

Complaints Procedures

of the

Philosophy of Education Society of Great Britain

Introduction

The Society is committed to providing safe spaces within which members and non-members can engage in critical and robust intellectual debate concerning matters of philosophy and educational policy and practice. The Society expects that at its activities, events and in its publications individuals and groups should be treated with dignity and respect as colleagues committed to our joint endeavours. A non-exhaustive code of conduct appends this procedure. Complaints of misconduct should, wherever possible, be made with reference to aspects of this code.

Whilst the Society welcomes sincere complaints, complainants should note 2(i) of this procedure in regard to complaints made without foundation and in bad faith. The Society considers such complaints a form of harassment. The PESGB Board of Trustees reserve the right to summarily dismiss such complaints.

Complaints may be made in writing to either the *Chair of the Society* or to the *Society's office* by email or letter. Individuals can also contact the *Chair of the Inclusion Committee* for an informal and confidential conversation about these procedures.

Anonymous complaints will not be investigated. If a person wishes to bring matters, in confidence, to the attention of the Chair or Vice-Chair they may do so. Any such complaint must be detailed enough for the Board of Trustees to consider initiating an investigation of its own.

Where complaints relate to the Journal of Philosophy of Education, any complaint will first be dealt with under [its procedure](#).

Procedure

The procedure for resolving any complaint made about any person or about the Society will normally start with the Informal Procedure outlined below (section 1). In exceptional circumstances, if the complainant feels that the informal process is not appropriate in their situation, the Formal Procedure (2) may be invoked. This should be decided upon by the Chair of the Society in full consultation with the complainant.

If the Chair is involved in the complaint, a member of the PESGB Advisory committee in order from the shortest serving vice-president will be the substitute here and throughout the provisions below; if this too would be inappropriate, then an appropriate Executive Officer may take their place.

The procedures are drafted with respect to complaints about individual people, but in case of a complaint about several people or about the Society, or when the Trustees of the Society initiate disciplinary action themselves, they should be followed as closely as practicable. The expressions 'in writing' and 'written' should be understood as including any suitable written medium, including any electronic ones. Meetings may occur

electronically or face-to-face at the discretion of the Chair.

The Chair shall ensure that all proceedings are conducted in a timely manner and *normally* no more than six months between a complaint being received and the conclusion of any formal proceedings.

All information gathered under either the Informal or the Formal Procedure, whether written or oral, and all deliberations, will be handled in strict confidence. The Society's Office will maintain a register of all complaints and other disciplinary actions, including the Chair's written record of Informal proceedings, and the written complaint, report of the investigating panel, minute of decision by the Board of Trustees, and (if the decision is appealed) the written decision of the appeal panel in Formal proceedings, together with any other written material essential to the proper understanding of the matter. This register will be kept strictly confidential, and the record of any case will not be available for research for 30 years after its conclusion, but the register will at all times be available for consultation by the Trustees of the Society in order to assist their deliberations on any case.

1. Informal Procedure

- a. Anyone who considers that they have grounds for complaint about any person or about the Society should, if practicable, seek to resolve the matter informally with the person concerned or with the Society, respectively. This is in order that the individuals concerned can be restored to a full professional and respectful relationship.
- b. If an informal direct approach under **1(a)** is unsuccessful or inappropriate, the complainant should raise the matter with the Chair of the Society. The Chair should (using any means, so long as a written record of the discussion is kept):
 - i. discuss the complaint with the complainant;
 - ii. contact the person about whom the complaint has been made, outline the nature of the complaint, and ascertain that person's response to the complaint;
 - iii. if appropriate, arrange a joint meeting with the parties to discuss the matter;
 - iv. make recommendations to the parties for resolving the matter (without necessarily attributing blame or responsibility) in a way that seeks to establish and promote a professional and respectful working relationship between them;
 - v. submit a brief written record of the proceedings to both parties, and to the Society's Office for inclusion in the complaints register.
- c. Since the object of the Informal Procedure is consensus among the parties involved, there is no right of appeal from its resolution. If the complainant considers that their complaint has not been resolved, they may *either*:
 - i. invoke the Formal Procedure (**2** below); *or*
 - ii. withdraw their complaint. In this case, it will not be recorded in the register.
- d. At all stages of this informal Procedure, the complainant, the person complained about, or any witness may be accompanied by a colleague, who need not be a member of the Society.

2. Formal Procedure

- a. If the Informal Procedure (**1**) fails to resolve the matter, or if (as provided for earlier) the Informal Procedure is considered inappropriate, the complainant may bring a Formal complaint.
- b. A Formal complaint should be made in writing to the Chair of the Society, who shall immediately send a copy of the written complaint to the person about whom the complaint is made (the complainant's address and the names of any witnesses will be redacted).
- c. The written complaint should include:
 - i. the name and address of the complainant;
 - ii. the name of the person about whom the complaint is being made;
 - iii. the nature of the conduct about which the complaint is being made, including where possible, places, dates, and times;
 - iv. an indication of any people who may have witnessed the conduct complained of;
 - v. any action that may already have been taken (by the Informal Procedure under **1** above or otherwise) to resolve the matter.
- d. The Chair shall open an investigation of the complaint.
 - i. The investigation shall be conducted by a panel consisting of the Chair, a member of the Board of Trustees and a member of the Advisory Committee. If the complaint is about the Society, a member of the governing body of another learned society in either philosophy or education, independent of the Society, shall be appointed to the panel as well.
 - ii. The investigating panel may require the parties and any witnesses (whether or not identified by either party) to present evidence in writing within a reasonable time of the request being made. Individuals may also be called to present an oral statement from their written statement.
- e. The investigating panel shall prepare a report that reviews the evidence and:
 - i. recommends that on the basis of the evidence the complaint be dismissed; *or*
 - ii. makes recommendations for informally resolving the matter (without necessarily attributing blame or responsibility) in a way that seeks to establish and promote a professional and respectful relationship between the parties, using any mediation services that may be available; *or*
 - iii. determines that there is a *prima facie* case to answer and recommends that the matter be dealt with by a formal resolution discussed at a meeting of the Board of Trustees, together with a member of the Society's Office (who shall not have a vote). Any disciplinary action to be taken shall not be specified in the report but shall be determined by the Board of Trustees. Twenty-one days' notice shall be given to the person complained about, together with a copy of the report, so that they can attend and make their case.

- f. If the investigating panel recommend action by the Board of Trustees (**2(e)iii** above), the Board of Trustees shall decide the action to be taken and record their decision by minute, including in the minute their reasons for the decision. They may choose to impose any disciplinary action within their powers, not to do so, or, by a vote of two-thirds or more of their total number present, to overrule the report of the panel and decide on either recommendation **2(e)i** or **2(e)ii** above.
- g. The Board of Trustees has the following disciplinary powers: to write a formal letter of censure; to exclude individuals either temporarily or permanently from specific Society-organised or supported events or activities; to suspend membership temporarily; and to suspend membership permanently. It may apply one or more of these sanctions.
- h. The report of the investigating panel and the Board of Trustees' minutes of the decision shall be given to both parties to the complaint.
- i. Any person acting under any stage of this Formal Procedure who knowingly brings a complaint or makes any statement that is untrue, malicious, frivolous, or in bad faith shall be subject to the disciplinary powers of the Society. The investigating panel should investigate any such action and make recommendations as part of its report.
- j. At all stages of this Formal Procedure, the complainant, the person complained about, or any witness may be accompanied by a colleague, who need not be a member of the Society.

3. Appeal Process

- a. The complainant or the person complained about may appeal against the result of the Formal Procedure (**2**), whether it be the outcome of the investigation or the Board of Trustees' final decision.
- b. An appeal must be made in writing to the Chair of the Society, specifying its grounds.
- c. An appeal may be made only on the grounds of procedural irregularity.
- d. The appeal shall be heard by a panel consisting of the Chair of the Society, one person appointed by the Board of Trustees, one person appointed by the appellant, and one member of the governing body of another learned society in philosophy or education, independent of the Society, who shall have the casting vote if the panel should be equally divided about the outcome of the appeal. Neither a complainant nor a person complained about, nor the members of the original panel, except the Chair, may serve on the appeal panel.
- e. The appeal panel shall communicate its decision in writing to all parties and to the Board of Trustees.

The decision of the appeal panel shall be final.