

HULL UNIVERSITY STUDENTS' UNION DISCIPLINARY POLICY

This policy is in place to deal with any matters arising 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 Students' Union (HUSU).

1. Interpretations

- a) HUSU has a Complaints policy, which can be found on its website. Complaints can be made verbally to a member of staff at HUSU via email or our preferred option would be for complaints to be raised 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 HUSU premises, at a HUSU official function or activity off campus run by HUSU, 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 HUSU's Byelaws.
- d) Student groups shall, for this policy, be used as an all-encompassing term for all sports clubs and societies that operate from HUSU, 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 will fall under the remit of this policy.
- f) A 'clear day' does not include a Saturday, Sunday, Bank Holiday or University Holiday.
- g) HUSU 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.
- h) Contact the Misconduct office of the University of Hull:** All members of HUSU are members of the University of Hull and vice versa. For any complaints/allegations received in whatever format, HUSU will share the investigation form with the Misconduct office. The University of Hull and HUSU work in close partnership and 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 HUSU 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.

- i) **Legal advice:** At any time if a complaint or allegations are deemed to warrant further scrutiny, legal advice may be sought by HUSU.
- j) **Contact the Police;** where the complaint or allegations are thought by HUSU to be of a criminal nature, we will not hesitate to inform the Police and report the matter.

2. Cases for immediate action:

Licensed Premises:

HUSU may choose to suspend or exclude a student group or individual with immediate effect until an investigation has been completed. This suspension/exclusion would remain in place throughout the processes set out in this policy.

Drug use:

HUSU will take immediate action were a member is found to be in possession of or carrying with the intent to supply drugs at any activity or event of HUSU. (See our drugs policy for more detail) This immediate action will include a ban from our licenced premises and removal from any volunteer role the member has within HUSU.

3. Suspected problem Initiation event:

When HUSU is made aware of a planned event, which might be in breach of the HUSU Code of Conduct and has not yet taken place, immediate action will be taken.

- HUSU will email/telephone the student group or individual member and follow this with a general email to all members.
- HUSU will request that the event is stopped/cancelled and for the student group to provide proof to HUSU that the event is not going ahead. (This proof must be a letter/email, sent out to all members of the student group confirming that the planned event has been cancelled, a designated member of HUSU staff must approve and be copied into the letter.)

- If the Student group or individual refuses to cancel the planned event this will be treated as a breach of the HUSU Code of Conduct and this policy will be fully enacted.

4. Investigation process

Upon receipt of a complaint, in whatever format it is provided to HUSU, (of an activity, event or incident/s, which calls into question the conduct of a student group or individual member) an initial review will take place. A HUSU Investigation form will be completed and sent back to the individuals who are subject to the complaint. This will normally happen within five clear days of receipt of the information. HUSU may choose to suspend a student group or individual until the investigation and/or disciplinary meeting has taken place.

Investigation form

This form is sent to the student group or individual who will have no less than five clear days to respond to the complaint/allegations set out in the form.

Following receipt of the completed investigation form the complaint/allegations, will be reviewed alongside all evidence received. A decision will be taken on the next course of action which will be communicated to the individual. This could be:

- No further action, the student group committee or individual will be informed via a letter/email.
- A letter of caution/warning will be issued which will set out the immediate sanctions imposed upon the student group or individual in relation to the matter. This will include the timescales for implementation and who the student group or individual member is expected to work with at HUSU.
- A facilitated meeting between parties. (all parties must agree to this before it can proceed)
- Letter requesting attendance at an investigation meeting. This letter will include the option for a student group or individual to invite a third party to the panel meeting as a support.

Investigation meeting

This meeting is an opportunity to discuss the matter under investigation and review the information provided by both parties in the investigation form, and seek clarification on the evidence received.

This meeting will be attended by the lead investigating team member and a minute taker from HUSU and the individual subject to the complaint. If there is, more than one individual involved in a case an individual meeting will be set up for people involved to review their individual investigation form. Individuals attending their meeting will be informed prior to the meeting, that they can should they wish to have support from a third party.

Support from a third party:

The student group 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 HUSU 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.

Agenda; Investigation meeting:

- Introductions
- Review of the Investigation from completed by HUSU, the individual/Student group, and the evidence presented by all parties.
- 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 two clear days

Investigation meeting outcomes:

- No further action, the student group committee or individual will be informed via a letter/email.
- A letter of caution/warning will be issued which will set out the immediate sanctions imposed upon the student group or individual in relation to the matter. This will include the timescales for implementation and who the student group or individual member is expected to work with at HUSU.
- A facilitated meeting between parties. (all parties must agree to this before it can proceed)
- Letter requesting attendance at a Disciplinary panel meeting. This letter will include the option for a student group or individual to invite a third party to the panel meeting as a support.

5. Disciplinary panel process

A disciplinary panel will be arranged if it is deemed from an investigation meeting to be the next course of action.

A letter and information pack requesting the attendance of a student group or individual member of HUSU will be sent out to all those expected to attend. The information pack will include the investigation form and evidence report gathered as part of the investigation process.

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

Those expected to attend a disciplinary are outlined below;

- Up to two Presidents, one of whom will be the chair of the panel.
- Either a Membership Services Manager or Licence holder Premises Supervisor. (A member of HUSU Senior Management Team may be invited to attend by the Chair.)
- If the matter raised involves a whole committee of a student group, all committee members involved will all be expected to attend the disciplinary meeting.
- A Third party may attend at the invite of the student group or individual.

Support from a third party:

The student group 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 HUSU 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.

Disciplinary panel agenda:

- Introductions
- Review of the investigation and evidence presented
- Response to the allegation/s including any additional evidence offered by the student group or individual.
- 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

- Close

The decision making process at a Disciplinary panel:

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

- a. No further action
- b. Sanctions will be imposed on the student group or individual member.

a. 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 individuals subject to the allegations within five clear days of the meeting being held.

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

HUSU will ensure that all decisions on sanctions are fair, and proportionate. Sanctions will always be considered on a case by case basis and may vary, there may be one or more sanctions imposed from the list below:

1. To make an apology in writing as specified by the disciplinary panel
2. To pay for any damage caused, including labour charges for repair or damage.
3. Community and/or volunteer work on or around campus.
4. Requirement to attend a learning and development opportunity determined by the panel in direct relation to the focus of the individual Disciplinary matter.
5. Ban from all student union licenced premises either for a set period during an academic year or for a minimum of a full academic year with a review.

6. Removal of membership from HUSU for a specified period of time.
7. Removal of office (temporarily or permanently) if a member of Union Council or Committee member/volunteer for a student group.
8. Removal of the right to run in any Union elections (full time posts and part-time posts) or for any volunteer positions for a specified period.
9. Individual or club withdrawal from any nominations for awards within HUSU. Including but not limited to HUSU Awards, Trophy pres, Society Awards and other similar ceremonies.
10. Suspension of membership of a student group for a specified period.
11. Suspension of participation in a student group for a specified period.
12. Suspension of activity for a student group or an individual for a specified period.
13. Suspension of coaching/teaching for an individual for a specified period.
14. Suspension of entering and attending competition for a student group or individual for a specified period.

The meeting will be reconvened and the Chair the decision on the level of sanction/s to be imposed will inform those present.

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

Failure to adhere to imposed sanctions:

If a student group or individual fails to adhere to any or all of the sanctions imposed by the Students Union under this Disciplinary policy. The Students Union will reconvene the original Disciplinary panel and agree a course of action, which is proportionate to the situation. In this circumstance, additional sanctions could be imposed without further discussion with the student group or individual involved.

6. Disciplinary appeals process;

A student group or individual member of HUSU who has received sanctions under this disciplinary policy has a right to appeal against the decision. This must be done in writing to the Chair of the disciplinary panel within five clear days of receiving the disciplinary outcome letter. Support in putting together an appeal cannot be offered by HUSU due

to conflict of interest. You can however seek advice and support from the University Central Hub.

Sanction status during the appeal period:

Any immediate sanctions imposed at the outset of the disciplinary process e.g. temporary suspension from a student group or activity. Will remain in place until the outcome of the appeals hearing.

No sanctions imposed during a disciplinary hearing will be enacted until the five-day period within which the Student group or individual member may appeal.

Following the appeal hearing, any sanctions imposed will take effect immediately.

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

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 panel.
- The Chief Executive or, in their absence, a member of the Senior Management Team not previously involved in the prior investigation or disciplinary panel.
- If the matter raised involves a whole committee of a student group, all committee members involved are able to attend the Disciplinary appeals hearing however it may be that committee members do not wish to attend, they must inform the chair in writing and in this case the appeals hearing will go ahead with just the panel.
- If an individual who has raised the appeal does not wish to attend the hearing, they must inform the chair in writing and in this case, the meeting will go ahead with just the panel.
- A Third party may attend at the invite of the student group or individual if they are actually attending themselves. If the student group or individual have informed the chair in writing that they are not attending the appeal hearing then a third party may not attend on their behalf.

Disciplinary appeals panel agenda:

- Introductions
- The appeals group shall hear the written grounds for appeal and assess the evidence that has been provided.
- Closing remarks (Chair and the student group or individual member)

Student group or individual member if present will be asked to leave at this point in the appeals panel hearing.

- Panel agree the outcome of the appeals panel.

The Chair of the meeting shall confirm the decision in writing within five 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.

The decision of the appeals panel is final and there is no further right of appeal.

All records relating to the Disciplinary Policy shall be processed and stored in accordance with HUSU's Data Protection Policy.

HUSU 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.