

GOOD PRACTICE GUIDE FOR VOLUNTEER INVOLVING ORGANISATIONS



5. Problem Solving

Why have a problem solving procedure?

Having a problem solving procedure helps to create consistency, and demonstrates your organisation's commitment to volunteering good practice. While employees have grievance and disciplinary policies, volunteers are not covered by employment or equal opportunities legislation. In fact, volunteers only have the same legal rights as the general public (eg Health and Safety and Data Protection), so such a policy helps to ensure that volunteers are treated fairly and are not discriminated against.

A problem solving procedure will ensure that you know how to deal with problems if they arise. It can help you to find the most appropriate solution to the problem, without necessarily resorting to asking a volunteer to leave. Such a policy is also useful when building a case for ending the volunteer's time with the organisation, where this is appropriate, so that this decision can be explained to members of the organisation as well as outsiders.

Good practice

It is good practice to avoid using the same grievance and disciplinary policy for both staff and volunteers, and the term 'problem solving procedures' helps to differentiate between the two. Whereas grievance and disciplinary policies for paid staff are formal in their language and tone, the policy you write for volunteers needs to be written in clear language that is easy to understand.

All complaints should be resolved openly, fairly and quickly to:

- protect your volunteers
- minimise any disruption to your staff, service users and other volunteers
- demonstrate that your organisation respects its volunteers
- protect the reputation of your organisation

The information that follows is for guidance only, and each organisation will need to write its own problem solving procedure to suit its individual situation.

If a volunteer makes a complaint

This part of the problem solving procedure gives the volunteer the opportunity to complain if they have been unfairly treated or if they have an issue or a cause for concern within the organisation.

Stage 1 - Oral complaint

Initial complaints, whether against a member of staff, the organisation or another volunteer, should be discussed with the volunteer. If the complaint is about the volunteer manager, then the matter should be referred to another manager. This person can be named in the problem solving procedure.

During this meeting the volunteer can be accompanied by a nominated person of their choice. If the issue cannot be resolved at this stage then the volunteer should proceed to stage 2.

Stage 2 - In writing

If the volunteer is not satisfied with the outcome of the oral complaint, they should make a formal complaint in writing to a more senior member of staff. This person should be named in the organisation's problem solving procedures, and there should also be a set timeframe within which the volunteer can make the formal complaint. Following on from this, the organisation should also set a timeframe in which they will respond in writing.

Stage 3 - Opportunity to appeal

If the volunteer is not satisfied with the outcome, then they can appeal to a member of the management committee, usually the Chair. In some organisations a sub-committee can be formed specifically to deal with complaints. The volunteer can have a nominated person present at this meeting. The Chair or sub-committee will need to respond within a specified time, and their decision is final. Unfortunately, volunteers have no legal rights unless they can prove that they are in fact employees, or that the organisation has been negligent in its duty of care towards the volunteer.

If someone complains about a volunteer

This part of the problem solving procedure gives the volunteer the opportunity to be told why a complaint has arisen, the opportunity to state their case and the chance to appeal.

Sometimes minor issues can arise during the course of volunteering, such as a volunteer not fitting into the team as well as was expected, not meeting the required standards when undertaking tasks or being unreliable.

Such issues are usually detected during regular supervision, and may be quite easy to resolve without resorting to formal procedures. This checklist suggests how some issues can be dealt with:

- A well thought out induction pack, volunteer policy and role description should provide the volunteer with a good foundation on which to

undertake their volunteering. However, you may need to remind the volunteer of the policies, ground rules etc within your organisation.

- Check if the volunteer has training needs. Everyone learns at a different pace and in a different way. Do you need to adapt your training materials, or change the way in which you deliver training, so that it benefits the volunteer more effectively?
- Does the volunteer need extra support or supervision?
- Is the volunteer feeling unfulfilled in their current role? Have their needs changed, or would they like to use different skills to help the organisation? If so, you could modify their role description, ask them if they would like to work in another department or develop a completely new role for them.
- Is the volunteer suffering from burnout or unable to cope with the demands of the role anymore? They may need a break from volunteering, or may prefer to volunteer in another organisation for a while, as part of a volunteer swap. The volunteer may feel ready to retire from volunteering altogether. If your volunteer does decide to leave, thank them for their contribution. This demonstrates that they are valued by your organisation, and enables them to leave with honour. Remember, always aim to find the best solution for the volunteer. If the issue isn't resolved through regular supervision, or if a complaint is raised by a third party, then the problem will need to be dealt with on a more formal basis.

Stage 1 – Oral discussion

The first step is to discuss the complaint with the volunteer. There could be external factors influencing their ability to carry out tasks, their behaviour or their attitude. Identify goals that will help the volunteer to fulfil their role, and offer extra support, supervision and training where necessary. Agree a deadline for reviewing the situation with the volunteer.

If the complaint was raised by someone else, keep them informed of the measures you are taking to rectify the situation. If you would prefer complaints to be put in writing, then state this in your problem solving procedure.

Stage 2 – Written warning

If the issue hasn't been resolved by the oral discussion or the review, then the volunteer manager can issue the volunteer with a written warning outlining the reason for the complaint. The volunteer should be given the opportunity to state their case, which could be to either the volunteer manager or a senior member of staff. The volunteer should also be allowed to be accompanied by a person of their choice. Depending on the nature of the complaint, further objectives could be set, and help offered to the volunteer. However, if the organisation decides to ask the volunteer to leave, then the volunteer should be given the opportunity to appeal. The decision to ask a volunteer to leave should be a last resort.

Stage 3 - Opportunity to appeal

If a volunteer has been asked to leave then they should appeal in writing to a member of the management committee, usually the Chair. Sometimes a sub-

committee can be formed specifically to hear appeals. The volunteer should be invited to have a nominated person present at this meeting. The Chair or sub-committee will need to respond within a specified time, and their decision is final.

Conducting the 'volunteer exit' meeting

If you do decide to ask the volunteer to leave, there are a few good practice tips to bear in mind:

- make sure that the meeting takes place in a confidential setting, where you are unlikely to be disturbed.
- be quick and direct. Do not back down. At this stage, the decision to ask the volunteer to leave has already been made.
- do not attempt to counsel the volunteer, as this will send confusing signals to them.
- expect the volunteer to express their emotions, but keep your emotions in check.
- follow up the meeting with a letter to re-iterate the decision to ask the volunteer to leave, as well as outlining the reasons for doing so. Include any information relating to their departure.
- inform staff, clients and other volunteers of the outcome, but do not give reasons for the volunteer's departure.
- if the volunteer had responsibilities for certain clients, make sure that the clients are informed of the new volunteer that will be assigned to them.

Exceptions

There are some occasions when volunteers can be suspended immediately while an investigation is carried out. These include, but are not limited to, acts that constitute gross misconduct, eg theft, assault, act of violence, malicious damage, deliberate falsification of documents, harassment or being under the influence of drugs or alcohol. The decision to suspend a volunteer needs to be confirmed to the volunteer in writing. In some cases, legal proceedings may need to be concluded before the next step of your problem solving procedure can take place.

Some points to remember

- All complaints must be treated confidentially, and should only be discussed amongst those who are directly involved in trying to resolve the issue.
- You may wish to include a policy on storing complaints and warnings on file. If you do, you need to decide how long they will be kept on record for.
- Ensure that you allow enough time for all meetings, and that they are conducted somewhere where you will not be interrupted.
- Keep complainants informed at every step of the procedure.

- Set realistic timeframes for people to make complaints, and for your organisation to respond.
- If the person making the complaint is a service user, reassure them that their complaint will not affect their right to use your services. Service user volunteers should still be able to use your services, unless they are suspended while an investigation into an act of gross misconduct is carried out.
- Volunteers have the right to be accompanied by a colleague, friend or union representative in any meetings that form part of the problem solving process.
- If your organisation has a Human Resources department, you may want to consider their role in your problem solving procedure.
- If you're unsure as to what your problem solving procedure should be, you could consult your volunteers by getting them involved in designing the policy.
- As with all policies, review your problem solving procedures regularly to ensure that they are working effectively.

And finally

Volunteering England's Information Service often hears from volunteers who have been unfairly treated by the organisation they have been volunteering with. In some cases organisations simply don't have any problem solving procedures in place. However, we have come across organisations that, although they do have such procedures in place, fail to follow them through. It cannot be emphasised enough that the value of having a problem solving procedure is that it is readily available if things go wrong. By not having such procedures in place or failing to follow them through when necessary, organisations run the risk of causing problems for themselves later on:

- If a volunteer has been treated unfairly then they are unlikely to stay with your organisation. Not only does this reduce your retention levels, but it also results in spending time, money and effort recruiting new volunteers – resources that could be put to more effective use elsewhere in your organisation.
- Accredited Volunteer Centres are required to promote good practice development as part of their core functions. If an organisation is unable to demonstrate a commitment to good practice in its volunteer management, or if the Volunteer Centre is concerned about how volunteers have been treated in the past, then the Volunteer Centre can refuse to advertise the organisation's volunteering opportunities.
- For branches and affiliates of national charities, bad publicity and a poor reputation can impact on other branches and affiliates as well as the national organisation itself.

In short, to help maintain a strong volunteer base, it is essential to follow good practice when managing volunteers, and nowhere is this more so than when problem solving.