

**Members Disciplinary Policy**

1. **Purpose**
	1. This policy intertwines with the University [Student Conduct and Discipline Policy](https://cdn.harper-adams.ac.uk/document/ki/key-info-page/Student-Conduct-and-Discipline-Policy.pdf), and will mean that all cases are investigated by Harper Adams University first.
	2. This policy sets out the procedures to be followed when the conduct of SU members deviates from that which is expected, and which is therefore deemed to be unacceptable.
2. **Overview**
	1. HASU supports the statement from the University Student Conduct and Discipline Policy. “Together we aim to create an environment in which all members feel safe and comfortable without fear or intimidation. As a member of the University, you are expected to conduct yourself in manner that is responsible and respectful of others in accordance with our Respect Policy and other related University policies, including the University Community Charter.”
	2. This policy applies to all registered students as outlined in the University [Student Conduct and Discipline Policy](https://cdn.harper-adams.ac.uk/document/ki/key-info-page/Student-Conduct-and-Discipline-Policy.pdf)
3. **Process**
	1. All disciplinary cases will be investigated by the University initially
	2. The Union may suspend or ban any clubs or societies and/or individuals pending investigation. This decision will be made jointly by the Union Director (or nominee) and the President.
	3. The terms of the suspension can be determined by the Union Director or nominee and the President but could include entry to SU facilities including the Welly, Barn or watching HAU/HASU sport team fixtures, club or society activity. This list is not exhaustive.
	4. The Union at this stage may also make aware any relevant National Governing Body or organisation of the incident and any suspension.
	5. If after the investigation the University believes that a HASU club or society and/or individual requires further sanctions, then the case information will be handed over to HASU
	6. The Union Director along with the President or Vice President (Disciplinary Officers) will have responsibility for reading through the case notes and deciding whether further sanctions are required.
	7. The club or society and/or individual will be informed that the case is being reviewed and a response will be given within 10 working days
	8. In cases which may require a more in-depth investigation, the Union Director must inform the club or society and/or individual before the initial 10-day deadline and provide a reasonable timeline where possible.
	9. The club or society and/or individual will be given the opportunity to submit a written statement or attend a hearing in response to the allegations.
		1. The club or society and/or individual is entitled to be accompanied by a friend or representative. Clubs or societies and/or individual are not entitled to legal representation at any point within the process.
	10. The club or society and/or individual will be advised that failure to respond to the allegation will lead to the process continuing on the basis of evidence available and may lead to disciplinary sanction being imposed without their input.
	11. The Disciplinary Officers shall conduct their review and come to a conclusion based upon the balance of probability.
	12. The Disciplinary Officers may invite the club or society and/or individual to provide further evidence or attend a meeting to present their case
	13. If the Disciplinary Officers decide no sanctions are required, then the process will end.
	14. If further sanctions are required, the Disciplinary Officers will decide on the outcome based on the table in section 4.
4. **Investigation Outcomes**
	1. Upon concluding their review, The Disciplinary Officers may dictate one or more of the following outcomes:

|  |  |
| --- | --- |
| **Outcome** | **Timescale** |
| Require the Committee as a whole and/or individual to issue an apology.  | Within 1 week  |
| Give the Committee and/or entire student group and/or individual a Formal Warning.  | Valid for 6 months  |
| Require the Committee and/or individual to pay compensation for damage/or cost from the groups funds | Case by case decision  |
| Suspend the Society, Sports Club and/or individual. | 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  |
| Permanently excluded or temporarily suspended of role and/or individual  | Set time period or indefinitely depending on severity of offence  |

1. **Appeals**
	1. Appeals against the decision of the Disciplinary Officers may be made to the SU President. The SU President will arrange for the Deputy Chair of the Board of Trustees (or their nominee) to hear the appeal and must be made in writing within 5 working days of the club or society and/or individual receiving notification of the decision.
	2. The only grounds for appeal are that;
		1. The panel has not followed the correct procedure and / or
		2. New evidence has come to light that, for good reason, could not be presented to the panel at the time.
	3. Outcomes of the review can be one of the following:
		1. Uphold the original decision
		2. Annul the original decision
		3. Partially uphold or amend the original decision
	4. The outcome of the appeal must be communicated to the Member within 10 working days.
	5. The appeal decision is final.
2. **Key Terms**

|  |  |
| --- | --- |
| 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.  |
| Deputy Chair of Trustee/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).  |