COMPLAINTS Bye-Law 16

1. COMPLAINTS AGAINST THE STUDENTS’ UNION

1.1 Any Full Member, or student eligible for Full Membership but who has exercised the right not to be a member in accordance with the Education Act 1994, shall be entitled to complain about unfair or unreasonable treatment by the Students’ Union.

2. PROCEDURE

2.1 Complaints shall be dealt with in accordance with the Complaints Procedure as outlined in the Students’ Union Procedure, Guidelines and Codes of Practice Handbook.

3. COMPLAINTS AGAINST STUDENTS’ UNION STAFF

3.1 Complaints against any member of Students’ Union staff shall be considered in accordance with Bye-Law 20.

4. COMPLAINTS AGAINST STUDENTS’ UNION MEDIA

4.1 Complaints may be made by any person regarding any item published or broadcast by the Students’ Union Forge Online, Forge Press Committee, Forge Radio Committee, Forge TV Committee, or such other written or broadcast media as may be deemed appropriate by Students’ Union Council.

4.2 Complaints made on grounds of inaccuracy, unfairness, intrusion into individual privacy, conflict with the provision on Equal Opportunities in the Constitution, actions contrary to the Code of Conduct produced by the National Union of Journalists, or action contrary to the OFCOM Guidelines, shall be considered under the following procedure.

4.3 Complaints should be submitted in writing to the President, who shall convene a Media Complaints Panel which shall normally be held within five days of receipt of the complaint.

4.4 Complaints shall normally be dealt with in accordance with the Media Complaints Panel Procedural Guidance contained in the Students’ Union’s Procedure, Guidelines and Codes of Practice Handbook.

COMPLAINTS Procedure, Guidelines and Codes of Practice Handbook

1. COMPLAINTS REGULATIONS

1.1 Complaints shall be submitted in writing to the President, who shall respond, or who shall pass it to another Students’ Union Officer to respond. A written response will be provided within 10 days of the receipt of the complaint by the President.

1.2 Complaints against the President may be submitted to any other Students’ Union Officer, who shall follow the procedure outlined in this Bye-law fulfilling the responsibilities assigned to the President.

1.3 If the complainant or complainants are not satisfied with the response from the President or other Officer, they may request that the President convenes a Complaints Panel, outlining the reason that the response of the President or other Officer is not acceptable. Such a request should be submitted in writing within 10 days of receipt of the response.

1.4 The President should be required to convene a Complaints Panel within 15 days of receiving a request to do so in accordance with 2.2 above. The Panel shall consist of 3 members selected by lot in accordance with the provisions for the selection of Disciplinary Panels. The President shall arrange for a member of the staff of the Students’ Union to attend to record the proceedings.

1.5 The Panel shall operate in accordance with the following procedure:

1.5.1 appoint a Chair from within the membership of the Panel;

1.5.2 receive copies of the complaint, the response of the President or other Officer, and the request for a Panel meeting;

1.5.3 the complainant shall present the details of the complaint;

1.5.4 they may then be questioned by members of the Panel, and by the President or other Officer;
1.5.5 the President or other Officer shall present the response to the complaint;
1.5.6 they may then be questioned by members of the Panel, and by the complainant;
1.5.7 further information may be considered in writing, or from other persons attending at the request of the complainant or the President or other Officer;
1.5.8 such information shall be open to comment by the complainant or the President or other Officer;
1.5.9 the complainant and the President or other Officer shall be given the opportunity to make a closing statement, which shall not introduce new information;
1.5.10 the complainant and the President or other Officer shall then withdraw and the panel shall decide on the complaint.

1.6 If the complaint is upheld, the panel shall be empowered to require any Officer, official, or committee of the Students' Union to take action to remedy the complaint.

1.7 The complainant and President shall be notified in writing of the decision of the panel within 5 days of the meeting.

1.8 If the complainant or President is not satisfied with the decision of the panel, they may appeal to the Registrar and Secretary of the University, who shall consider the complaint and respond in writing within 25 days.

1.9 If the complainant or President is not satisfied with the decision of the Registrar and Secretary, they may appeal to an independent person appointed by the University Council, whose decision shall be final.

2. MEDIA COMPLAINTS PANEL

2.1 The Media Committee against whom the complaint has been made shall be given three days' notice of the meeting of the Panel.

2.2 The Media Complaints Panel shall be given all relevant material pertaining to the proceedings at least two days prior to the meeting of the Panel.

2.3 The Panel shall consist of five members drawn by lot from the pool of members agreed for discipline panels constituted in accordance with these regulations. Any member who has had a personal involvement or has a vested interest in the case (for example by being named in the media article or broadcast about which the complaint has been made) shall not be included in the membership of the Panel. Any member who has had a personal involvement or has a vested interest who is selected for the Panel shall declare it and withdraw from the Panel. The President shall arrange for a member of the staff of the Students' Union to attend to record the proceedings.

2.4 The Panel shall operate in accordance with the following procedure:

2.4.1 appoint a Chair from within the membership of the Panel;
2.4.2 the complainant shall be given the opportunity to present the complaint;
2.4.3 they may then be questioned by members of the Panel or by the representative of the medium against which the complaint has been made;
2.4.4 a representative of the medium against which the complaint has been made shall then be given an opportunity to respond to the complaint;
2.4.5 they may then be questioned by members of the Panel and by the complainant;
2.4.6 further information may be considered or sought by the Panel;
2.4.7 such information shall be made available to, and open to comment by, the complainant and the representative of the media against which the complaint has been made;
2.4.8 the complainant and the representative of the media against which the complaint had been made shall be given the opportunity to make closing statements, which shall not introduce new information, and shall then withdraw;
2.4.9 the Panel shall then decide on the complaint.

2.5 The Panel shall be empowered to require that the Committee responsible shall publish a reply, statement or apology, drafted by the Panel, in a specified issue or programme of the medium concerned. Such reply, statement or apology shall normally be of equal size and position as the original item against which the complaint was made, unless the Panel decides that a lesser size or less prominent position is appropriate. In addition, the Panel may refer any member responsible for an item against which a complaint is upheld to a Discipline Panel convened in accordance with Bye Law 15.
2.6 The complainant and respondent shall be given written notification of the Panel's decision, and of their right to appeal against that decision, within 5 days of the meeting.

2.7 The complainant or respondent may appeal against the decision of the Discipline Panel on one or more of the following grounds:
- there was a procedural irregularity which rendered the process leading to the decision unfair;
- a vested interest in the case not declared by a panel member.

Notice of appeal, specifying on which of the above grounds the appeal is made, should be given in writing to the President within three days of notification of the panel decision. The President shall convene a Media Complaints Appeals Panel or may refer the notice to a member of academic staff of the School of Law, nominated by the Head of the School. The member of academic staff of the School of Law shall consult with the Students' Union Chief Executive and shall decide whether there are sufficient grounds for an appeal and their decision shall be final.

2.8 If the member of academic staff of the School of Law decides that an appeal should be heard, it shall be referred to a Media Complaints Appeals Panel, convened in accordance with clause 3 below.

3. MEDIA COMPLAINTS APPEALS PANEL

3.1 The President shall convene a Media Complaints Appeals Panel (referred to as the Panel throughout Clause 3) when requested in accordance with the procedure outlined above. The Panel shall normally be convened within 5 days of the request being received by the President.

3.2 The Panel shall consist of a member of the academic staff of the Faculty of Law, nominated by the Head of the School (in the Chair), and 4 members drawn by lot from the pool constituted in accordance with the Discipline Regulations outlines in the Students' Union Procedure, Guidelines and Codes of Practice Handbook. No member of the Panel shall have been involved in the matter under consideration or in the Media Complaints Panel against whose decision the appeal has been made.

3.3 The President shall ensure that the appellant, the Chair of the Media Complaints Panel whose decision is the subject of the appeal, and the other party to the original complaint are advised in writing of the time and place of the Appeals Panel meeting, and of their right to provide any written statements, evidence or witnesses. The Chair of the Media Complaints Panel whose decision is the subject of the appeal may appoint a representative to act for them at the Panel. It shall be the responsibility of the appellant, the Chair of the Media Complaints Panel whose decision is the subject of the appeal, and the other party to the original complaint to make arrangements for the attendance of any witnesses that they wish to call.

3.4 Any written statements, evidence, and names of witnesses who are to be called, shall be given to the President prior to the hearing and should be made available to all parties prior to the hearing.

3.5 A summary of proceedings and the decision of the Panel shall be recorded by a member of Students’ Union staff, who shall attend the Panel. The summary shall be made available to the complainant or respondent on request.

3.6 If the Chair of the Media Complaints Panel whose decision is the subject of the appeal or the other party to the original complaint whose decision is the subject of the appeal fails to attend the hearing, the Panel may consider the appeal in their absence. If the appellant or their representative fails to attend, the Panel shall decide to consider the appeal in their absence, dismiss the appeal or to adjourn for not more than 5 days.

3.7 The Panel shall operate in accordance with the following procedure:

3.7.1 The Chair shall introduce all present, outline the procedure, and state the grounds for the appeal, in accordance with clause 2.7 above;

3.7.2 The appellant or their representative shall present details of the appeal, and introduce any supporting statements or witnesses;

3.7.3 The Panel, the Chair of the Media Complaints Panel whose decision is the subject of the appeal, and the other party to the original complaint shall have an opportunity to question the appellant, their representative, or witnesses;

3.7.4 The Chair of the Media Complaints Panel whose decision is the subject of the appeal shall be given an opportunity to contest the appeal, and introduce any supporting statements or witnesses;

3.7.5 The Panel, the appellant and their representative shall have an opportunity to question the Chair of the Media Complaints Panel whose decision is the subject of the appeal or witnesses;

3.7.6 The other party to the original complaint shall be given an opportunity to make a statement and introduce any supporting statements or witnesses;
3.7.7 The Panel, the appellant and their representative and the Chair of the Media Complaints Panel whose decision is the subject of the appeal or witnesses shall have an opportunity to question the other party to the original complaint;

3.7.8 The appellant shall be given the opportunity to make a final statement;

3.7.9 The Chair of the Media Complaints Panel whose decision is the subject of the appeal or their representative shall be given the opportunity to make a final statement;

3.7.10 The other party to the original complaint shall be given the opportunity to make a final statement;

3.7.11 The appellant, the Chair of the Media Complaints Panel whose decision is the subject of the appeal, the other party to the original complaint and the member of Students’ Union staff recording proceedings shall withdraw;

3.7.12 The Panel will reach a decision on the complaint;

3.7.13 The appellant and the Chair of the Media Complaints Panel whose decision is the subject of the appeal and the other party to the original complaint shall be invited to rejoin the meeting and the Chair of the Panel will inform them of the decision of the Panel.

3.8 The Panel may accept or reject the appeal in full or in part and, as a consequence, may make any decision set out in Clause 2.5 above.

3.9 The complainant and respondent shall be given written notification of the Appeals Panel's decision within 5 days of the meeting.

3.10 The decision of the Appeals Panel shall be final.

4. ELECTION COMPLAINTS

4.1 Complaints: Any complaints regarding the conduct of Council and Officer Elections shall be submitted in writing before the start of the count. The Returning Officers shall decide on any complaint, subject to appeal to Elections Appeals Committee and Students’ Union Council.

4.2 Elections Appeals Committee: The Elections Appeals Committee shall consist of up to five full members of the Students’ Union. The Appeals Committee members shall be drawn by lot from a randomly selected pool of available full members. The complainant or the respondent may appeal against a decision of the Returning Officers to the Elections Appeals Committee on any ground.

4.3 Appeals to Students’ Union Council: The complainant or the respondent may appeal against a decision of the Elections Appeals Committee to Students’ Union Council, but only on one of the following grounds:

- there was a procedural irregularity which rendered the process leading to the decision unfair;
- the penalty was inappropriate to the offence for which the respondent was found responsible;
- NEW evidence which could not reasonably have been available at the time of the appeal hearing.
1. GENERAL PROVISIONS

1.1 The Students’ Union shall consider complaints made by any person against any member in respect of:

1.1.1 misconduct on Students’ Union premises or at events or activities organised by the Students’ Union elsewhere;

1.1.2 sexual, racial, homophobic or any other form of personal harassment;

1.1.3 misconduct on premises of organisations associated with the Students’ Union under reciprocal or other agreements.

1.1.4 actions contrary to the Constitution and Bye-Laws.

1.2 Any Students’ Union Officer, or a duly authorised member of Students’ Union staff, may exclude any persons from the Students’ Union premises in respect of misconduct or other actions outlined in 1.1 above, and shall make a complaint arising from the exclusion to the President and Officer responsible for disciplinary matters.

1.3 Full Members may only be excluded in accordance with 1.2 above pending consideration of the complaint by the President or other designated Officer. It shall be the responsibility of the member or members excluded to arrange to meet the President, or other designated Officer, regarding the complaint.

1.4 Complaints against Full Members, and students of the University who are eligible for Full Membership but have exercised the right not to be a member in accordance with the Education Act 1994, shall be considered in accordance with the procedure outlined below.

1.5 Complaints against all other classes of members shall be considered by the Officers, and their decision shall be final.

1.6 Complaints against employees of the Students’ Union shall be considered in accordance with Bye-Law 20, and under such procedures as are agreed between the Students’ Union and staff trade unions.

1.7 The President shall have overall responsibility for all matters relating to the administration of the disciplinary regulations.

1.8 In considering any complaint regarding a matter in which the President has been involved, they shall appoint a Students’ Union Officer who has not been involved in the matter to fulfill the responsibilities outlined within this Bye-Law. If no such Officer is available, the President shall appoint a member of Students’ Union Council to fulfill the responsibilities.

2. COMPLAINTS

2.1 Complaints concerning Full Members shall be made in writing to the President.

2.2 On receipt of a complaint, the President shall refer the matter to the Students’ Union Chief Executive or their nominee.

2.3 The Students’ Union Chief Executive or their nominee may decide to dismiss the complaint, or to investigate it further, or to require the President to convene a Discipline Panel to consider it or to refer it to the University for consideration under their disciplinary regulations. If they decide to dismiss the complaint, they shall inform the complainant in writing within 5 days. The complainant may challenge this decision, in writing to the President, within 5 days. The President shall then convene a Discipline Panel to consider the complaint.

2.4 If the Students’ Union Chief Executive or their nominee decides to investigate the complaint further, they shall write to the complainant and respondent requiring them to meet with them, giving at least 5 days’ notice of the meeting unless otherwise agreed with both parties or to refer it to the University for consideration under their disciplinary regulations. They may also gather other information to assist in considering the matter. If the respondent fails to attend the meeting, the Students’ Union Chief Executive or their nominee may decide to consider the matter in their absence. If the complainant fails to attend, or to be represented, the meeting shall only proceed with the agreement of the respondent.

2.5 At the meeting, the Students’ Union Chief Executive or their nominee shall inform the respondent of the terms of the complaint and the content of any other information on the matter obtained by the Students’ Union Chief Executive or their nominee, and provide them with an opportunity to
comment. The Students' Union Chief Executive or their nominee shall then decide whether to uphold or dismiss the complaint, or to require the President to convene a Discipline Panel to consider the matter.

2.6 If the Students' Union Chief Executive or their nominee decides to uphold the complaint, they shall give the respondent the opportunity to make a statement, and shall then impose one or more of the following penalties:

- caution the respondent(s) on future conduct;
- require compensation to be paid to make good any loss or damage arising from the offence;
- levy a fine of up to £100;
- exclude the respondent(s) from all or any premises, services or activities of the Students' Union for up to one year;
- remove the respondent’s right to stand as a candidate for all or any of the Students’ Union Officer posts, Representative Committees, Students' Union Council, NUS Conference delegates and NUS Women’s Conference delegates.

2.7 If the Students’ Union Chief Executive or their nominee considers that a penalty of exclusion from candidacy for elected office may be appropriate, they shall consult with the Students' Union President before reaching a decision on this matter.

2.8 The complainant and respondent shall be given written confirmation of the Students’ Union Chief Executive or their nominee’s decision, and of the right to refer the complaint for consideration by a Discipline Panel, within 5 days of the meeting.

2.9 Either the complainant or the respondent shall have the right to require the President to convene a Discipline Panel to reconsider the complaint, on the grounds that the Students’ Union Chief Executive or their nominee has reached an incorrect decision on the complaint or imposed an inappropriate penalty. This right may be exercised by writing to the President within 15 days of the meeting.

3. DISCIPLINE PANEL

3.1 The President shall convene a Discipline Panel when requested by a Students’ Union Officer or an appellant, as outlined in Clause 2 above. The Panel shall normally be convened within 15 days of the request being received by the President, and notice shall be given 10 days in advance of the hearing.

3.2 The Panel shall consist of a Students’ Union Officer who has not been involved in the matter (in the Chair) and one man and one woman drawn by lot from the pool constituted in accordance with Clause 5.1 of this Bye-Law. No member of the Panel shall have been involved in the matter under consideration.

3.3 The nominated Students’ Union Officer shall ensure that the complainant and respondent are advised in writing of the time and place of the Panel meeting, and of their right to provide any written statements, evidence or witnesses. It shall be the responsibility of the complainant or respondent to make arrangements for the attendance of any witnesses that they wish to call.

3.4 Any written statements, evidence, and names of witnesses who are to be called, shall be given to the nominated Officer 6 days prior to the hearing and should be made available to all parties 3 days prior to the hearing.

3.5 A summary of proceedings and the decision of the Panel shall be recorded by a member of Students’ Union staff, who shall attend the Panel. The summary shall be made available to the complainant or respondent on request.

3.6 If the respondent and/or their representative fails to attend the hearing, the Panel may consider the complaint in their absence. If the complainant or their representative fails to attend, the Panel shall decide to consider the appeal in their absence, dismiss the appeal or to adjourn for not more than 5 days.

3.7 The Panel shall operate in accordance with the following procedure to be followed:

- the Chair shall introduce all present, outline the procedure, and state the complaint against the respondent;
- the Chair shall ask the respondent whether they accept the complaint as outlined. If they do accept the
complaint the Panel should move immediately to the stage of the procedure outlined in clause 3.9. If they do not accept the complaint, the Panel shall continue as follows:

- the complainant or their representative shall present details of the complaint, and introduce any supporting statements or witnesses.

- the Panel, the respondent and their representative shall have an opportunity to question the complainant, their representative, or witnesses;

- the respondent shall be given an opportunity to contest the complaint, and introduce any supporting statements or witnesses;

- the Panel, the complainant and their representative shall have an opportunity to question the respondent, their representative, or witnesses;

- the complainant shall be given the opportunity to make a final statement;

- the respondent shall be given the opportunity to make a final statement;

- the complainant and respondent shall withdraw;

- the Panel will reach a decision on the complaint;

- the complainant and the respondent shall be invited to rejoin the meeting and the Chair of the Panel will inform them whether the Panel has decided to dismiss or uphold the complaint.

3.8 The meeting of the Panel shall be adjourned for not more than 30 minutes if requested by the complainant, respondent or any member of the Panel. The meeting may be adjourned for not more than 5 days, in order to obtain further information or hear further witnesses, with the agreement of the Panel. Such agreement shall not be unreasonably withheld.

3.9 If the Panel decides to uphold the complaint, or the respondent accepts the complaint, it may be informed of any previous offences committed by the respondent (on which no information should have been given at an earlier stage). The respondent shall then be given the opportunity to make a statement, before a decision is reached on the penalty or penalties to be imposed. The Panel shall consider any statement and then decide, upon one or more of the following courses of action:

- to refer the complaint for consideration under the disciplinary procedures of the University;

- to recommend to Students’ Union Council that the President take legal action or the Students’ Union support the complainant in taking legal action;

- to impose one or more of the following penalties:
  - caution the respondent on future conduct;
  - require compensation to be paid to make good any loss or damage arising from the offence;
  - levy a fine of up to £100;
  - exclude the respondent from any, or all, premises, services or activities of the Students’ Union for such period as deemed appropriate;
  - remove the respondent’s right to stand as a candidate for all or any of the Students’ Union Officer posts, Representative Committees, Students’ Union Council, NUS Conference delegates and NUS Women’s Conference delegates.

3.10 The complainant and respondent shall be given written notification of the Panel’s decision, and of their right to appeal against that decision, within 5 days of the meeting.

3.11 The complainant or respondent may appeal against the decision of the Discipline Panel on one or more of the following grounds:

- there was a procedural irregularity which rendered the process leading to the decision unfair;

- the penalty was inappropriate to the offence for which the respondent was found responsible;

- new evidence which could not reasonably have been available at the time of the panel hearing;

- other grounds for believing the panel decision to be unsafe or unsatisfactory.

Notice of appeal, specifying on which of the above grounds the appeal is made, should
be given in writing to the President within 15 days of notification of the panel decision. The President shall convene a Discipline Appeals Panel or may refer the notice to a member of academic staff of the School of Law, nominated by the Head of the School, who shall decide whether there are sufficient grounds for an appeal and their decision shall be final.

3.12 If the member of academic staff of the School of Law decides that an appeal should be heard, it shall be referred to a Discipline Appeals Panel, convened in accordance with clause 4 below.

3.13 If the Students’ Union Chief Executive or their nominee, or the Discipline Panel, has imposed a penalty of exclusion from candidacy for elected office, the respondent may appeal specifically against this penalty outside the normal time limits specified in Clauses 2.9 and 3.11 of this Bye-Law. An appeal outside the normal time limits may only be submitted on the grounds that the penalty was inappropriate to the offence for which the respondent was found responsible, and must be submitted in writing to the President at least 20 days before the close of nominations for the post(s) for which the respondent wishes to stand. Any such appeal shall be referred to the Discipline Appeals Panel.

4. DISCIPLINE APPEALS PANEL

4.1 The President shall convene a Discipline Appeals Panel (referred to as the Panel throughout Clause 4) when requested in accordance with the procedure outlined above. The Panel shall normally be convened within 15 days of the request being received by the President.

4.2 The Panel shall consist of a member of the academic staff of the Faculty of Law, nominated by the Head of the School (in the Chair), and 2 men and 2 women drawn by lot from the pool constituted in accordance with Clause 5.1 of this Bye-Law. No member of the Panel shall have been involved in the matter under consideration or in the Discipline Panel against whose decision the appeal has been made.

4.3 The President shall ensure that the appellant, the Chair of the Discipline Panel whose decision is the subject of the appeal, and the other party to the original complaint are advised in writing of the time and place of the Appeals Panel meeting, and of their right to provide any written statements, evidence or witnesses. The Chair of the Discipline Panel whose decision is the subject of the appeal may appoint a representative to act for them at the Panel. It shall be the responsibility of the appellant, the Chair of the Discipline Panel whose decision is the subject of the appeal, and the other party to the original complaint to make arrangements for the attendance of any witnesses that they wish to call.

4.4 Any written statements, evidence, and names of witnesses who are to be called, shall be given to the President 6 days prior to the hearing and should be made available to all parties 3 days prior to the hearing.

4.5 A summary of proceedings and the decision of the Panel shall be recorded by a member of Students’ Union staff, who shall attend the Panel. The summary shall be made available to the complainant or respondent on request.

4.6 If the Chair of the Discipline Panel whose decision is the subject of the appeal or the other party to the original complaint whose decision is the subject of the appeal fails to attend the hearing, the Panel may consider the appeal in their absence. If the appellant or their representative fails to attend, the Panel shall decide to consider the appeal in their absence, dismiss the appeal or to adjourn for not more than 5 days.

5.7 The Panel shall operate in accordance with the following procedure to be followed:

- the Chair shall introduce all present, outline the procedure, and state the grounds for the appeal, in accordance with clause 3.11 above;
- the appellant or their representative shall present details of the appeal, and introduce any supporting statements or witnesses;
- the Panel, the Chair of the Discipline Panel whose decision is the subject of the appeal, and the other party to the original complaint shall have an opportunity to question the appellant, their representative, or witnesses;
- the Chair of the Discipline Panel whose decision is the subject of the appeal shall be given an opportunity to contest the appeal, and introduce any supporting statements or witnesses;
- the Panel, the appellant and their representative shall have an opportunity to question the Chair of
the Discipline Panel whose decision is the subject of the appeal or witnesses;

- the other party to the original complaint shall be given an opportunity to make a statement and introduce any supporting statements or witnesses;

- the Panel, the appellant and their representative and the Chair of the Discipline Panel whose decision is the subject of the appeal or witnesses shall have an opportunity to question the other party to the original complaint;

- the appellant shall be given the opportunity to make a final statement;

- the Chair of the Discipline Panel whose decision is the subject of the appeal or their representative shall be given the opportunity to make a final statement;

- the other party to the original complaint shall be given the opportunity to make a final statement;

- the appellant, the Chair of the Discipline Panel whose decision is the subject of the appeal, the other party to the original complaint and the member of Students’ Union staff recording proceedings shall withdraw;

- the Panel will reach a decision on the complaint;

- the appellant and the Chair of the Discipline Panel whose decision is the subject of the appeal and the other party to the original complaint shall be invited to rejoin the meeting and the Chair of the Panel will inform them of the decision of the Panel.

4.8 The Panel may accept or reject the appeal in full or in part and, as a consequence, may remove, reduce or increase any penalties imposed by the Discipline Panel, except that any such penalties shall not exceed those specified in Clause 3.8 above.

4.9 The meeting of the Panel shall be adjourned for not more than 30 minutes if requested by the appellant, or the Chair of the Discipline Panel whose decision is the subject of the appeal, the other party to the original complaint or any member of the Panel. The meeting may be adjourned for not more than 5 days, in order to obtain further information or hear further witnesses, with the agreement of the Panel. Such agreement shall not be unreasonably withheld.

4.10 The complainant and respondent shall be given written notification of the Appeals Panel’s decision within 5 days of the meeting.

4.11 The decision of the Appeals Panel shall be final.

5. SELECTION OF PANELS

5.1 The members of Students’ Union Council, Representatives Committees, Students’ Union Officers and such other elected student officials as Students’ Union Council may decide, shall form a pool from which Discipline and Discipline Appeals Panel members shall be drawn.

5.2 The President shall draw the Panel and Appeals Panel members by lot from available members of the pool.

5.3 The complainant or respondent may request reconsideration of any Panel or Appeals Panel member on grounds of partiality. Such a request shall be considered by the Chair of the Panel or Appeals Panel, whose decision shall be final.

6. JURISDICTION OF THE PANELS

6.1 If any member refuses to accept the jurisdiction of the Discipline Panel or Appeals Panel, the President may refer the matter to the appropriate University authority, for consideration under the University discipline regulations.

6.2 If any member breaches the terms of any exclusion from premises, services or activities of the Students’ Union, the President shall be empowered to extend the exclusion for a period not exceeding the full length of the original exclusion, or impose a fine of not more than £50.

6.3 If any member breaches the terms of an exclusion on more than one occasion, the President may refer the matter to the appropriate University authority for consideration under the University discipline regulations.

7. GENERAL ARRANGEMENTS FOR PANELS

7.1 In cases of a complaint of individual harassment or attack, the Panel may make such arrangements as it sees fit for the complainant not to come into direct contact with the respondent, but such arrangements shall ensure that both parties can hear evidence and be given an
opportunity to ask questions of the other party.

7.2. Members may be accompanied by, or represented by, other Full Members at Panel hearings but may not have external or legal representation.

7.3 The summary of proceedings shall be confidential to Panel members, complainants and respondents. The decision of Panels may be published in such way as they determine.

8. TEMPORARY EXCLUSION OF MEMBERS

8.1 The President shall be empowered to exclude Full Members from all or any premises, services and activities pending consideration of:

- a complaint by a Students’ Union Officer, Discipline Panel or Discipline Appeals Panel;
- misconduct under the University discipline regulations;
- a charge in a court of law.

8.2 The President may only take such action if, in their opinion, it is necessary to protect the Students’ Union or any of its members or staff.

8.3 Any Full Member who is excluded may appeal against this decision to the Vice-Chancellor, whose decision shall be final.
Bye-Law 20

STAFF OF THE STUDENTS’ UNION

1. The Students’ Union shall be empowered to employ staff, who shall be responsible to the Students’ Union Officers through an established management structure.

2. Staff who are not Full Members of the Students’ Union shall not participate in, or publicly express their personal views on, decisions of the Students’ Union. Staff who are Full Members of the Students’ Union shall not express their personal views on decisions of the Students’ Union during the course of their employment. Members of Students’ Union Council and Students’ Union committees, who are also employees of the Students’ Union, shall declare an interest and not vote at Council or Students’ Union committee meetings on any issue that directly affects their terms and conditions of employment.

3. Staffing matters shall be the responsibility of the Trustee Board, in accordance with Bye-Law 5.

4. Any complaint or comment regarding any individual member of staff shall be directed to the President, as the Chair of the Staffing Committee, who will ensure that the matter is dealt with in accordance with the agreed grievance and disciplinary procedures.

5. Any complaint or comment of a member of staff regarding a member of the Students’ Union shall be raised through the management structure, and dealt with in accordance with Bye-Law 15.

6. Any breach of this procedure by members or staff will be considered as a serious disciplinary matter.