

## Volunteer Disciplinary Policy and Complaints Procedure

### The Rhodes Trust mission and values

The Rhodes Trust's ("the Trust") mission is to build a better world through global fellowship programmes that develop and connect compassionate, innovative, and public-spirited people committed to solving humanity's challenges. The Trust recognizes that the world needs leadership from ethical, creative and courageous people who are able to bridge cultures and disciplines. **It therefore:**

- Helps people of talent from all walks of life realise their potential to build a better world;
- Fosters leadership through diverse and inclusive learning communities;
- Amplifies impact through lifelong fellowships of mutual support, inspiration and collaboration.

**Volunteers – including Trustees and Selectors – play vital leadership roles in delivering this mission.**

### Policy Aims and Applications

The core aim of this document ("the Policy") is to support appropriate volunteering activities and maintain the integrity of the Trust by:

- Providing guidance to volunteers on how to raise a complaint of misconduct;
- Explaining the procedure by which any complaints made by, or about, volunteers are handled;
- Outlining which disciplinary actions may be taken by the Trust against an individual or institution that has acted in contradiction of the Trust's *Code of Conduct* and its related policies, primarily, but not limited to, the *Safeguarding Policy*.

By doing so, it aims to ensure that those representing it avoid using any potential privileged or asymmetric positions of power or trust for the benefit of themselves or others.

Whilst recognising that The Rhodes Trust is a global organisation and that local laws and cultures differ considerably from one country to another, The Trust is a UK Registered Charity (Nos. 232492, 232492-1, 232492-2) and, as such, its activities, definitions, policies and procedures are developed in line with UK law.

**This policy applies to everyone associated with the Rhodes Trust as a 'Volunteer' (defined in the Glossary [\[hyperlink\]](#)), regardless of age, location or relationship to the Trust.** Where relevant and applicable, this policy does not supersede those covering specific activities that Rhodes Trustees and Volunteers may be involved with for partner programmes (such as the Schmidt Science Fellows Selectors Code of Conduct).

### Using this policy and procedure, complaints can be raised:

- **By volunteers about:** fellow volunteers; applicants, Scholars-elect, Scholars in Residence, Fellows supported by Partner

programmes ("Fellows"), Trustees, Trust staff, partner organisations or other individuals or institutions that they may come into contact with during their volunteer association with The Trust

- **About volunteers by:** fellow volunteers; applicants; Scholars Elect; Scholars in Residence; Alumni Scholars; Fellows; Rhodes Trust staff members; partner organisations or other individuals or institutions; **primarily where misconduct has taken place in the discharge of their volunteer activities, but not limited to this, in the case of a serious incident of misconduct.**

### The Rhodes Trust volunteer commitments:

The Trust is committed to achieving an environment in all of its operations characterised by professional, dignified, courteous and inclusive conduct, where everyone is treated fairly, with respect, and all interactions reflect a fundamental acknowledgement of the worth of every person. **The Trust also commits:**

- To make this Policy, the Volunteer Code of Conduct ("the Code") and other relevant policy and procedure publicly available on the Rhodes Trust website and internally on its portals;
- To raise awareness of this Policy and, where volunteer activity is substantive and sustained, enact a mandatory requirement for individual volunteers to read and or sign the Policy. This may include, but is not limited to, Trustees, those involved in the selection of Rhodes Scholars and Character, Service and Leadership Programme (CSLP) facilitators.
- To fair process and natural justice for all parties; to seek, whenever possible and appropriate, to resolve complaints and conflicts in restorative ways; to provide prompt and equitable investigations of all Reports of Prohibited Conduct using transparent policies, procedures, and reporting;
- To strive to protect the privacy of all affected individuals, except in circumstances where there is a significant risk of harm, where there is a need for other specific individuals to know on a confidential basis or where legal obligations otherwise require;
- To treat with respect and care any individual who discloses or submits a formal or informal complaint(s) of violations of the Rhodes Trust Code of Conduct and its associated policies, or volunteer against whom such a complaint is submitted or disclosed. The Trust will make no presumption of innocence or guilt and will respect the right of complainants to make their own decisions about seeking criminal or civil recourse.
- To provide an annual report from the Warden to the Board of Trustees, summarizing, in a suitably anonymized format, the number and type of cases considered under this Policy in the previous year

## Prohibited Conduct

Volunteers may hold a privileged and asymmetric position of power and trust, particularly in relation to applicants, Scholars-elect, Scholars, and Fellows supported by Partner programmes (“Fellows”) and abuse of this position may constitute misconduct even though the majority of these individuals are legally adults.

Please see the *Safeguarding Policy* [[hyperlink](#)] for a full description of Prohibited Conduct.

## Reporting Misconduct

Any individual who wishes to report prohibited conduct under this Policy should contact one of the **Rhodes Trust Conduct Officers (RTCO)**:

- the Warden and CEO;
- the Registrar and Director of Scholar Affairs;
- the Dean of the Rhodes Scholarship;
- the Chief Operating Officer;
- the Director of Selection & Outreach;
- Or the nominated local or in-Country Conduct Officer: this is usually a constituency’s [National Secretary](#) or their Deputy.

Up to date contact details for the members of the Directorate that hold these positions can be found [on the Rhodes Trust website here](#).

**Those who wish to report misconduct they have witnessed or experienced have three options:**

**Disclosure:** an individual or organisation wishes to disclose information about an incident they have experienced to make the Trust aware and/or to seek advice or support, but does not wish to do anything about the issue at the relevant time;

**Informal complaint:** an individual or organisation wishes to disclose information to the Trust and seek advice, support and informal resolution of their complaint. This is for limited types of Prohibited Conduct, if the Warden and both parties agree.

- Informal complaints may be resolved through a brief investigation by the Warden or other Conduct Officer and an agreement between the parties about the appropriate resolution.
- They may also, with the agreement of both parties, be handled through mediation. Depending on the circumstances, mediation may be facilitated internally by a Rhodes House staff member or externally by a trained mediator.
- Complainants can opt to withdraw an informal complaint prior to reaching a Resolution Agreement if they do not wish to pursue the issue further. Either party (or the Warden) can withdraw the case from Informal Resolution at any time prior to reaching a Resolution Agreement, and initiate a Formal complaint.
- **In the case of an informal complaint, the Trust will endeavour to resolve the issue within four weeks. This timetable may be adjusted as necessary to account for extenuating or unforeseen factors.**

**Formal complaint:** an individual wishes to make a written complaint and request a formal investigation.

- Individuals may request confidentiality when formally reporting misconduct. However it should be noted that in the event an

anonymous complaint is received, the Trust may not be able to follow the complaints procedure in full or reach a final decision.

- The Trust will respect privacy and confidentiality when possible, except in cases where there is significant risk of harm, where there is a need for other specific individuals to know on a confidential basis or where legal obligations require it.
- It may also be difficult or impossible to investigate or respond to a complaint without disclosing information.
- In such instances, the Conduct Officer will inform the Respondent in advance to explain the need to disclose information
- **The Trust will launch an internal or external investigation within two weeks of receiving a formal complaint, subject to the ‘Investigating Complaints’ section below. The Investigation Lead will be requested to complete their report within four weeks. This timetable may be adjusted as necessary to account for extenuating or unforeseen factors.**

## Investigating Formal Complaints

**On receipt of a formal complaint about a volunteer:**

1. The Warden will decide at their discretion whether it is appropriate for any investigation to be undertaken and, if so, whether the nature of this investigation should be internal or external.
  - **An internal investigation** may be led by a Rhodes Trustee or member of staff.
  - **An external investigation** will be led by an individual with investigative expertise. In cases involving sexual misconduct, external investigators shall be individuals with experience of conducting trauma-informed and sensitive investigations.
2. The Warden will then establish a Complaints Committee, which should be constituted of the following senior persons:
  - The in-Country Conduct Officer or RTCO who was in receipt of the formal complaint;
  - The Investigation Lead;
  - A Chairperson (usually the Warden or another RTCO);
  - A Rhodes Trustee

**On receipt of a formal complaint about a Trustee:**

1. The Warden shall confer with the Chair of the Board and the Chair of the Governance Committee to determine whether it is appropriate for any investigation to be undertaken and, if so, whether the nature of this investigation should internal or external.
2. If it is concluded that such an investigation (whether internal or external) should be undertaken, the two Chairs and the Warden will then appoint a Complaints Committee constituted in such manner as they may deem appropriate.
3. If the complaint is about the Warden or either of the Chairs, the matter shall be dealt with by the two unaffected individuals.

**On receipt of a formal complaint by, but not about, a volunteer:**

1. The Warden will decide at their discretion whether it is appropriate for any investigation to be undertaken

2. If so, The Warden and at least one other RTCO will decide at their discretion whether the nature of this investigation falls under this disciplinary policy or is more appropriately dealt with under the remit of an adjacent policy, for example the Staff Disciplinary Policy.
3. This decision will be communicated to all involved parties, along with the allocated disciplinary policy and that policy's process for investigating formal complaints.

In appointing a Complaints Committee, best efforts will be made to ensure that its composition is both diverse and representative of the parties involved in the alleged misconduct. It may also be deemed appropriate to appoint an advisor to the Complaints Committee to give expert understanding on the nature of the misconduct, in particular, but not limited to protected characteristics such as race, gender and disability.

In instances where a Complaints Committee is appointed, they shall review the results of the investigation and determine an appropriate resolution, sanction or response.

#### Confidentiality and Reporting

- It is not appropriate to give absolute guarantees of confidentiality to informants or Complainants wishing to tell confidants about an experience of misconduct.
- Confidants should, however, guarantee that they will only pass on information to the minimum number of people who must be told in order to ensure that the proper action is taken to resolve the problem, that they will never tell anyone who does not have a clear 'need to know', and that they will take whatever steps they reasonably can to protect the informing individual from any retaliation or unnecessary stress that might be feared after a disclosure of alleged abuse has been made.
- Every reasonable effort will be made to maintain confidentiality and guard against unwanted publicity for both the Complainant and the Respondent, subject to the various limitations on privacy and confidentiality set out in this Policy.
- Where an incident of Prohibited Conduct is alleged within the meaning of this Policy, the Trust may have to make a Serious Incident report to the UK Charity Commission. The Trust will comply with reporting obligations and requests from law enforcement bodies in the course of a response to any allegation of Prohibited Conduct under this Policy and note that a criminal or civil investigation may run concurrently with an internal investigation or disciplinary process.

#### Resolving Complaints

Complaints may be resolved through any of the following mechanisms:

- Informal resolution;
- Mediation – internal or external;
- Formal Investigation and determination of responsibility.

**The first two mechanisms are not applicable in the case of serious allegations with a high risk of harm, including but not limited to stalking; retaliation; or a second or subsequent allegation of Prohibited Conduct.**

#### Resolutions, Sanctions and Responses

Any recommendation for appropriate resolution, redress and/or sanction shall be proportionate to the seriousness of the Prohibited Conduct and may, without limitation, include:

- Public or private apology;
- A warning or official reprimand;
- Temporary suspension or permanent removal from their current volunteer position
- Review of other volunteer positions, or other associations with The Trust and the temporary suspension or permanent removal thereof
- **In respect of a person involved in the selection of Rhodes Scholars, or partners Fellows**, appropriate responses may include:
  - *Temporary suspension* from their duties during the current selection round whilst the allegations against them are investigated. Any such suspension should be regarded as a risk management measure and not a punitive step;
  - The in-Country Conduct Officer should present clear reasons for proposing a suspension, and agree this with the Warden before proceeding with the suspension. The subject should be informed in writing of the suspension;
  - If the allegations are proven, and dependent on their severity, the suspension may transition into a *permanent removal* from their position and disqualification from participation in future selection processes of any constituency.
- **In respect of a Trustee**, appropriate responses may include a recommendation that a discussion be held with the Trustee regarding their ongoing involvement and/or that removal proceedings be instituted by the Board of Trustees in line with the Trust's Governance Protocols and Section 5 of The Rhodes Trust Act (1946).

#### Appeals

- Either party may appeal the findings, resolutions, sanctions or responses by submitting a written appeal to the Chair of the Rhodes Trustees, who will appoint a committee of three Trustees to consider the appeal and respond within four weeks.
- The appeal may be considered either on procedural grounds or where there is the provision of crucial new information for which fairness would dictate consideration.
- The outcome of the appeal may be: overturn, uphold, or refer back for further consideration.
- The decision of the Trustee Committee is final.

#### Periodic Review

The Rhodes Trust shall review & update this Policy at least every two years. This review will capture legal requirements; evaluate the supports & resources available to involved parties; assess the promptness & fairness of the resolution process; and assess fairness of the sanction and remedies imposed. The Trust will solicit input from Trustees and Volunteers in reviewing the Policy and will seek the feedback of individuals who have engaged with this Policy as Complainants or Respondents.

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