**Harper Adams Students’ Union**

**Code of Conduct (relating to all members, clubs, groups, societies and Officer Trustees of the Union)**

Overview

Harper Adams Students’ Union aims to foster a community that has an atmosphere of trust, harmony and respect. The Students’ Union’s has a duty to ensure that it provides a safe environment to its members on our premises and at events and activities facilitated by us, both on and off campus. This document sets out the standards to which we expect individual members and our affiliated student groups to abide

Students registered with the Harper Adams University should note that they are also subject to the University's Disciplinary Proceduresand the Union reserves the right to refer students to this process where it feels necessary and appropriate.

If you have any difficulty in understanding or interpreting this Code of Conduct, please contact the Union Director

Key Terms

|  |  |
| --- | --- |
| General Meeting  | A meeting open to all members of the Union.  |
| Members (of the Union)  | All Harper Adams students automatically become full members of the Union (for free) when they join the University unless they choose to opt-out of membership. The Union also reserves the right to allocate associate membership and/or honorary membership.  |
| Trustee  | A person on the Union’s Board of Trustees who is responsible for ensuring good governance of the Union.  |
| Officer Trustee  | One of the elected Full Time Officers of the Union – they are also Trustees of the Union (also see Trustee definition).   |
| Lay Trustee     | A person who is independent from the Union who is appointed to the Union’s Board of Trustees as they have expertise in a particular field e.g. finance or HR (also see Trustee definition).  |
| Student Trustee  | A student of Harper Adams who has been elected onto the trustee Board but is not one of the Officer Trustees.  |
| Vote of No Confidence  | A vote on whether a person in a position of responsibility (e.g. Officer Trustee, Committee Member, Course Rep) is no longer deemed fit to hold that position, perhaps because they are deemed to be failing to carry out the role effectively, or are making decisions that others feel are detrimental.  |
| Balance of probabilities  | Saying something is proven on a balance of probabilities means that it is more likely to have occurred than not to have occurred. It is a benchmark that is used in civil law and means that something does not have to be ‘proven beyond reasonable doubt’ as in criminal law. Disciplinary, Complaints and Appeals panels will examine all evidence put in front of them and make decisions on this basis.  |
| Vexatious Complaint  | A vexatious complaint is one that is pursued, regardless of its merits, solely to harass, annoy or cause harm to somebody; something that is unreasonable, without foundation, frivolous, repetitive, burdensome, or unwarranted.  |

**Statement**

1. In line with Union’s Constitution (11.2c) this Code of Conduct applies to the following categories of membership of the Union who will in this document be referred to as ‘Members’:
* Full Members of the Union including Officer Trustees;
* Associate Members of the Union;
* Students who have opted out of Union membership but who are taking part in Union activities as permitted
1. This Code applies equally to individuals and groups of students. This includes but is not limited to volunteers, Representatives (including Course Reps), members of Societies, Sports Clubs, Student Led Services, and Student Networks of the Union
2. The Union will treat all disciplinary action with confidentiality and has an expectation that all parties involved will ensure that confidentiality will be kept throughout any investigatory or disciplinary process, including the content of meetings.
3. No disciplinary action will be taken against a Member until an investigation has been carried out.
4. The Code of Conduct aims to:
5. Ensure the Union follows agreed procedures that are transparent, timely, fair and sensible, when dealing with conduct or disciplinary matters involving Members;
6. Manage risk and support the engagement and welfare of students,
7. Ensure that any outcomes of a disciplinary process include positive support for students based on fair and unbiased decision making.
8. Ensure that students accept responsibility for actions that have had a negative effect on others.
9. Harper Adams Students’ Union and its Board of Trustees have an ongoing responsibility around the safety and wellbeing of all Union Members. The Trustee Board shall annually appoint a Deputy Chair (who shall be a Lay Trustee) to supervise the formal complaints and disciplinary procedures set out below.
10. This Code does not apply to Union employees, who have their own disciplinary procedures, apart from Officer Trustees and student staff who are covered by both procedures.
11. Officer Trustees will be covered subject to the same principles as other members. Due to their special status specific guidance can be found in Points 70 to 72 of this document

**Membership Code of Conduct**

1. Alongside the rules outlined below, Members are expected to conduct themselves according to the rules laid out in the following Students’ Union and University documents:
2. the Union’s Constitution and Bye Laws;
3. the terms of entry for the bar/nightclub and licence the union/university is bound to in order to serve alcohol;
4. the [University’s Student Disciplinary Procedures](https://www2.worc.ac.uk/registryservices/documents/StudentDisciplinaryProcedures.pdf).
5. The Union and University’s joint “Respect Policy.”
6. Breaches of any of the rules in this Code or the documents above will be considered to be misconduct and could lead to Members being subject to the Union’s Disciplinary Procedures as outlined below.
7. Disciplinary action may be taken in respect of any breach of discipline:

a) On the Union’s premises;

b) While the Member is using the Union facilities or at a Union event;

c) While a Member is representing or acting on behalf of the Union at any event of whatever kind and wherever held

d) In relation to actions or incidents between two or more representatives of the Union in any or none of the settings above, or in relation to actions or incidents between the Union’s representatives and other members, staff or stakeholders.

e) Any of the above where an interaction or incident is on social media.

Where a complaint is made about an activity organised by a Society, Sports Club, Student Led Service or Student Network, including socials, campaigning activity, and activity that can be classed as organised by the Union or any union group or in that group’s name, a group of members may be subject to disciplinary action and penalties.

**Misconduct**

1. The following, but not exhaustive, list of actions shall constitute misconduct:
2. Violent, indecent, disorderly, threatening, abusive or offensive behaviour to any student, employee of Worcester University Students’ Union or the University or any visitor to the Union or any member of the public;
3. Abusive, threatening or offensive language (verbal or written, including via social media) to any student, employee of the Students’ Union or the University or any visitor to the University or any member of public. This includes any behaviour which may be interpreted as bullying and the submission of vexatious complaints;
4. Action likely to cause injury or impair safety on Union or University premises or at events or activities organised by, or on behalf of the Union;
5. Any discrimination, bullying or harassment of any group or individual on the grounds of gender, race, disability, age, marital status, pregnancy, religion or belief or sexual orientation.
6. Any behaviour, verbal or physical, which may be interpreted as sexual harassment;
7. Taking or supplying illegal drugs;
8. Consuming alcohol not purchased from the Union whilst on Union managed property or at a Union organised event;
9. Damage to, misuse, or defacement of, Union or University property or in the local community caused intentionally or recklessly;
10. Failure to comply with the Union’s financial procedures and regulations and with any decision on the use of Union funds made by a properly constituted body of the Union;
11. Failure to comply with the Union’s Elections Rules as available on the Union website during election periods;
12. Failure to comply with the Union’s meetings rules as outlined in the unions by-laws;
13. Behaviour which could bring the Union into disrepute;
14. Failure to report, within 7 days, any criminal conviction or any driving licence penalties, for any member that is responsible for driving any vehicle for and on the Union’s behalf;
15. Failure to abide by Union and University policies and procedures.

**Code of Conduct for Societies, Sports Clubs, Student Led Services and Student Networks**

1. In addition to the standards of behaviour expected of all members, members of Societies, Sports Clubs, Student-Led Services and Student Networks must:
2. During social events, be aware of behaviour and the impact on others, particularly members of the local community;
3. Not use any form of peer pressure;
4. Not carry out, take part in or promote ‘initiation’ ceremonies of any kind;
5. Not be unduly intoxicated during any event or activity where such behaviour could be deemed unacceptable or detrimental to the Union or University;
6. Follow all financial and insurance processes as laid out by the union
7. To submit a asset list and monitor all club assets on behalf of the union and to report any anomalies as soon as they become apparent.
8. Abide by the health and safety regulations laid out in the H&S policy statement.
9. Report any concerns for the health and safety or welfare of its members to the appropriate member of Union staff as soon as possible;
10. Abide by any restrictions on the consumption of alcohol during travel to activities using external travel companies;
11. Abide by the Union’s data protection guidelines and report any breaches immediately;
12. When competing in internal and external competitions in which you represent the Union and the University, do so in a sporting manner, regardless of the nature of the competition. This includes those spectating.
13. Where relevant, operate within the rules of the sport/activity including national guidelines which govern that sport/activity.
14. Further guidance on welcome and social events is available from the Students’ Union

**Disciplinary Procedure for Members (excluding Officer Trustees)**

1. This part of the procedure relates to Members, Associate Members, Honorary Life Members, Volunteers, Representatives (including Course and School Reps), Societies, Sports Clubs, Student Led Services and Student Networks of the Union.
2. This procedure will be followed either as a result of an upheld formal complaint or as a result of misconduct identified by Union Staff in agreement with the Chief Executive (CE) of the Union and the Lead Trustee. Informal complaints should be dealt with via the Complaints Procedure, which is outlined in Points 76-95 of this document.
3. The Union can suspend a Member from using the Union’s premises, services or facilities while investigations are being carried out.
4. The Union can suspend the activities of a Society, Sports Club, Student Led Service or Student Network while investigations are being carried out.
5. Reports of alleged misconduct by a member should normally be brought to the attention of one of the Officer Trustees but may also be reported to any staff member of the Union. If the matter cannot be resolved informally, they will, in liaison with the Chief Executive (CE), institute a formal investigation into the matter, to be conducted by an impartial and appropriately qualified senior staff member.
6. If, following investigation, it appears further investigations are required, a Disciplinary Panel shall be convened. The Union reserves the right to refer the matter to the University’s Student Disciplinary Procedures. It should also be noted that following the conclusion of the University’s processes they may make recommendations to the Union to apply sanctions to or remove privileges from an individual.

**The Disciplinary Process**

1. Once an incident of misconduct has been reported, the SU Director will review the case and consider whether or not there are grounds for an investigation. If the decision taken that there are no grounds to investigate the matter the complainant will be informed in writing within five working days.
2. If the case is deemed to be warranted the allegation will be communicated with relevant parties. They will be fully informed of the details of the allegation, the process that will be followed, their rights during the investigation and any sanctions placed during the investigation phase.
3. Any member subject to The SU’s Disciplinary Procedure shall have the right to present any statement/evidence they have to give their side. If during the process it is appropriate to call a meeting, the member will be informed of their rights to be accompanied by a person for pastoral support. You are not entitled to be accompanied by a solicitor or barrister acting in a professional capacity, or a remunerated member of the SU.
4. In each case, the student will be advised that failure to respond to the allegation will lead to the investigation continuing on the basis of evidence available and may lead to disciplinary sanction being imposed without their input.
5. The Union Director and the President of The SU will carry out an initial consideration and may appoint a nominee to investigate further on their behalf. The Investigating Officer(s) will view all statements and evidence provided to them by relevant parties, and interview relevant witness where appropriate. They will produce a report and recommend any sanctions they believe should be imposed as a result of their findings.
6. Investigating Officer may recommend the following courses of action:

|  |  |
| --- | --- |
| Outcome  | Timescale  |
| No action to be taken.  | n/a  |
| Student required to issue an apology.  | Within 1 week  |
| Formal Verbal Warning.  | Valid for 3 months  |
| Formal Written Warning.  | Valid for 6 months  |
| Pay compensation for damage and/or cost.  | Case by case decision  |
| Exclusion from any Union venues, services (including membership of Societies, Sports Clubs, Student Led Services and Student Networks), facilities or affiliated nights.  | Set time period or indefinitely depending on severity of offence.  |
| Temporary suspension of Union Membership.  | Set time period depending on severity of offence  |
| Permanent expulsion from the Union as laid out in Clause 8.4 of the Union Constitution.  |  Indefinitely  |
| Permanently excluded or temporarily suspended of role e.g. Course or School Representative, Committee position for a Society, Sports Clubs, Student Led Service or Student Network.  | Set time period or indefinitely depending on severity of offence  |
| Excluded from holding representative or committee roles in the future.  | Set time period or indefinitely depending on severity of offence  |
| Recommendation for referral to the University’s Disciplinary Procedures.  | Immediate referral  |

1. In addition, the panel may take the following courses of action towards Societies, Sports Clubs, Student Led Services and Student Networks:

|  |  |
| --- | --- |
| Outcome  | Timescale  |
| Require the Committee as a whole to issue an apology.  | Within 1 week  |
| Give the Committee and/or entire student group a Formal Warning.  | Valid for 6 months  |
| Require the Committee to pay compensation for damage/or cost from the groups funds | Case by case decision  |
| Suspend the Society, Sports Club.  | Set time period depending on severity of offence  |
| In the case of Full Members submit a resolution to Trustee Board for Permanent expulsion from the Union. | Indefinitely  |
| In the case of Associate and Honorary Members submit a recommendation to the Trustee Board to have their membership revoked.  | Indefinitely  |
| Permanently excluded or temporarily suspended of role e.g. Course or School Representative, Committee position for a Society, Sports Clubs, Student Led Service or Student Network.  | Set time period or indefinitely depending on severity of offence  |
| Recommendation for referral to the University’s Disciplinary Procedures.  | Immediate referral  |

1. The panel will make their judgement on the balance of probabilities.
2. The panel shall notify the member of their decision and the course of action within 5 working days, in writing.
3. The panel will inform the member if they deem it necessary to inform any member of Union or University staff about the outcome/s of the disciplinary matter and the reasons for them being told.

**Appeals**

1. Appeals against the decision of the panel may be made to the SU President who will arrange for the appeal to be looked at by the Deputy Chair of the Board of Trustees (or their nominee) and must be made in writing within 5 working days of the member receiving notification of the decision.
2. The only grounds for appeal are that;
* the panel has not followed the correct procedure and / or
* new evidence has come to light that, for good reason, could not be presented to the panel at the time.
1. Any written material intended to be used as new evidence and the names of any friends accompanying the student should be submitted to the secretary at least 3 working days before the meeting.
2. Outcomes of the review can be one of the following:

|  |
| --- |
| Outcome  |
| Confirm the original decision.  |
| Annul (cancel) the original decision.  |
| Amend the original decision which may include a reduction or escalation of the original penalty.  |

1. The judgement will again be made on the balance of probabilities.
2. The decision of Trustee Board shall be final.
3. The Trustee Board will inform the member if they deem it necessary to inform any member of Union or University staff about the outcome/s of the disciplinary matter and the reasons for them being told.

 **Votes of No Confidence (excluding Officer Trustees)**

1. This section of the procedures apply to members of Student Council and its sub- committees (excluding Officer Trustees), Course Reps, PGR School Reps and, in line with Bye Law 6 Points 43-45, committee members of Union-affiliated Societies, Sports Clubs and Student Networks.
2. The process for removing appointed committee members for Student Led Services can be found in Bye Law 6 Points 52-55.

**Votes of No Confidence for members of Student Council or its Sub-Committees**

1. Members of Student Council or one of its sub-committees, may decide to move to a vote of no confidence where they decide a member (excluding Officer Trustees) has committed a serious misconduct or breach of their duties including, but not limited, to violent behaviour, theft, harassment and bullying or has continued to not perform their role and failed to attend (or, where relevant, send a nominee) three consecutive meetings.
2. A Union Staff member will contact any member who has not attended for two consecutive meetings without a sufficient excuse to warn them that a vote of no confidence could result if they don’t attend (or where relevant send a nominee to) a third meeting
3. A vote of no confidence may only pass if there is a two-thirds majority vote in favour.
4. If a vote of no confidence is passed by Student Council, the member of the Council will be removed from their post on the day the vote is passed.
5. If a vote of no confidence is passed by a sub-committee of Student Council this will be considered advisory and will be referred to Student Council to confirm the vote of no confidence. If Student Council confirms the vote of no confidence, the member will be removed from the sub-committee they are a member of.
6. Any removed member of Student Council or one of its sub-committees will be entitled to appeal in writing to the Executive Committee. The Executive Committee’s decision is final.
7. For roles such as Network chairs removal from Student Council may not mean automatic removal from their position on the Network Committee. However, the Union reserves the right to refer these students to the Union’s disciplinary procedure.

**Votes of No Confidence for committee members of Societies, Sports Clubs and Student Networks**

1. Society, Sports Club and Student Network members may remove any member of their committee by submitting a secure petition to the Executive Committee signed by at least 50% + 1 of their membership.
2. A Vote of no confidence shall be deemed as a last resort and any member wishing to implement a vote of no confidence should exhaust all other avenues prior to starting proceedings.
3. The Executive Committee may reject any petition for a Vote of no confidence if they feel that all other avenues, such as informal mediation, have not been used first.
4. The vote may be held at a members’ meeting of the Society, Sports Club or Network or via an online vote, no later than 15 working days from the date the petition is considered by the Executive Committee. An Officer Trustee or member of Union staff will attend any meeting to oversee the vote and ensure it is fair.
5. A vote of no confidence will pass if there is a simple majority vote in favour of members present. A minimum of 20% of the membership must attend for the vote to be valid.
6. If a vote of no confidence is passed by the members, the Committee member will be removed from their post on the day the vote is passed.
7. Any removed member of a committee will be entitled to appeal in writing to the Executive Committee. The Executive Committee’s decision is final.

**Votes of No Confidence for Course Representatives and PGR School Reps**

1. Students on any course, at any level of study may remove a Course Rep or PGR School Rep by submitting a secure petition to the Executive Committee signed by at least 50% + 1 of the students they represent (e.g. the students on the same level and course as the rep).
2. A Vote of no confidence shall be deemed as a last resort and any student wishing to implement a vote of no confidence should exhaust all other avenues prior to starting proceedings.
3. The Executive Committee may reject any petition for a Vote of no confidence if they feel that all other avenues, such as informal mediation, have not been used first.
4. The vote may be held at a course (or school or PGR) meeting or via an online vote, no later than 15 working days from the date the petition is considered by the Executive Committee. A Officer Trustee or member of Union staff will attend any meeting to oversee the vote and ensure it is fair.
5. A vote of no confidence will pass if there is a simple majority vote in favour of students present. A minimum of 20% of the cohort the rep represents must attend for the vote to be valid.
6. If a vote of no confidence is passed by the members, the Committee member will be removed from their post on the day the vote is passed.
7. Any removed Course Rep or PGR School Rep will be entitled to appeal in writing to the Executive Committee. The Executive Committee’s decision is final.

**Disciplinary Procedures specifically related to Full-time Officer Trustees**

1. With regards to Officer Trustees, whilst their ‘political’ performance as an elected student representative remains accountable to Student Council and the wider student membership through a General Meeting, in recognition of their unique position within the organisation as employees as well as Trustees, they are also
2. subject to the Students’ Union’s Disciplinary Procedures Relating to Officers, as detailed in the Employee Handbook. This concerns any performance-related issues or complaints regarding their conduct in their capacity as an employee of the Union. The outcome of invoking this process may result in disciplinary action and, in cases of serious or gross misconduct, a termination of their employment with the Union.
3. A Full Time Officer Trustee who has their employment terminated with the Union will, thereby, be rendered unable to fulfil the post and responsibilities of Officer Trustee and will, therefore, be removed from office

**Votes of No Confidence**

1. A vote of no confidence in an Officer Trustee may be called for by a simple majority of members voting in a referendum, provided at least 5% of members have voted in the referendum, as defined in Clause 50.1 of the Union Constitution.
2. In line with Clause 50.2 of the Union Constitution, a vote of no confidence in an Officer Trustee may also be brought by a petition of the membership. The petition must be signed by at least 5% of the membership. The petition will be taken to a General Meeting of the membership and to take effect would need to pass by 66% of those members present.
3. The removal of an Officer Trustee shall only take effect once the Union has carried out any steps it is required to take under the Officer Trustee’s contract of employment and/or the applicable disciplinary procedure and otherwise in accordance with good employment practice. While such steps are being taken, the Officer Trustee may be suspended from their duties. Where an Officer Trustee is removed as a Trustee, their employment with the Union and their status as a Member of the Union shall also terminate (save that they may become a Member again, if they become a Student).