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Complaints Procedure

Standards director

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1 Definitions

appeal	a written request from a complainee or a complainant appealing against a decision of the Council under this procedure, which request shall clearly state the grounds of the appeal
appeal handler	the individual (or in their absence a proxy) identified to the parties to an appeal who shall be responsible for handling communications between them and the appeal panel
appeal lead	a member of the SfEP appointed under subclause 7.4 of this procedure to lead an appeal panel
appeal panel	a committee assembled under clause 8 of this procedure to consider an appeal
appellant	a Society member or the client of a Society member who makes an appeal against a decision of the Council under this procedure
complainant	a Society member or the client of a Society member who brings a complaint against the complainee in accordance with the provisions of this procedure
complaine	a Society member against whom a complaint has been made by a complainant

complaint	any complaint about a Society member received by the Society which may or may not be the subject of an inquiry
complaint handler	the individual (or in their absence a proxy) identified to the parties who shall be responsible for handling communications between them and the complaint panel
complaint panel	a committee appointed under clause <u>2</u> of this procedure to consider a complaint
complaint lead	a member of the Society appointed under clause <u>2</u> of this procedure to perform an initial assessment of a complaint and, if required, lead a complaint panel
Council	all directors serving on the Council (the Society's governing body) or a quorum thereof
inquiry	an investigation by a complaint panel
party	a party to the complaint and/or to the appeal and may refer to complainant, complainee or appellant, as appropriate
(the) Society	the Society for Editors and Proofreaders (SfEP Ltd)
standards director	the person serving as standards director of the Society or, in their absence, the person acting as standards director
they (their)	he, she or they (his, her or their) as appropriate in the context

2 Complaints

- 2.1** Upon receipt by the Society of a written complaint it shall first be verified that the complaint relates to a current Society member. A 'current' member shall be one whose membership status is active on the date the written complaint is received by the Society.
- 2.1.1** If the written complaint relates to a current Society member, it shall be acknowledged by the complaint handler and forwarded to the standards director under subclause 2.2.
- 2.1.2** If the written complaint does not relate to a current Society member, the complainant shall be informed by the complaint handler that the Society cannot pursue the matter further for this reason.
- 2.1.3** If a complainee resigns from the Society (or fails to renew their subscription to the Society) before or during the inquiry, this procedure and any inquiry shall cease (though the complaint panel may still submit a report to the Council, for the Council to use as they think fit), the complainee shall not be allowed to

rejoin the Society except by unanimous vote of the Council following the completion of a new inquiry conducted in accordance with this procedure, the parties shall be advised of all these circumstances, and details of the complaint will be held on file by the Society for a period of three years or some other period as deemed appropriate by the Council.

- 2.2** Upon receipt by the standards director of a written complaint from a complainant about a current Society member, the standards director shall confirm that it is a matter that should be handled under this complaints procedure, advise the Council that a complaint has been received and, within ten working days of receipt of the written complaint, appoint a complaint lead, the latter to be an Advanced Professional Member of the Society who is not at the time on the Council, and the complaint handler shall supply the complaint lead with the information provided by the complainant.
- 2.3** The complaint lead shall, within ten working days of being informed of the written complaint, assess the complaint and report to the Council, making a recommendation to either:
- 2.3.1** conduct a formal inquiry to investigate the complaint fully and inform the Council of findings according to this procedure, or
 - 2.3.2** dismiss the complaint.
- 2.4** In the event that the complaint lead recommends a formal inquiry under subclause [2.3.1](#):
- 2.4.1** the complaint handler shall contact the complainant in writing, requesting them to supply any and all relevant documents not already supplied that pertain to the complaint – including, but not limited to, copies of all written communications between complainant and complainee and copies of all work thus far undertaken by the complainee that is relevant to the complaint (the ‘complainant’s evidence’) – and asking that they supply this within 20 working days of receipt of the request; and
 - 2.4.2** the complaint handler shall contact the complainee in writing, informing them of the complaint, inviting the complainee to supply an account of their version of events along with any and all relevant documents not already supplied that pertain to the complaint – including, but not limited to, copies of all written communications between the complainant and complainee and copies of all work thus far undertaken by the complainee (the ‘complainee’s evidence’) – and asking that they supply this within 30 working days of receipt of the invitation.
 - 2.4.3** The standards director shall appoint two Advanced Professional Members of the Society to serve with the complaint lead on a complaint panel under subclause [3.1](#).
- 2.5** In the event that the complainant, after receiving notification from the complaint handler under subclause [2.4.1](#), indicates that they do not wish to pursue the complaint, the standards director at their discretion (and on the recommendation of the complaint lead) may in certain circumstances choose to pursue the complaint against the complainee as an internal Society investigation without the further involvement of the complainant.

- 2.6** In the event that the complaint is to be dismissed under subclause [2.3.2](#), the complaint handler shall contact the complainant (and the complainee if they have been informed of the complaint) in writing, advising them that the matter is not to be pursued further.

3 Complaint panel

- 3.1** The complaint panel shall be composed of three (including the lead) Advanced Professional Members of the Society who are not at the time members of the Council.
- 3.2** The identities of the complaint panel shall remain confidential to the panel members, complaint handler and standards director and shall not be made known to any party or to the Council at any time. Any communications between the complaint panel and any party shall be made via the complaint handler and shall be held in strict confidence.
- 3.3** The complaint panel shall choose the most appropriate means of communicating when handling complaints under this procedure. There shall be no obligation for the members of the complaint panel to meet.
- 3.4** All decisions made by the complaint panel shall be by simple majority decision.

4 Complaint panel proceedings

- 4.1** The complaint panel shall have a period not exceeding 30 working days from the date of receipt of evidence under subclause [2.4](#), unless this is extended in order to obtain additional evidence under subclause [4.3](#), in which to consider the complaint and report on it to the Council, who may (if they are satisfied there is good reason) authorise a further, limited period for completion of the complaint panel's final report.
- 4.2** The complaint handler shall supply all members of the complaint panel with the complainant's evidence and, where applicable, the complainee's evidence or any other relevant evidence.
- 4.3** Any member of the complaint panel may request additional information and/or evidence from a party. Any and all such requests must be made via the complaint handler, who shall promptly contact the relevant party and forward the requested information to the complaint panel immediately upon receipt from the relevant party.
- 4.4** The complaint panel shall examine and evaluate the work undertaken and performed by the complainee in light of the complaint and all available evidence.
- 4.5** The complaint panel shall examine and evaluate the communications between complainant and complainee in light of the complaint and all available evidence.
- 4.6** Following the examination and evaluation of all available facts and evidence including, where applicable, additional information and/or evidence acquired from any party, the complaint panel shall reach an agreement by simple majority vote upon the action to be recommended.
- 4.7** The complaint panel shall provide (normally within the 30 working days specified in subclause [4.1](#)) a written report of its findings with sufficient relevant detail and any recommended disciplinary action to the Council.

- 4.8** Actions which may be recommended by the complaint panel are set out in clause [5](#).
- 4.9** Where subclause [2.5](#) applies, the complaint panel may communicate with the complainee via the complaint handler.

5 Conclusions and recommendations for action

- 5.1** The complaint panel may advise the Council to dismiss the complaint.
- 5.2** If the complaint panel concludes that the complaint should be dismissed, they may nevertheless recommend to the Council that they give the complainee advice on preventing a similar complaint in the future.
- 5.3** The complaint panel may advise the Council to give a complainee a written warning, which shall detail the conduct complained of and shall contain suitable recommendations for preventing similar complaints in the future. Any and all such written warnings shall remain on file with the Society for a period of three years or some other period as deemed appropriate by the Council.
- 5.4** The complaint panel may advise the Council to lower the membership grade of a complainee. The effect and implications of any such lowering of grade shall be communicated clearly to the complainee by the Council.
- 5.5** The complaint panel may recommend that the Council suspend the membership of an Entry-Level Member for a period not exceeding six months. The effect and implications of any such suspension shall be communicated clearly to the complainee by the Council.
- 5.6** A complainee whose membership grade is lowered under subclause [5.4](#) or whose membership is suspended under subclause [5.5](#) shall also receive a written warning as set out in subclause [5.3](#).
- 5.7** The complaint panel may advise the Council to expel from the Society a complainee of any membership grade.
- 5.8** The Council may, by simple majority vote, determine that disciplinary action other than as set out in this clause [5](#) is appropriate. Such alternative action may be recommended by the complaint panel but shall be determined by the Council.

6 The Council's decision

- 6.1** The Council shall vote on whether to accept the recommendation of the complaint panel. The Council may elect
- to fully accept the panel's recommendations, or
 - to accept some or all of the panel's recommendations with amendments (eg if the Council deems appropriate some other disciplinary or compensatory action not recommended by the complaint panel), or
 - to return the complaint to the complaint panel for further review, on terms stipulated by the Council.

- 6.2** Except in exceptional circumstances, for example when new evidence comes to light that was not known to the complaint panel or when alternative disciplinary action is deemed appropriate as per subclause [5.8](#), the Council should follow the recommendation of the complaint panel. Any decision made under subclause [6.1](#) shall be made by simple majority vote, but any member of the Council having an interest in the complaint must declare that interest and shall not be allowed to vote on the complaint, on any appeal or on any decision to rescind such a vote.
- 6.3** The Council shall, via the complaint handler, inform the complainee and the complainant of the Council's decision and of any disciplinary action to be taken. All such communications shall be in writing.
- 6.4** All relevant parties shall be informed of the right of appeal, under clause [7](#), when being informed of the outcome.
- 6.5** The relevant parties shall have a period not exceeding 20 working days during which they may appeal under clause [7](#).
- 6.6** Where subclause [2.5](#) applies, the Council need not inform the complainant of the outcome, only the complainee.
- 6.7** If any disciplinary action has been imposed on the complainee, the Council shall take all reasonable steps to ensure that it is enacted.
- 6.8** If a complaint is upheld, an account of it shall be published to the membership under clause [13](#).

7 Appeals

- 7.1** If a party (hereafter an appellant) wishes to appeal against the Council's decision (whether the decision as a whole or one or more parts thereof), they must submit a written appeal to the standards director within 20 working days of the date of the Council's notifying them of its decision.
- 7.2** An appeal shall clearly state, in as much detail as is reasonably possible, the grounds on which the appellant is appealing against the Council's decision and against which part(s) of that decision and shall provide information or evidence as appropriate to support this.
- 7.3** The standards director shall acknowledge receipt of the appeal in writing immediately upon receipt.
- 7.4** No later than ten working days following the receipt of an appeal, the standards director shall appoint both an appeal handler and an appeal panel under clause [8.1](#). The standards director shall appoint one of the appeal panel as the appeal lead.
- 7.5** The appeal handler shall, on behalf of the appeal panel, inform the other party to the original complaint of the appeal and shall invite any further information or evidence that party wishes to supply, suggesting that this be provided within 15 working days of that party being advised of the appeal.
- 7.6** During an appeal, any action proposed under clause [5](#) shall be suspended pending the outcome of the appeal.

8 Appeal panel

- 8.1** The appeal panel will consist of three Advanced Professional Members of the Society who are not at the time on the Council. No member of the appeal panel may have served on the complaint panel in the same case.
- 8.2** The membership of the appeal panel shall remain confidential to the panel members, appeal handler and standards director and shall not be made known to the appellant, the other party or the Council at any time. Any communications between the appeal panel and any party shall be made via the appeal handler.
- 8.3** The appeal panel shall choose the most appropriate means of communication when handling appeals under this procedure. There shall be no obligation for members of the appeal panel to meet.

9 Appeal panel proceedings

- 9.1** The appeal panel shall have a period not exceeding 30 working days from the date of receipt of evidence, unless this is extended in order to obtain additional evidence under clause [9.3](#), in which to consider the appeal and report to the Council.
- 9.2** The standards director shall supply all members of the appeal panel with copies of all documents pertaining to the complaint and to the appeal (which shall include, but not necessarily be limited to, the relevant work and all communications between the parties, all documents originally provided to the complaint panel, including the complainant's and the complainee's evidence, and those prepared by the complaint panel, plus any additional evidence brought forward as part of the appeal).
- 9.3** Any member of the appeal panel may request additional information and/or evidence from any party. Any and all such requests must be made via the appeal handler, who shall promptly contact the relevant party and forward the requested information to the appeal panel immediately upon receipt from the relevant party.
- 9.4** The appeal panel shall examine and evaluate all materials submitted in light of the original complaint and the appeal.
- 9.5** Following the examination and evaluation of all available facts and evidence including, where applicable, additional information and/or evidence acquired from any party, the appeal panel shall reach an agreement by simple majority vote upon the action to be recommended.
- 9.6** The appeal panel shall provide a detailed written report of its findings and the recommended action to the Council.
- 9.7** Actions which may be recommended by the appeal panel are set out in clause [10](#).

10 Appeal outcomes

- 10.1** The appeal panel may recommend that the Council:
 - 10.1.1** reverse its original decision in full or in part, or

10.1.2 uphold its original decision.

- 10.2** If the full decision of the Council is recommended to be reversed and the appeal panel has found the complainee to be not at fault, no action shall be recommended against the complainee.
- 10.3** If the decision of the Council is recommended to be reversed in part and the appeal panel has found the complainee to bear a lower degree of fault, the appeal panel may recommend an appropriate lesser action (as detailed in clause [5](#)) than that originally recommended.
- 10.4** If the decision of the Council is recommended to be reversed, whether in full or in part, to the effect that the complainee is found to be at fault where they were previously found not to be so or where some additional fault is found, the appeal panel may recommend an appropriate stronger action (as detailed in clause [5](#)) than that originally recommended.

11 The Council's appeal decision

- 11.1** The Council shall vote on whether to accept the recommendation of the appeal panel. The result shall be decided by a simple majority, with the chair having a casting vote.
- 11.2** The Council should, in the absence of exceptional circumstances, follow the recommendation of the appeal panel.
- 11.3** The Council shall, through the appeal handler, inform the parties to the appeal of the outcome of the Council's deliberations and of the action to be taken. All such communications shall be in writing within five working days of the decision being made.
- 11.4** If any disciplinary action has been imposed on the complainee, the Council shall take all reasonable steps to ensure that it is enacted.
- 11.5** An account of the appeal and its outcome shall be published to the membership under clause [13](#).

12 Reactivation of membership

- 12.1** In the event that a complainee, following completion of the complaint procedure (or completion of the appeals procedure if an appeal is lodged within the period allowed), has their membership grade lowered or is expelled from the Society the following shall apply to their reinstatement:
- 12.1.1** A complainee who has had their membership grade lowered one level may reapply for their previous membership grade not less than six months after the date of the Council's final decision/appeal decision (whichever is the later date).
- 12.1.2** A complainee who has had their membership grade lowered two or three levels may reapply for their previous membership grade not less than six months after the date of the Council's final decision/appeal decision (whichever is the later

date). The application shall be assessed by the Admissions Panel, which shall decide which level of membership to grant.

12.1.3 A complainee in the Advanced Professional, Professional or Intermediate membership grades who has been expelled from the Society may apply to rejoin the Society not less than six months after the date of the Council's final decision/ appeal decision (whichever is the later date). The application shall be assessed by the Admissions Panel, which shall decide which level of membership to grant.

12.1.4 A complainee in the Entry-Level membership grade who has been expelled from the Society may apply to rejoin the Society not less than six months after the date of the Council's final decision/appeal decision (whichever is the later date).

12.2 A complainee whose membership grade has been lowered and who wishes to reapply for their previous membership grade shall be required to submit, in support of their application, in place of the usual admission requirements as published on the SfEP website, evidence that they have undertaken relevant training to address the issues pertaining to the complaint and not fewer than two references from current clients, such references pertaining to work undertaken since the date of the Council's final decision/appeal decision (whichever is the later date).

13 Notification to Society membership

13.1 Following the completion of all relevant stages in this procedure, if a complaint is upheld, whether in full or in part, details of the complaint, the fact of the investigation and the result shall be published to the membership in the Society's magazine (*Editing Matters*) or otherwise. In the event of an appeal, following its completion an account of the appeal shall be similarly published to the membership.

13.2 The names of the parties shall not be published unless the complainee has been expelled from the Society, in which case the Council may decide at its sole discretion that the complainee only shall be identified by name.

Document history

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