

University of East Anglia Students' Union Code of Conduct

University of East Anglia Students' Union (UEASU) is an equitable and inclusive organisation. This means that we expect our students (members), groups, affiliated groups, and visitors, to act within this code of conduct when engaging with each other, with the Union, and when representing the Union.

This code of conduct applies to all members and visitors. It covers activity which:

- Happens on UEA SU premises
- Takes place while using UEA SU facilities or attending a UEA SU event
- Is supported by UEA SU either financially, with branding, with the use of facilities, or when carried out in UEA SU's name
- Is carried out when representing UEA SU online or in person
- Directly impacts the use and enjoyment of UEA SU resources, spaces, or facilities.

Activity can be carried out in person or online and may include written communications, verbal communications, or physical acts.

The code of conduct does not cover activity which constitutes a criminal offence. If this comes to our attention it will be reported to the police and the University of East Anglia (The University). The code of conduct also does not cover low-level disagreements which are part and parcel of being part of a university community.

The Union also retains the right to refuse admission and to exclude members from the premises in pursuit of the conditions of the license and further raise any complaints under the disciplinary process.

Expected Behaviours

We expect our members to work individually and collectively to create an equitable and inclusive environment when at the Union, representing the Union, using the Union facilities, or engaging with other members of UEA SU.

Members should act in a way that creates an equitable and inclusive environment at the Union. This means that we expect members to:

- Act in a way that is in line with UEA SU's Articles, Byelaws, and policies.
- Engage with each other in a way that promotes mutual respect and enjoyment within UEA SU.

- Refrain from acting in a way which creates an environment which is not inclusive or equitable.
- Recognise that UEA SU is a diverse community and work to support the success of each other.

Behaviour we will not tolerate

Being an inclusive and equitable Union means members should not:

- Bully, harass, or discriminate against others
- Behave in a way which is anti-social, puts other members in danger, or runs contrary to UEA SU's health and safety policies
- Damage any Union property either by act or omission
- Share confidential information acquired when acting with, for, or on behalf of the Union
- Breach equality of opportunity policies
- Discriminate against students based on their protected characteristics
- Carry out initiations, hazing, or comparable activity to other students
- Incur unauthorised expenses on behalf of the Union

The Union will apply sanctions where there has been misconduct. The below are illustrative examples of misconduct where a sanction may be applied.

Misconduct

Misconduct can include but is not limited to:

- Activity which contravenes UEA's Equality, Diversity and Inclusion Policy.
- A breach of UEA SU policies and procedures
- Creating an intimidating or hostile environment for others including through use of social media
- Acting without due regard for the health, safety and wellbeing of others
- Breach of confidentiality
- Inappropriate engagement with staff
- Theft, fraud and deliberate falsification of records
- Physical violence or threats
- Deliberate damage to organisational or personal property
- Serious incapability whilst representing UEA SU brought about through alcohol or illegal drugs
- Misuse of organisation's property or name
- Bringing the organisation into serious disrepute
- Serious infringement of health and safety rules
- Bullying or harassment based on a students' protected characteristic
- Sexual misconduct
- Any action that constitutes a criminal offence

Reporting a breach of the code of conduct

A breach of the code of conduct may occur if it:

- Happens on UEA SU premises
- Takes place while using UEA SU facilities or attending a UEA SU event
- Is supported by UEA SU either financially, with branding, with the use of facilities, or when carried out in UEA SU's name
- Is committed when representing UEA SU online or in person
- Impacts the enjoyment of UEA SU resources, spaces, activities, events, or facilities, for others
- Compromises the safety of UEA SU members

An individual or group can make a report through an online form which can be [found here](#) where an investigating officer will be assigned. Information should include the nature of the breach.

All matters relating to the disciplinary process should be kept confidential. A breach of confidentiality may be a breach of the code of conduct.

Disciplinary process

The disciplinary process is overseen by the senior investigating officer. They are a member of UEA SU senior staff appointed by the Trustee Board.

Informal resolution

In the first instance an informal resolution will usually be sought. This will involve bringing together the reporter (the person making a complaint) and responder (the person being complained about) together to reach an informal resolution. This may be carried out by a mediated conversation. An action plan will usually be produced following an informal resolution.

An informal resolution will not usually be sought where:

- The conduct is sufficiently serious as to warrant an immediate investigation as decided by the senior investigating officer
- An informal resolution has previously been attempted without success
- Attempting to resolve the complaint informally would cause undue anxiety, stress, or harm, toward members or visitors

Investigation

At the start of the investigation, the reporter(s) and responder(s) will receive a letter of formal notification outlining the nature of the complaint being investigated and the name and contact details of the person dealing with the investigation.

The responder(s) is encouraged to submit a written statement in response to the allegations. The deadline for doing so will **usually** be five working days after the date of formal notification of the investigation. This may be extended if the investigator is not able to supply full details of allegations until an investigation interview. The statement should attach copies of any other documents on which the responder wishes to rely on.

The investigator may decide to conduct interviews with the reporter(s), witnesses, or responder(s) as appropriate. Interviews may include robust exploration of the allegations involved in the case. Anyone taking part will be informed of their right to bring a friend to support (but not take part in) the interview. Minutes of the meeting will be recorded.

A report will usually be provided to the senior investigating officer within fourteen working days of the outcomes of the investigation. Timelines may be changed depending on the demand on Union services.

The senior investigating officer will then decide whether to refer the case to a review panel. If the senior investigating officer has a conflict of interest this will be carried out by another member of the Union's Senior Leadership Team (SLT). In the instance all members of SLT have a conflict of interest the decision will be delegated to the next most senior appropriate staff member who does not have a conflict of interest.

Summary Judgement

The investigator may make a recommendation to the senior investigating officer on where an immediate penalty may be appropriate. This will be in instances where conduct is deemed to meet the threshold for a breach of the code of conduct but is not so serious as to incur a significant penalty.

Penalties may include:

- Issuing an apology
- A ban from Union premises no more than two weeks
- A ban from Union activity of no more than two weeks
- Return or repair of Union property
- Removing material from a public platform

The recommendation will be made to the senior investigating officer who will communicate to the responder. The responder is entitled to make an appeal.

Review panel

A review panel may be convened following the investigation into the alleged breach of the code of conduct.

The responder will be given reasonable notice of the panel. The panel may be rescheduled where there are unavoidable diary conflicts.

A panel will be convened which will consist of a member of the Union's Senior Leadership Team, a head of Union service or equivalent, and a trained staff member. All panel members must not have been previously involved in the case. The panel will be supported by the investigating officer. The panel will usually be chaired by the member of the Union's Senior Leadership Team.

All evidentiary documents will be provided to panel members in advance of any disciplinary panel. This will include any evidence or recommendations gathered by the investigating officers. Involved parties will be provided with timelines for any further evidence submission prior to the panel.

The panel **may** choose to hear evidence and ask questions to related parties if further information is required. Appropriate notice will be given to related parties.

The panel will then consider whether there has been a breach of the code of the code of conduct. The appropriate sanction will then be applied.

Sanctions

The panel, wholly at their discretion, may apply one or more of the following sanctions:

- No Action- The case is not upheld
- Informal action- This is where an issue has been found but it is not serious enough to warrant further formal action
- Written apology- There is evidence of misconduct, but there is no ongoing harm, and the misconduct was not serious enough to justify further action
- Removal of material- A student is requested to remove material from a public platform
- Suspension from societies/Union events- There is a likelihood that ongoing engagement with societies and events will cause a further breach or presence at societies or events would be contrary to creating an equitable and inclusive environment at UEA SU. A suspension may be temporary or permanent.
- Restorative sanction- The repayment or restoration of cash or goods where there has been a material loss due to member conduct
- Termination of society- Multiple or serious breaches emerging from gross misconduct from a society or multiple of its members
- Temporary suspension of membership- A significant breach of conduct where a temporary suspension of membership is proportionate to the harm caused
- Membership terminated- Ongoing and repeated breach, a serious breach, or little sign of remorse after repeated engagement. This would also prevent a member from receiving member benefits
- Referral to University or other authority: where the misconduct is serious and beyond the power of the Union a referral may be made to the University, police, or some other body.

The sanction will be communicated as soon as practicable to the responder.

All records of cases and sanctions will be stored in a manner compliant with UEA SU's data retention policy.

Appeal

An appeal may be made on the basis of:

- A procedural irregularity in the investigation and/or conduct of the disciplinary panel
- New evidence has emerged following the investigation which could not have been feasibly shared during the initial investigation.
- The penalty posed was excessive
- There was bias, prejudice, or discrimination evident in the investigation process

A letter of appeal setting out the grounds of appeal and evidence should be provided to UEA SU code of conduct team within five working days of the initial decision of the review panel. This appeal will then be forwarded to the Union Chief Executive.

If the Union Chief Executive believes there are ground for appeal it may be heard by either the Union Chief Executive or a nominated Trustee. They may decide to:

- Uphold the initial decision
- Overturn the initial decision
- Modify the decision made by the initial disciplinary panel

The person hearing the appeal may hear or request evidence on the grounds of appeal. They are not in place to hear the whole case again. The decision at this stage of the process is final.

An annual report shall be provided to the Trustee Board to inform them of trends in complaints and appeals.

Temporary suspension

In certain circumstances for example cases involving allegations of sexual or racial harassment, safeguarding concerns, where relationships have broken down, or where it is considered there are risks to property or the Union's responsibilities to other parties, the senior investigating officer may authorise the suspension of membership rights with or without entitlements whilst an unhindered investigation is conducted.

Excluding a member from participation in Union activities is not in itself a form of disciplinary action whilst the investigation is progressing.

The time frame of the suspension and any additional support the member may receive will be communicated in writing.

Other bodies

From time to time, it may be necessary to refer a complaint to the University of East Anglia. This will usually be where the investigating officer deems that a complaint goes beyond the powers of UEA SU.

The data sharing agreement between UEA and UEA SU details on what basis information may be shared.

The decision to refer a complaint to UEA, the impact on UEA SU's investigation, and any further decisions, will be communicated in writing to the complainant and responder by the senior investigating officer.

In the instance that a complaint is referred to the Police, membership rights will be suspended for the duration of any legal process. Any investigation into a code of conduct breach will also be suspended until such time an investigation is completed. A member may still access support from the Union, but they will not be afforded other rights of membership in this time.

Appendix One: Breach of code of conduct procedure

A report is received through the online form alleging a breach of the code of conduct. Union informs member of accusation.

An informal resolution is sought where it is deemed appropriate or possible to do so

If an informal resolution is reached the process ends.

An investigating officer gathers the facts of the case and seeks any additional evidence, material, or witnesses.

A report with a recommendation on whether a review panel should take place is made to the senior investigating officer

The investigating officer may make a recommendation for a lower-level sanction. If accepted the process ends here. This may be appealed

If there is a case to answer a review panel of three UEA SU staff not involved in the case is convened.

If there is no case to answer the process ends

Related parties **may** be asked to attend the review panel

Review panel meets with the opportunity to hear further evidence should they choose to do so.

Disciplinary panel applies a sanction
communicated to member.

Disciplinary panel decides case is not
upheld and this will be communicated
to students within five working days

Member may submit an appeal to the
Chief Executive

Chief Executive decides whether an
appeal should be heard.

Chief Executive decides no appeal panel
should take place. Process ends.

At appeal hearing a decision may be
upheld, overturned or modified. This
will be communicated in writing within
five days

Process Ends.

Helpful terms

- Affiliated Groups- Any group of students participating in activity using the name, branding, resources, or facilitates, of UEA SU.
- Articles- The Union's core governing document that can be found on its website.
- Bye-Laws- The Union's Guide to decision making that can be found on its website
- Groups- The collective term for sports clubs and student societies.
- Initiations/hazing: As defined in the welcome rituals (initiations) and social activities policy: <https://www.ueasu.org/pageassets/opportunities/committee-hub/policyhub/Initiations-Safe-Socials-Policy.pdf>
- Investigating officer- The person assigned to gather the facts and make initial recommendations on the merits of a code of conduct complaint.
- Members- Students at the University of East Anglia as defined in the Union's Articles of Association.
- Reporter- A person making a compliant
- Responder- A person who a complain has been made against
- Senior investigating officer- The UEA SU staff member who is responsible for, making recommendations on summary judgements, escalating complaints to the review panel, and overseeing the complaint process.
- SLT- A member of the Union's Senior Leadership Team
- Trustee Board- The group defined within the Articles as holding responsibility for oversight of the work of the Union.
- UEA SU Facilities- The Union building and any other facilities provided by UEA SU for the benefit of its members.
- UEA SU/The Union- The University of East Anglia Students' Union
- UEA- The University of East Anglia