



Byelaw 4

Grievance Policy

1. Please remember at all times that everyone undertaking executive roles in the society such as site rep, committee member or trustee is doing so on a voluntary unpaid basis. Abuse and unpleasantness towards them is not acceptable and is a breach of the society's rules.
2. The conduct of members in relation to disputes is governed by clause 27 of the BHS CIO constitution of 26 October 2024 registered with the Charity Commission. This is binding on the trustees and all members of BHS. It reads "If a dispute arises between members of the CIO about the validity or propriety of anything done by the members under this constitution, and the dispute cannot be resolved by agreement, the parties to the dispute must first try in good faith to settle the dispute by mediation before resorting to litigation.
3. This bye-law therefore sets out how the trustees will approach their duties under clause 27. It will also apply to the process under clause 9(4) where the trustees are considering removing a member in the interests of the charity.
4. If a plot-holder has a problem with something they are asked to do to do to comply with the rules with the site rules and regulations, or with something else on the site affecting their plot they should endeavour to resolve it initially with the local site rep, supported by members of the executive committee as appropriate. The team will always seek an appropriate solution taking an appropriate view of individual circumstances while trying to apply the spirit of the rules and regulations in an even-handed manner. For example, the non-cultivation rules are there firstly to ensure that our sites are used in accordance with allotment law and the terms of our lease and other arrangements with our landlord Brentwood BC, and secondly because weeds on your plot can quickly become a problem for your neighbour. Similar principles lie behind the other regulations. It is important that they are applied fairly but we recognise that things happen which need to be taken into account.
5. If the dispute cannot be resolved at executive level, then BHS has two trustees who do not sit on the executive committee and do not have plots at any of our sites. They have experience in charity and business governance. Either the plot-holder or the executive can ask the independent trustees to resolve the problem, and they will do so trying to balance the interests of the charity and the plot-holder.
6. If no agreement is reached under 4 the independent trustees will prepare a report on the problem and a recommendation for action by the trustee body. This may potentially involve termination of membership under clause 9 (4) of the BHS constitution. This will be circulated in draft to the plot-holder concerned who will have 21 days to consider it before it is forwarded to the trustee body and will be able to make representations to the trustee body as provided for in the BHS constitution.
7. The trustee body will consider the report and may either elect to hold a meeting to discuss it or deal with it by electronic communication. They will either endorse the action proposed by the independent trustees or agree alternative action and notify the plot holder within 14 days. There would be no further appeal under the charity constitution at that point.