

# Student Activities Disciplinary and Complaints Procedure

## Purpose

The Union expects its members and guests of the Union to engage in a positive manner with students, staff and visitors to the University and Union when recognisable as a representative of the organisation. Individual(s) running or partaking in affiliated project activities, as members or committee members, are representatives of Anglia Ruskin Students' Union and so are expected to behave in a manner that is in-line with the values, articles and policies of the Union.

## Scope

The following (non-exhaustive list) would be considered instances of where the standard of behaviour of members or committee members is a concern and therefore may result in disciplinary action if found to have taken place:

- behaviour causing or likely to cause physical harm to others;
- any form of harassment, unlawful discrimination or bullying of others;
- drunken and disorderly behaviour;
- possession or sale of illegal drugs;
- bringing the Union into disrepute;
- bringing the University into disrepute;
- theft or fraud;
- deliberate damage to property;
- breach of any terms of affiliation for Union recognised volunteer projects;
- breach of any Policies or Bye-Laws of the Union

For this procedure to come into force, a complaint must be received in writing by the Volunteer Centre Manager within 28 days of the incident. For complaints relating to the Students' Union or its staff, individuals should follow the SU formal complaints procedure.

<https://www.angliastudent.com/about/sufeedback/>

## **Complaints**

This section outlines the process for bringing complaints against any members or committee members of any volunteer projects affiliated with Anglia Ruskin Students' Union.

This procedure should be used when an individual or group wish to complain about the behaviour or actions of individuals or groups belonging to an ARU Students' Union affiliated volunteer project.

### **Stage One**

Complaints must be received in writing or via email within 28 days of the incident. Complaints should include the following details:

Name  
Email Address  
Contact Number  
Date of incident  
Location of incident  
Who was involved in the incident?  
Summary of the incident

These details should be sent to the Volunteer Centre Manager who will send confirmation in writing or via email that the complaint has been received, normally within 5 working days of receipt of the complaint.

Where possible, staff will try and resolve all complaints in an informal manner with all involved parties taking a positive approach to try and resolve the situation.

If this is not possible or if the complainant believes that their complaint has not been resolved, the complaint will proceed to the second stage of the formal complaints procedure.

### **Stage Two**

The purpose of the investigation is to establish whether or not there is a case to answer.

The Volunteer Centre Manager or their nominee will act as the Investigatory Officer and will investigate the incident. The Investigatory Officer will send a summary of the complaint to the individual(s) named by the complainant. Those named in the complaint by the complainant can submit a summary of their version of the incident to the Investigatory Officer.

Where possible, the Investigatory Officer will invite the parties involved into the SU to discuss the incident. These conversations will occur separately. At this stage, these are not disciplinary meetings and so individuals involved in the investigation cannot be accompanied except where a group of individuals such as a volunteer project committee are making the complaint or have been subject to a complaint.

The Investigatory Officer will meet with other parties at their discretion if they believe an individual may have been witness to or party to any incident relating to the complaint.

The investigation should take no more than 10 working days and the Investigatory Officer will take their findings from the investigation to the Complaints Panel. The individual(s) or group subject to the complaint will receive the date for the Complaints Panel at the end of the investigation period.

The investigation period can be extended at the discretion of the Investigatory Officer if there are exceptional circumstances, e.g. if the complaint is submitted during an assessment period.

## **Complaints Panel**

The complaints panel will normally comprise of:

- A Manager from a different department within the Students' Union.
- Two Executive Officers

Where the panel are meeting with students, any student is permitted to be accompanied by a fellow student for support.

In the case of a complaint made against a volunteer project member, the committee of that group will not attend the panel but will be made aware of any relevant penalty that their group may need to uphold against that member.

If the individual(s) or group named by the complainant fail to attend the Complaints Panel with good cause, the panel may be deferred. Should the panel feel that without reasonable

cause, the individual(s) or group failed to attend two arranged panels, the rescheduled Complaints Panel shall continue in their absence.

The panel shall:

- judge the complaint and determine, on the balance of probability, whether an individual or group has acted in a manner that is inappropriate/in contrary to expected behaviour
- judge the evidence provided by the Investigatory Officer
- make a decision on any action as a consequence
- dismiss the complaint if there is no case to answer
- hear from the individual(s) or group subject to the complaint for any further information in their defence

In the period between a complaint being received and any decision of the Complaints Panel, the alleged offender(s) shall, at the discretion of the Volunteer Centre Manager, have access to services or facilities suspended in so far as it is necessary in order to undertake an effective investigation. This should be considered in relation to the risk of harm or distress to staff or students or where it would be deemed feasible that ongoing access to a service or facility may impact upon an effective investigation.

### Courses of Action

For **individual** members or committee members of affiliated volunteer projects:

If the panel finds there is a case to answer, the individual(s) may be subject to one or more of the following disciplinary sanctions:

- A written warning and:
- The individual(s) will need to submit a written apology to the complainant
- The individual(s) may be banned from partaking in their volunteer project's activities, the length of the ban will be decided at the discretion of the panel. This ban includes competitions and events and the committee of that volunteer project must ensure that they uphold this ban or their group may be made subject to disciplinary measures.

- If the individual(s) named in the complaint are volunteer project committee members, they may be removed from their role as committee members. If the individual(s) are members, their membership to the project may be manually expired.
- If the offence is found to be serious enough by the panel, the individual student(s) must be referred to the Student Disciplinary Code of the University. Once the University are notified of this, the individual(s) will become subject to Anglia Ruskin University's Disciplinary Procedures
- If the offence is found to be serious enough by the panel, the individual(s) may be referred to the Students' Union's Disciplinary Procedure for Members of the Union, as per Bye Law 8, which could result in full and permanent revocation of Union membership.

For **groups** such as affiliated volunteer project committees:

- A written warning and:
- The group will need to submit a written apology to the complainant
- A suspension of any or all of the privileges of membership of Students' Union affiliated volunteer project, e.g. access to room bookings, events etc. and group funding frozen.
- The funding of the project can be withdrawn.
- If the panel believes that a serious offence has taken place, the individual student(s) must be referred to the Student Disciplinary Code of the University. Once the University are notified of this, the individual(s) will become subject to Anglia Ruskin University's Disciplinary Procedures
- If the panel believes that a serious offence has taken place, the individual(s) may be referred to the Students' Union's Disciplinary Procedure for Members of the Union, as per Bye Law 8, which could result in full and permanent revocation of Union membership.

The Complaints Panel shall provide a written explanation of the decision to the individual(s) or project involved.

## Appeals

Any individual(s) or groups made subject to the disciplinary sanctions can submit an appeal and appeals can be lodged on grounds such as:

- The Complaints process has not followed the correct procedure; and/or
- New information has become available that for good reason could not be presented at the time of the original investigation or Complaints Panel; and/or
- The actions applied as a result of the investigation are disproportionate

An appeal should be submitted in writing to the Students' Union President within 7 days of receipt of the outcome of the Complaints Panel.

The Students' Union President would then follow the Students' Union Appeals Procedure.

Alternatively, the individual(s) or groups made subject to the sanctions can also put in their own complaint. For complaints about another volunteer project or its members, the complaints procedure outlined earlier in this document should be followed. For complaints relating to the Students' Union or its staff, individuals should follow the Students' Union's formal complaints procedure. <https://www.angliastudent.com/about/sufeedback/>