



# HULL UNIVERSITY UNION DISCIPLINARY POLICY & PROCEDURES

This policy is in place to deal with any matters which arise from a student group or individual member which are considered to be in breach of the Members Code of Conduct and/or a constitution or individual policy or procedure of Hull University Union (HUU).


## 1. Interpretations

- a) HUU has a Complaints policy which can be found on its website. Complaints can be made verbally to a member of staff at HUU or through the website under the “Contact Us” button on the main page.
- b) If a complaint raised refers to an incident/s alleged to have happened in HUU premises, at a HUU official function or activity off campus run by HUU, a student group, or individual, it is likely to be referred to this policy and be dealt with as a disciplinary matter.
- c) Members for the purpose of this policy includes all forms of membership as set out in HUU’s Bye-laws.
- d) Student groups shall, for this policy, be used as an all-encompassing term for all sports clubs and societies that operate from HUU, which also includes standing committees.
- e) Incidents taking place on the licensed premises and witnessed by staff and/or CCTV will be led on by the Designated Premises Supervisor and Premises Licence Holder and will fall under the remit of this policy.
- f) A 'clear day' does not include a Saturday, Sunday, Bank Holiday or University Holiday.
- g) HUU may discuss matters which are subject to disciplinary investigation with the University of Hull Leadership Team/Misconduct Officer. Once completed, the evidence and outcome of a disciplinary may be passed on to the University and further action under the University policies could be taken.

## 2. Investigation process

Upon receipt of a complaint, in whatever format it is provided to HUU, of an activity, event or incident which calls into question the conduct of a student group or individual member an initial investigation will take place. This will normally happen within two clear days of receipt of the information. This will usually be led by a President and a Membership Services Manager or Designated Premises Supervisor/Premises Licence Holder who will meet to review the complaint and/or any accompanying evidence.

HUU may choose to suspend or exclude a student group or individual until an investigation and/or disciplinary meeting has taken place.



Following the review, HUU will take one or more of the following actions:

- i. Write out to the student group committee or individual with the evidence if this is deemed appropriate and ask for a response in writing. A deadline for responses will be imposed (usually 2 clear days or within the deadline set in the letter).
- ii. Write out to the student group committee or individual and request their attendance at an investigation meeting.
- iii. Contact the University Misconduct office to report the matter.
- iv. Seek legal advice.
- v. Contact the Police if it is deemed to be of a criminal nature.

If HUU is made aware of a planned event not yet taken place, immediate action will be taken. HUU will write out to the student group committee or individual member and follow this with a general email to all members. Dependent on the motive of the event, HUU may request that it is stopped/cancelled and for proof that it is not going ahead. This will be done by letter, which must be sent out to all members of the student group confirming that the planned event has been cancelled. The wording will differ and will be determined by the HUU member of staff dealing with the situation, this same staff member must be copied into the letter. If the Student group committee or individual refuses to cancel the event this will automatically go to a disciplinary, see section 3 below.


#### **i. Letter requesting a response/explanation**

Once this letter is sent, the student group committee or individual will have no less than 2 clear days to respond to the complaint/allegations set out in their letter, the deadline for responses will be clear in the letter.

Following receipt of the response/s regarding the complaint/allegations, it/they will be reviewed alongside any initial evidence and a decision will be taken by the initial investigation group on the next course of action. This could be:

- No further action, the student group committee or individual will be informed via a letter.
- A letter of caution/warning will be issued which will set out the immediate sanctions imposed upon the student group committee or individual in relation to the matter. This will include the timescales for implementation and who the student group committee or individual member is expected to work with at HUU.
- Letter requesting attendance at an investigation meeting, see ii. below.
- Disciplinary process, see section 3 below.

#### **ii. Letter requesting attendance at an investigation meeting**



This meeting will be a formal meeting and will be recorded by a member of HUU. A President and a Membership Services Manager, Designated Premises Supervisor or Premises Licence Holder will usually be in attendance. All those at the meeting will be detailed in the letter.

The student group committee or individual attending the meeting may wish to have some support from a third party. This can be a member of staff from the University, it cannot be a member of staff from HUU including from the Advice Centre. The Advice Centre can provide advice and support to any student group or individual member both before and after a process under this disciplinary policy.

The purpose of the meeting is to put the matter to the student group committee or individual and seek further information to assist in the ongoing investigation process. The Chair of the meeting will usually be a President.

Agenda for an investigation meeting:

- Opening statement
- Introductions
- Description and discussion of the complaint/allegation received by HUU
- Response to the complaint/allegation
- Questions and answers regarding the complaint/allegation
- Next steps explained
- Meeting closed

Following the investigation meeting, the student group or individual will be informed in writing of the next steps within 2 clear days.

### iii. Contact the Misconduct office of the University of Hull

All members of HUU are members of the University of Hull and vice versa. At any time and for any complaint/allegation received in whatever format, HUU may inform the Misconduct office. The University of Hull and HUU work in close partnership and may make each other aware of matters arising involving members in line with both organisations policies and procedures.

In some cases a meeting will be held between the two organisations and a decision taken on which organisation is the most appropriate to lead an investigation. If it is deemed that HUU will lead an investigation it may be that the conclusion of that investigation is shared with the University of Hull Misconduct office, who will determine if further action under the University policies is to be taken.

### iv. Seek Legal advice

At any time if a complaint or allegations are deemed to warrant further initial scrutiny, legal advice will be sought by HUU.



v. Contact the Police if it is deemed to be of a criminal nature

Where the complaint or allegations are thought by HUU to be of a criminal nature, we will not hesitate to inform the Police and report the matter.

### 3. Disciplinary process

A disciplinary will be called if it is deemed from the initial review of the complaint/allegations to be the next course of action or, if following the review and an initial investigation meeting, it is the next course of action.

A letter requesting the attendance of a student group committee or individual member of HUU will be sent out to all those expected to attend.

Notice of a disciplinary will be no less than 3 clear days.

Those expected to attend a disciplinary are outlined below;

- Up to two Presidents, one of whom will be the chair.
- Either a Membership Services Manager, Designated Premises Supervisor or Premises Licence Holder. A member of HUU Senior Management Team may be invited to attend by the Chair.
- If the matter raised is against a student group committee, all committee members will be expected to attend the disciplinary meeting.
- The student group committee or individual attending the meeting may wish to have some support from a third party. This can be a member of staff from the University, it cannot be a member of staff from HUU including from the Advice Centre. The Advice Centre can provide advice and support to any student group or individual member both before and after a process under this disciplinary policy.

The disciplinary agenda:

- Opening statement
- Introductions
- Description and discussion of the complaint/allegation received by the Union including sharing of evidence gathered during the investigation (evidence may be redacted to protect the identity of individuals).
- Response to the complaint/allegation including any additional evidence.
- Closing remarks (Chair and the committee or individual member)
- Adjournment
- Reconvene
- Outcome will be set out along with any sanctions to be imposed
- Next steps including the appeals process

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- Close

### The decision making process:

During the Adjournment period, the panel shall consider the events of the disciplinary including all evidence submitted. The panel will come to one of the following conclusions:

1. No further action
2. Sanctions will be imposed on the student group or individual member.

#### 1. No Further action:

The meeting will be reconvened and those present will be informed by the Chair that there is no further action and the matter has been dismissed. This will be followed up in a letter to the committee or individual member within 5 clear days of the meeting being held.

#### 2. Sanctions will be imposed on the student group or individual member:

HUU will ensure that all decisions on sanctions are fair, open and proportionate in any actions it takes. Sanctions will always be considered on a case by case basis and may vary.

The meeting will be reconvened and those present will be informed by the Chair the decision on the level of sanction to be imposed.

This will be followed up in a letter to the committee or individual member within 5 clear days of the meeting being held. The letter will state that there is a right of appeal.

#### 4. Disciplinary appeals

Should a student group or individual member of HUU who has received sanctions under this disciplinary policy wish to appeal against the decision, they must do so in writing addressed to the Chair of the disciplinary panel within 5 clear days of receiving the disciplinary outcome letter. Support in putting together an appeal cannot be offered by HUU due to conflict of interest. You can however seek advice and support from the University Central Hub.

All sanctions in place will not be enacted until the 5 day period within which the committee or individual member may appeal. If the committee or individual member appeals any sanctions imposed during the disciplinary process, the sanctions will be suspended until such time as the appeals process is completed and the final process under the provisions of this policy are complete.

A Disciplinary Appeals Panel shall be convened for hearing written and formal appeals against the decision of the disciplinary.



Those expected to attend the Disciplinary Appeals Panel are detailed below:

- The President of the Students Union or, in their absence, another member of the President team who was not involved in the prior investigation or disciplinary.
  - The Chief Executive or, in their absence, a member of the Senior Management Team.
  - The appeals panel may convene without the requirement of those subject to the sanctions being in attendance.
  - The appeals group shall hear the written grounds for appeal and assess the evidence that has been provided.
- a. The Chair of the meeting shall confirm the decision in writing within 5 clear days of the appeals panel meeting.

The outcomes of the appeal will be one of the following;

- 1) Uphold the decision of the disciplinary; this could include changing the sanctions imposed by the disciplinary. These can be reduced or in some cases may be increased.
  - 2) Reverse all or some of the decisions of the disciplinary and possibly remove some or all of the sanctions that were imposed due to new evidence being presented.
  - 3) Remove the sanctions due to this disciplinary policy not being followed correctly.
- b. If the student group or individual member is dissatisfied with the decision of the Disciplinary Appeals Panel, they may refer the matter to the University in accordance with the Code of Practice. The University will only consider the matter if it is a complaint about the above procedure not being followed correctly.

HUU reserves the right to review, revise, amend or replace the content of this policy without prior notice to reflect the changing needs of the organisation and to comply with new legislation.