may involve a determination that AIUK should no longer allow the activist(s) to undertake a particular set of responsibilities. This would happen if the allegations were particularly serious or where a repeated pattern of conduct had been identified.

In other cases, the remedy is likely to involve recommendations to prevent a recurrence. Such recommendations will be specific to the case and could involve additional training or support, a request to change a particular form of behaviour, or an instruction that a different role be pursued. The panel can determine that the activist(s) must not attend specific or any Amnesty events (both private and public) and to restrict communications to other Amnesty members.

As well as making recommendations to the activists concerned, the panel may make them to AIUK as an organisation.

The panel cannot terminate an individual's membership of AIUK. However, it can recommend this to AIUK's Board. Should this occur, the provisions of AIUK's constitution (available on our website) will be observed.

5.5 Appeal of the decision

The person who is the subject of a complaint may request an appeal of the outcome of the Code of Conduct meeting. The appeal request should be made to the Chair of the Activism Sub Committee via activism@amnesty.org.uk within 15 working days of the formal notification of the meeting outcome. The reasons for requesting the appeal must be set out in writing.

The appeal will be conducted by two or three members of the AIUK Section Board Activism Sub Committee, appointed by the Chair of the Activism Sub Committee and avoiding any conflict of interest. They are known as the Appeal Panel. Membership of the Appeal Panel will be entirely different to that of the original panel. The

Appeal Panel will decide whether a meeting is necessary or whether to proceed based on the paperwork provided. The person requesting the appeal will have the written grounds of their appeal considered along with all relevant records and transcripts leading up to and including the appeal letter.

There is only one stage of appeal and its outcome is final. This decision will be notified to the person(s) concerned within 10 working days of the Appeal Panel's decision and no later than one calendar month after the submission date of the appeal letter.

6 Compliance with the complaints process

The complaints process specifies the expectations on the complainant, the activist(s) and Amnesty staff and governance to carry out each stage of this process in a timely manner. These timelines are subject to reasonable extension where required and will be notified to all parties with estimated dates of completion. However, where parties to the process do not make reasonable efforts to comply with the process in terms of timescale or in other ways, the Director of Supporter Campaigning and Communications may decide to:

- a) Withdraw the complaint if the complainant does not make a reasonable effort to comply with this process;
- b) Uphold the complaint and make necessary recommendations if the subject of the complaint does not make a reasonable effort to comply with the process. In the event that a person(s) fail to attend when asked, a meeting designated to determine the complaint, that meeting will proceed in their absence and be conducted as if the person(s) had attended. At the discretion of the panel written evidence may be submitted where circumstances make personal attendance impractical or impossible.

In either case, seven days' notice will be given to the relevant parties in writing. The activist or complainant may appeal the decision by notifying the Chair of the Activism Sub Committee in line with the appeal processes outlined above. The appeal decision will be final.

