

Short Guide to the Party's Proposed Disciplinary Processes

How it works

Anyone can make a complaint about a Party member via our online form, found at www.libdems.org.uk/making_a_complaint.

You'll also find plenty of guidance to help you through each stage of the process at www.libdems.org.uk/complaints-compliments.

Once a complaint is made, an Adjudicator will consider it and decide how best to resolve it, normally through either Informal Resolution or a Formal Process. The Adjudicator should take a week to make this decision.

If either the person making the complaint (the 'Complainant') or the person the complaint has been made about (the 'Respondent') is not happy with the Adjudicator's decision, they can ask for a second opinion from another Adjudicator at this stage.

It's also possible for the Respondent to be suspended at this stage. This decision is taken by a team of Senior Adjudicators.

Informal Resolution

Informal Resolution generally takes up to two months although it can take longer if everyone agrees to an extension.

An Independent Person will be assigned to the case, and will make every effort to resolve the dispute between the Complainant and the Respondent. They'll do this by talking things through with both parties, and potentially arranging a meeting between both parties to try and resolve the dispute. Often this kind of approach is resolved with an apology although sometimes some form of training may be mandated.

If it's not possible to resolve the case through Informal Resolution, the case may be referred back to the Formal Process.

Formal Process

The Formal Process should take around 2-3 months depending on the complexity of the case, and goes through three main stages: investigation, Complaints Panel hearing and appeal (where requested).

Investigation

An Investigator is appointed to look into the case and will try and interview the Complainant and the Respondent as well as any relevant witnesses. It should normally take around a month for the Investigator to gather the evidence and compile a report.

Everyone involved will see that report, although some details may be redacted for data protection reasons or to protect people's privacy.

Once they've finished investigating, the Investigator can recommend to the Adjudicator who appointed them that the case is referred to a Complaints Panel hearing, to Informal Resolution or be dismissed. The Adjudicator makes the decision taking into account the Investigator's recommendation. As before, if either party is not happy with the decision they can ask for a second opinion from another Adjudicator.

Complaints Panel Hearing

Where a case goes to a Complaints Panel hearing the parties and any witnesses will normally be given 2-3 weeks' notice of the date. They aren't obliged to attend but if they do want to and cannot make the date due to exceptional circumstances then it can be postponed.

A panel is made up of three Adjudicators. None of them will have seen the case before or know the people involved. They will get to see the full Investigator's report and will have the chance to question the Complainant and the Respondent as well as any witnesses at the hearing. Both the Complainant and the Respondent will also be allowed to state their case at the hearing, and will have a brief right of reply to each other's statements.

Once the Complaints Panel hearing is concluded, the Complaints Panel will consider whether they will uphold or dismiss the complaint and, if they uphold

the complaint, what sanctions to impose. Each of the parties will receive a written copy of the decision within a week of the hearing taking place.

Appeals

If either party isn't happy with the Complaints Panel's decision, they have 7 days to appeal. The team of Senior Adjudicators can also appeal if they feel the decision puts the Party's reputation at risk.

The person making the appeal (the 'Appellant') can only appeal on one or more of these grounds:

- That there was a serious failure of process;
- That the panel decision was manifestly against the weight of the evidence;
- That relevant evidence has since come to light which was not available at the time of the hearing; and/or
- That the sanction determined by the panel was manifestly excessive or lenient in nature.

A Federal Appeals Panel member will take a look at the appeal and decide whether it could meet any of the criteria above. The Federal Appeals Panel member should take a week to make this decision. If they decide it does meet any of the criteria, then the case progresses to a Federal Appeals Panel hearing. If they decide it doesn't then the appeal is dismissed. If either party to the original complaint or, if they are the Appellant, the Senior Adjudicators, is not happy with the decision they can ask for a second opinion from another Appeals Panel member at this stage.

Where it progresses to a Federal Appeals Panel hearing, all parties will normally be given 2-3 weeks' notice of the hearing date. They aren't obliged to attend but if they do want to and cannot make the date due to exceptional circumstances then it can be postponed.

An Appeals Panel is made up of three Federal Appeals Panel members. None of them will have seen the case before or know the people involved. At the Appeals Panel hearing they will listen to the case and question relevant

witnesses including the Appellant, and, if different, the original Complainant and the Respondent. Both parties to the original complaint and, if they are the Appellant, the Senior Adjudicators, will be allowed to make a statement to the Appeals Panel.

The Appeals Panel will then make a decision and communicate that to the relevant parties within a couple of days. They can decide to uphold the Complaints' Panel ruling, to amend it or to overturn it.

There is no further appeal once that decision has been taken.

Support

Sometimes people need some support while going through this process. If you're the Complainant, the Pastoral Care Officer is on hand to provide you with personal support and to help you navigate the process.

If you're the Respondent, then you can ask the Party to appoint a Party Mentor, who will also provide you with personal support and help you to navigate the process.

Confidentiality and Anonymity

All cases going through the Party's complaints processes are confidential and should not be commented on publicly. Where an individual does comment publicly about the details of an ongoing case, this may be considered behaviour which brings the Party into disrepute.

Where individuals request to remain anonymous, the Party will do all it can to balance that request with the need for an effective and efficient investigation and proper due process.

Further information

Further information on the Party's Complaints Procedures, including the full governing document, can be found on our website. Simply visit:

www.libdems.org.uk/complaints-compliments

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