

STUDENTS' UNION MEMBERS' CODE OF CONDUCT v.2 | January 2019

Annual Review Cycle – January 2020

Policy Owner | Students' Union President

1. Background

- 1.1. This Code of Conduct (Code) defines the minimum standards of conduct and behaviour expected of all student members including associate members studying at the Lancaster Campus in the UK. As a Students' Union we seek to provide all of our members with the support and guidance they need to achieve success during their time at Lancaster.
- 1.2. Even though our associate members at partner institutions are not bound by this Code, we will share our values and this Code with student representatives leading activity in the UK and globally.
- 1.3. Our members are those people set out under Articles 9 and 13 of the Students' Union's (Union) Articles of Association. Under Article 28.2, the Union and its Trustees have the responsibility to uphold the Articles of Association; as such have a right to suspend or terminate membership if a member's conduct breaches the behaviour outlined in this Code under Article 10.4.

2. Purpose of the Code

- 2.1. To ensure that all student members have successful learning experiences during their engagement and participation in the opportunities the Union delivers and supports, recognising we are an international and culturally diverse community.
- 2.2. Enable involvement with the Union and all its affiliated and partnership activities and services, in a safe environment where all people are treated equally with dignity, fairness and respect.
- 2.3. Encourage our members to behave in ways, which promote positive relationships with the wider communities in which we live and study.

3. Shared Students' Union Values

- 3.1. Values underpin what the Students' Union does and believes in, driven by students. Thousands of volunteers, hundreds of officers & representatives and staff power what is achieved. This is knitted together by a common sense of purpose and a culture which supports both understanding and success.
- 3.2. All members are expected to respect and support [the values of the Union:](#)
 - 3.2.1. **Students at the heart of what we do:** advancing of the education of students at Lancaster university and decisions at every level are made with this as the aim;
 - 3.2.2. **Independence:** it should be clearly recognisable to students what is delivered by or with the support of their Union;
 - 3.2.3. **Respect:** Treating all our student members equally and respecting the differences amongst our student body. Understanding that students have many different things going on in their life. We expect mutual regard for the right to freedom of

speech while expecting members to treat each other with respect, i.e. politeness, patience and empathy;

3.2.4. **Fun:** Wherever possible, students should enjoy themselves when involved with the Union but this should be in a safe and inclusive way;

3.2.5. **Openness:** Policies and decision-making processes which are easy to find, read and understand. We are open to new ideas, questions and challenges;

3.2.6. **Courage:** Standing up for students and make tough decisions that may not be popular but are the interests of students (present and future). Give power and control to students wherever possible;

3.2.7. **Celebration:** of our community, diversity and student achievements.

4. General Member Obligations

4.1. All Students' Union members engaging in Union activity including with our affiliated groups must:

4.1.1. Treat others with respect and dignity following Union policies which lays down that discrimination, harassment and bullying is unacceptable.

4.1.2. Conduct themselves reasonably and responsibly at all times, not engaging in activity or behaviour likely to bring the reputation of the Students' Union into disrepute or that of the University when using it's name.

4.1.3. Adhere to the Students' Union Articles of Association, bye laws and relevant Union and University's policies and regulations on:

4.1.3.1. Health and Safety;

4.1.3.2. Equality, Diversity and Inclusion;

4.1.3.3. Financial Regulations and Procedures;

4.1.3.4. IT, Data Protection and Information Security;

4.1.3.5. Responsible Alcohol Consumption Policy;

4.1.3.6. Green/environmental policies;

4.1.3.7. Student/Staff Protocol;

4.1.3.8. Relevant legislation.

4.1.4. Use any Union or affiliated group resources responsibly and honestly.

4.1.5. Not to disrupt other members' use of the Union's venues and activities.

4.1.6. Comply with the reasonable requests of staff and Officers of the Union and the University.

4.1.7. Participate positively with any relevant training required to participate in activity.

4.1.8. Compete in a manner of good competitive spirit when representing the Union and the University.

4.2. Members are expected to abide by the Code irrespective of whether they are on Union premises, University premises/campus or, at another location undertaking union activity.

5. Student Leaders

5.1. Student leaders are those students who are either elected, nominated or volunteer in recognised Union roles to represent students or lead activity.

5.2. Student leadership positions include:

5.2.1. **Elected Representatives:** Full Time Officers, Part Time and Liberation Officers, JCR Executives and the Postgraduate Board, Scrutiny Officers, and Course/Faculty Representatives;

5.2.2. **Activity Leaders:** Executives of Union-Affiliated Student Societies, Sports Clubs and Student Groups including Student Media;

5.2.3. **Welcome Representatives and Ambassadors.**

5.3. Student leaders potentially have power, influence and control over the actions of other students. These are positions of responsibility which carry greater expectations, particularly in relation to honesty and providing an example to others. It is therefore expected that student leaders will be ambassadors for the Students' Union and practice responsible and inclusive behaviours. This higher standard is also recognised by the University under 4.4 of the Student Discipline Regulations.

5.4. Student leaders are expected to lead Union activity to the best of their ability by:

5.4.1. Actively supporting the Union's [values, objects and mission](#) by leading an inclusive way and carrying out their duties to a high standard;

5.4.2. Knowing and understanding their role and responsibilities especially their duty of care and safeguarding responsibilities towards other students;

5.4.3. Undergoing required training for their role and highlighting where more may be required;

5.4.4. Where appropriate, supporting the smooth handover of duties and information to students taking over their role;

5.4.5. Supporting all students to ensure that they receive equitable treatment;

5.4.6. Not to be under the influence of intoxicants where such behaviour could be deemed unacceptable. Any type of Initiation ceremonies or beatings are strictly prohibited.

5.5. Elected Officer and Representatives

5.5.1. Being the authentic voice of the students. Representing students by gathering a diverse range of views on matters of importance to that group, and which may affect them. Accurately representing these students and the Union (knowing and upholding Union policy positions where required).

5.5.2. Initiate and/or support the development of campaigns and policy by proactively feeding into relevant Union decision-making bodies.

5.5.3. Proactively feeding back into relevant Union committees and structures in a timely and constructive way, or University/College structures if a recognised part of the role

5.5.4. Meeting their commitments as an Officer/Representative: being punctual, prepared and productive. This includes being open and transparent regarding all meetings and decisions unless confidentiality or commercial in confidence prohibits this.

5.5.5. Complying with any relevant conflict of interest policies.

5.5.6. If elected officers are organising activity, the Code's Section 7 will also apply.

5.6. Activity Leaders:

5.6.1. During events, 'on duty' members of Executives must be completely sober whilst being transported to or from any activity under the umbrella of the Union.

5.6.2. Must operate their activities within the accepted rules of their sport or activity including any national governing body guidelines.

5.6.3. Must comply with the Union's Financial Regulations regarding the use of funds to clubs, societies and other student groups.

5.6.4. Socials are group activity. Student leaders are expected to encourage appropriate behavior within their group and mitigate any potential negative impacts it may have on others, including members of the local community.

5.6.5. Should report any of the following regarding their group activity as soon as practicably possible to ensure the Union can action appropriate support and advice

5.6.5.1. Concerns regarding health and safety or accidents/ near misses;

5.6.5.2. Safeguarding issues;

5.6.5.3. Student Welfare issues;

5.6.5.4. Serious incidents;

5.6.5.5. Financial issues e.g. missing moneys or equipment.

5.7. Welcome Representatives and Ambassadors

5.7.1. In addition to the general duties in 5.3 and those expressed in 5.5.4-5.5.5 of this Code, Welcome Reps and Ambassadors including College Kitchen Reps are expected to:

5.7.1.1. Be polite and courteous at all times to students and visitors;

5.7.1.2. Follow any reasonable requests from Officers or University, Union or College Staff.

6. Reporting A Potential Breach of the Code

6.1. Where a student or third party believes there may have been a breach of the Code in relation to that student's activity relating to the Students Union or affiliated groups i.e. behavior has fallen below the standards outlined, a complaint should be made via the Students' Union Complaints Coordinator. The Complaints Coordinator will make an initial assessment and decision as to whether:

6.1.1. Any immediate action should be taken;

- 6.1.2.A complaints investigation under the Union's Complaints Procedure should be triggered or, if all or any of the matter should be referred to the University under the Student Discipline Regulations;
- 6.1.3.A matter maybe appropriate to be dealt with using summary jurisdiction;
- 6.1.4.A complaint is a matter for democratic processes in which case the complainant will be advised of the appropriate actions to take.
- 6.2. If the complaint concerns a Full Time Officer, the Complaint Coordinator will liaise with the Chief Executive to determine whether it falls under the Code or, if it is an employment matter, to be dealt with under the relevant employment policies.
- 6.3. Immediate action by the Complaints Coordinator may include:
 - 6.3.1. Partial or full temporary suspension of membership entitlements until the matter is fully investigated and resolved;
 - 6.3.2.Requirements to comply with specific conditions;
 - 6.3.3.Limiting use of a Union service or limiting interaction with a group.
- 6.4. If there is evidence on the face of it, that the Code has been breached, the Union reserves the right to take action without receiving any complaint. This could either be for actions or omissions of members. These actions may include:
 - 6.4.1.Immediate cessation of activity until a breach is remedied;
 - 6.4.2.Suspension of signatory rights;
 - 6.4.3.Suspension of access to systems and data.

In these circumstances, the Departmental Safety Officer, Data Protection Officer and Safeguarding Officer have full authority to take appropriate action as does the Senior Management Team.

7. Proceedings

- 7.1. Ordinarily matters referred to the University under Student Discipline Regulations will not be investigated by the Union until the University has concluded its proceedings.
- 7.2. However, the Union reserves the right to investigate matters concurrently where the actions/omissions of the members concerned are not covered by the University's rules or procedures. Under these circumstances any student whose conduct is under investigation shall know the remit of both the Union's and University's investigation.
- 7.3. The Union has the right to impose its own actions on a student member outside of any University process.
- 7.4. If matters may involve criminal proceedings, the Chief Executive of the Union will suspend any Union proceedings until any criminal proceedings are complete.
- 7.5. The Union will take a sensitive approach and will ensure reasonable effort to maintain confidentiality during any process and work to safeguard the wellbeing of those directly involved.

8. Summary Jurisdiction

- 8.1. Where 'low level' breaches of the Code have taken place summary jurisdiction may be applied. Low level breaches are where:
 - 8.1.1. A breach is uncontested a student or group admits it and;
 - 8.1.2. The impact of the breach is perceived as low;
 - 8.1.3. It is proportionate remedy and process;
 - 8.1.4. The breach was unintentional;
 - 8.1.5. This is a first-time breach, no recent record of previous breaches.
- 8.2. Where summary jurisdiction is appropriate this responsibility is delegated to the appropriate member of the Management Team based on the context of the breach.
- 8.3. Summary jurisdiction can only apply sanctions outlined 12.1.1 – 12.1.2
- 8.4. If a student or group subsequently disagrees with the outcome of the summary process, they have 5 working days to inform the Complaints Coordinator and the alleged breach may be referred for a full investigation and decision.

9. Investigation and Hearing of Alleged Breaches

- 9.1. Investigations will be conducted following the same principles for complaints with an objective investigating Officer appointed. This Investigating Officer will investigate the case and once concluded, present the case to a Student Code of Conduct Panel, if the breach requires it.
- 9.2. Any student member under investigation for a breach of the Code shall receive notification in writing as to:
 - 9.2.1. The nature of the alleged breach and confirmation of any immediate actions taken (6.4) and why;
 - 9.2.2. Process and timeframe to be followed;
 - 9.2.3. Any requirements of the students involved;
 - 9.2.4. Support and advice available to them; andIn addition, copies of any relevant documents and policies.
- 9.3. Ordinarily, alleged breaches of the Code will be heard by a Student Code of Conduct Panel. This is a panel of 3 students taken from a pool of selected annually and trained to serve on the Panel if needed.
 - 9.3.1. In exceptional circumstances, the Union reserves the right to ask third parties to sit on the Panel if required, such as Student Officers from another Union.
- 9.4. All Panel members are bound by confidentiality and are screened for conflicts of interest
- 9.5. The panel may hear evidence in any way it sees fit bearing in mind any needs for reasonable adjustments by any party. This includes the testimony of witnesses, and the production of documents or other relevant material evidence.

- 9.6. The individual or student group appearing before the panel shall have the right to present evidence in their defense orally at the hearing and/or in writing. The individual or student group shall also have the right to be accompanied by a friend who should normally be a member of the University.

10. Sanctions

- 10.1. Disciplinary action may be taken against any member who breaches the Code. These are the sanctions within the power of the Union which differ to potential University outcomes. Individuals and/or groups may have any of following sanctions and actions taken against them and this may be a combination:

- 10.1.1. Formal warning/caution subject to conditions;
- 10.1.2. Requirement to undertake training and development including reflexive activity regarding any negative impacts a breach may have had on the wider student community;
- 10.1.3. Financial Restitution: a fine/financial penalty to make good any damage or loss incurred to property by the Union and its student groups;
- 10.1.4. Time-limited suspension of an individual(s)' membership of the Union;
- 10.1.5. Time-limited suspension of an Affiliated Group;
- 10.1.6. Individual(s)' membership of the Union revoked;
- 10.1.7. Disaffiliation of a Group;

Or any similar sanction that is proportionate and deemed appropriate by the Conduct Panel for the breach.

11. Right to Appeal

- 11.1. A Student or student group has a right to appeal any decision by the Student Conduct Panel on the following grounds if there is evidence:

- 11.1.1. That could not reasonably have been made previously available; or
- 11.1.2. Of a material procedural irregularity; or
- 11.1.3. To demonstrate that the decision did not meet the rules of natural justice.

- 11.2. Any appeal must be made in writing to the Chief Executive of the Union within 5 working days of the student or group receiving the Panel decision and outcomes.

- 11.3. If the right to appeal is upheld, any appeals will be heard by a Trustee of the Union in the first place and if this is not possible, the Provost for Colleges and Student Experience.

- 11.4. An appeal can result in:

- 11.4.1. the original panel decision and sanctions being upheld;
- 11.4.2. the original decision being upheld but a reduction or restriction in the sanctions; or
- 11.4.3. An overturning of the original decision and removal of any sanctions.

