



WE Procedure – Handling complaints

Introduction

The Women's Equality Party (WE) takes all complaints seriously. The purpose of the procedure set out in this document is to ensure all complaints are handled swiftly, effectively and transparently. The procedure is designed not only to address concerns raised by the complainant(s) but to identify learning opportunities for the party, to strengthen our internal processes for supporting our members.

This party was founded to create transformational change. From the outset, WE recognised that some issues have the power to divide the movement for women's equality, our members and society to the benefit of a status quo that damages all of us. WE also understand that these issues are complex, important and often highly charged, and may inform the context in which complaints are made. WE aim to create space for inclusive and respectful discussion to work through differences where possible, though we will always distinguish between debate and abuse or discrimination.

As a feminist political party we also recognise the ways in which justice too often fails to understand structural inequality and the extent to which it can reproduce power structures that discriminate against marginalised groups. We always strive to do better and are determined to hold the party to the highest standards in dealing with complaints.

To be acknowledged, all complaints must be from a named individual. No complaints made anonymously, by an organisation or on behalf of another person will be accepted.

All complaints will be considered on their merit, no matter what their nature or source and with no presumption of guilt regarding the subject(s) of the complaint.

To enable learning and to follow best practice, all complaints, regardless of whether they are upheld, are logged and subject to an annual review process.

How we handle complaints against party members and registered supporters

The Executive Committee is responsible for resolving complaints according to Article 7.10 of the WE Constitution. The Executive Committee can censure any Appointed Officers, candidates for elections or elected representatives in the name of the party if, in the view of the Executive Committee, that individual's actions could reasonably be considered:

- a breach of the terms of the WE Constitution; or
- bullying, defamation, harassment or intimidation; or
- bringing the party into disrepute; or

- to make them unsuitable to represent WE; or
- to demonstrate, through their conduct, fundamental disagreement with the core values and objectives of the party.

All codes of conduct, declarations and volunteer agreements¹ are included within the scope of this procedure. In the case of a conflict between the provisions of these documents, the terms of the WE Constitution shall prevail.

All complaints will initially be referred to the Chief Operating Officer via complaints@womensequality.org.uk who will consider allegations made against any party member or registered supporter. This email account is monitored only by the Chief Operating Officer and all complaints will be treated in the strictest of confidence.

The Chief Operating Officer, before the matter is referred to the Executive Committee, must first be satisfied that the matter is one they can investigate, i.e. that there is sufficient evidence, that it is a matter covered by the WE Constitution and its associated provisions, and that it is a matter which the WE Constitution and its associated provisions permit the Executive Committee to investigate.

It is for the Chief Operating Officer alone, to decide if the evidence is sufficient to begin an inquiry. There is no right of appeal against the Chief Operating Officer decision not to begin an inquiry but if further evidence is brought to their attention, then the complaint will be considered anew. The Chief Operating Officer will write to all parties and give brief reasons for their decision.

Once the Chief Operating Officer decides that the complaint, if true, likely breaches the WE Constitution, then it will be referred to the Executive Committee to investigate the complaint. The Chief Operating Officer will write to the complainant(s) and to the subject(s) of the complaint, informing them of the decision, including the nature of the complaint being investigated.

If, at any stage of the process, the Chief Operating Officer or the Executive Committee believes the matter is of a criminal nature, the police will be contacted immediately. In cases where the complaint relates to sexual harassment, the WE Sexual Harassment Policy will govern the process and additional independent advocacy support will be offered.

According to Article 7.10.5 of the WE Constitution, should any member of the Executive Committee commit a breach according to any one of the conditions in Article 7.10.1 of the WE Constitution they shall be temporarily suspended from the Executive Committee and the matter sent to the Appeals Body to decide sanctions.

¹ Codes of conduct, declarations and volunteer agreements comprise:

- Code of conduct of Appointed Officers of Branches
- Women's Equality Party: Application form for Candidates
- Volunteer Agreement
- EC Spending Return financial declarations

The investigation process

Complaint investigations, regardless of whether complaints are upheld or not, are confidential. Only the parties involved will be the subject of correspondence. However, the party reserves the right to publish statements:

- to protect the complainant(s), the subject of the complaint(s), the integrity of the complaints process, or the integrity of the party; and
- in response to public statements about the complaint; and
- to create space for inclusive and respectful discussion

In making any public statements, the party will avoid identifying parties involved in the complaint.

There is a 3-step process for investigating complaints. These are as follows:

Stage 1 - Review

The first stage of the complaints process consists of considering the complaint and all relevant evidence.

The Executive Committee will review all such evidence and interview relevant parties or expert witnesses, if necessary, though there will be no compulsion for any person to give evidence. The usual practice will be to write to witnesses, informing them of the nature of the investigation and setting out specific questions to which a response is needed.

Stage 2 - Findings

1. If the Executive Committee finds that the allegations are not substantiated, then the complaint will not be upheld, and no further action will be taken. The Executive Committee will write to all parties and give brief reasons for their decision.

2. If the Executive Committee finds that there has been a breach of the WE Constitution, any code of conduct, declaration, or volunteer agreement, they will write to the subject(s) of the complaint and include:

- a. a copy of the evidence
- b. the Articles of the WE Constitution, any code of conduct, declaration, or volunteer agreement which has been breached
- c. an offer to the subject(s) of the complaint of the right to reply within seven days

Once the subject(s) of the complaint has responded to the Executive Committee's letter, within the seven day period, and the Executive Committee has concluded their investigation, the complaints process will move to Stage 3.

Stage 3 - Sanctions

If the Executive Committee finds the party member or registered supporter to be in breach of the WE Constitution, the Executive Committee may recommend

sanctions against the subject(s) of the complaint, appropriate to the severity of the breach.

Alternatively, the Executive Committee may make the decision that the complaint is better dealt with through an informal route. Where this is the case, they will lay out their recommendations for next steps to the Director of Finance and Operations.

As described in Article 7.10.2 of the WE Constitution, the Executive Committee has sole discretion regarding sanctions, which can include suspension from office or candidacy or, as a last resort, expulsion from the party. Any decision made by the Executive Committee will be effective immediately.

In deciding on sanctions, the Executive Committee will not act punitively but to maintain member confidence in the integrity of the party and to uphold the standards as required within the WE Constitution.

In deciding which sanctions to impose, if any, the Executive Committee will:

- act proportionately and objectively
- assess the nature of the breach and, specifically, harm caused to either an individual or the reputation of the party
- consider whether the party member or registered supporter was in a position of responsibility and had signed a code of conduct, declaration or volunteer agreement, all which detail standards of behaviour expected
- consider relevant or aggravating circumstances that might affect the sanction imposed:
 - relevant mitigating factors might include, for example, whether it was an isolated incident, whether the party member or registered supporter was contrite or had personal factors which could be considered, or if there was prompt remedial action taken
 - the experience of disempowerment that leads to division around key issues within the movement for women's equality may be considered. Debate is vital but should never be subverted for abuse or discrimination, or used to bring the party into disrepute
 - aggravating circumstances might include, for example, a lack of insight or understanding of conduct, dishonesty, deliberate or reckless conduct or a failure to engage with the investigation or the disciplinary process constructively

Once the Executive Committee has decided on what, if any, action will be taken, they will write to all relevant parties to inform them of their decision and of the right to appeal as detailed within the WE Appeals Procedure.