**CODE OF CONDUCT REGULATIONS AND**

**DISCIPLINARY PROCEDURE GOVERNING THE BEHAVIOUR RVC STUDENTS.**

January 22. 2016

**CODE OF CONDUCT REGULATIONS AND DISCIPLINARY**

**PROCEDURE GOVERNING THE BEHAVIOUR OF MEMBERS**

**OF THE ROYAL VETERINARY COLLEGE STUDENTS UNION SOCIETY**

**1.0 Introduction**

1. RVCSU has drawn up a Code of Conduct, which governs the activities of its members. The term “member” refers to all full members of the Students’ Union as defined in the Constitution (i.e. all registered students of the Royal Veterinary College who have not exercised their right not to be a member.)
2. The Code of Conduct and associated disciplinary procedures will, additionally, govern the activities of those students of the Royal Veterinary College who have exercised their right to “opt-out” of membership of the union whilst on Students’ Union occupied premises or whilst using Students’ Union services, facilities or activities or those of clubs or societies. The term “member” in this Code of Conduct includes such students for the purpose of these regulations.
3. The Code of Conduct and associated disciplinary procedures are intended to promote fairness and order in the treatment of individuals and in the conduct of the Students’ Union, in line with the policies of RVCSU and its parent institution. All members must accept that in any organization there have to be rules of conduct and behaviour.
4. Should it become necessary to take action against any member whose behaviour is contrary to accepted standards then the Code of Conduct explains the grounds on which members may be disciplined.
5. All members will be responsible for making themselves acquainted with all Union policies and procedures affecting them. It is a requirement of membership that members accept their obligations under the Code of Conduct, and all other relevant policies, rules and regulations.
6. Members will be issued with an identity card by the University and are encouraged to collect a Student Central card from the Student Central building on the UCL campus. One of these cards must be produced to any Officer or staff member of RVCSU upon request when on Students’ Union occupied premises or utilizing Students’ Union services or facilities or taking part in activities, which fall under the auspices of RVCSU. Inability to produce an identity card may lead to immediate exclusion from the premises, services, facilities or activity.
7. Members whose conduct, in the opinion of the licensees of Union operated licensed services, is prejudicial to the maintenance of good order on licensed premises may be subject to action initiated and enforced by the licensees or representative of the licensee. Such action does not form part of this Code of Conduct Regulations and may be taken either independently or in addition to action arising from this Code of Conduct.

**2.0 Conduct Regulations**

**2.1 General**

1. Misconduct is defined as *“improper interference with the proper functioning or activities of the Students’ Union, or other members, or those who work in the Students’ Union, or action which is considered detrimental to the best interests of the Students’ Union.”* Serious misconduct is defined *as “misconduct which, if proven, is likely to result in exclusion from Students’ Union occupied premises or withdrawal of rights to participate in or benefit from specified Students’ Union services, facilities or activities, or would result in suspension or expulsion from membership.’*
2. The functioning or activities of the Students’ Union include those activities undertaken by student clubs and societies.
3. Repeated or serial misconduct may be categorized as serious misconduct for the purposes of determining jurisdiction and penalty.
4. Breach of any of the following regulations or other misconduct shall make a member liable for disciplinary action under the Students’ Union’s Code of Conduct and Disciplinary Procedure.

**2.2 Behaviour Towards Other Members of RVCSU, RVCSU Employees, Visitors,**

**Guests and Other Persons.**

1. Members should always act with reasonable consideration towards other members, employees and other persons using RVCSU services, facilities or activities, or towards other persons away from the Students’ Union and the University who they may have contact with whilst representing RVCSU or participating in RVCSU activities, and observe this Code of Conduct and all subsidiary regulations.
2. Members shall comply with any reasonable instruction issued by any officer, employee, representative or agent of the Students’ Union.
3. Members shall not commit or threaten to commit any action, which may lead to injury to any person. Members shall not cause any person using Students’ Union services, facilities or activities or any guest of the Students’ Union, or other persons away from the Students’ Union and the University who they may have contact with whilst representing RVCSU or participating in RVCSU activities, to be concerned for their safety or wellbeing.
4. Members shall not commit any act of sexual harassment i.e. the making of advances or approaches or innuendoes of a sexual nature to the point at which their behaviour might reasonably cause alarm or distress to the person(s) to whom such approaches, advances or innuendoes have been made.
5. Members shall not commit or encourage any racist or homophobic activity or behaviour. Members shall not commit or encourage behaviour, which is deemed to victimise others in respect of their disability.
6. Members are required to observe the Students’ Union and the University’s Health and Safety and Fire regulations and procedures.
7. Members shall observe the Health and Safety and Fire Regulations and procedures of other organizations or premises that they may visit whilst representing RVCSU or participating in RVCSU activities.
8. Members shall show respect for match officials when participating in union sporting matches. Abuse of, or unreasonable behaviour towards match officials shall result in termination of the member’s right to represent the union on any sports team.

**2.3 Use of Building, Grounds & Equipment**

1. Members shall not deface nor maliciously damage any premises or property occupied, used or owned by the Students’ Union.
2. Members shall not deface nor maliciously damage any premises or property at any other establishment away from the Students’ Union whilst representing RVCSU or participating in RVCSU activities.
3. Members shall not intentionally or recklessly interfere with or misuse any equipment provided in the interests of health, safety and welfare.
4. Members shall not drop litter, eat or drink in unauthorized areas or smoke in unauthorized areas.
5. Members shall not enter any part of Students’ Union occupied premises which they do not have sufficient cause to enter which is not designated as a communal or public area.
6. Except for calls on official Students’ Union business, or other calls authorized by a Sabbatical Officer, no member is permitted to use the Students’ Union’s telephone for external calls.
7. Members shall not make unauthorized use of Students’ Union computers, photocopiers or other equipment and shall observe regulations governing the use of such equipment and services.
8. Members shall not make unauthorized use of Students’ Union vehicles and shall observe all regulations and policies relating to the driving or use of such vehicles.

**2.4 Administration**

1. Members shall observe the requirements of the Students’ Union’s constitution.
2. Members shall not interfere, or seek to interfere, with Students’ Union elections with the intent to frustrate the election process, to gain unfair advantage for a candidate(s), or to disadvantage a candidate(s).
3. Members or their guests shall not provide false information with the intent to deceive when seeking the issue of a Students’ Union (Student Central) card, or applying for membership of a club or society, or seeking to register or apply for any other service or activity.
4. Officers of clubs/societies shall observe all regulations and policies governing the operation of clubs and societies.
5. Members shall not forge, alter or misuse any Students’ Union document, record or identification card.
6. Members shall not seek to utilize the services of the clubs and societies without first paid the appropriate membership fee.
7. Members shall not seek to gain admission to events, access to services or products for which a charge is payable without paying due charges.
8. Members shall pay any debts or charges due and payable (including fines) to the Students’ Union at the required time.

**2.5 General**

1. Members shall not commit any act that the President has reason to believe is either a breach of acceptable behaviour or which is detrimental to the best interests of the Students’ Union.
2. Members shall not behave, whether within the premises occupied by the Students’ Union, the University or anywhere else, in a way likely to bring the name of the Students’ Union into disrepute.
3. No offensive weapon may be brought onto Students’ Union occupied property even if properly licensed.
4. Members shall observe regulations in force with regard to the purchase of tickets for entertainments and other social activities.
5. Members shall observe regulations in force governing admission to premises for the purposes of visiting bars or entertainments events. Where members are permitted to bring guests to an event, they shall be wholly responsible for the actions and behaviour of the guest and any disciplinary action that may result from the actions of the guest.
6. Members shall not purchase alcohol with the intention that the alcohol is consumed by a person who is under 18 years of age.
7. Members who are under 18 years of age shall not purchase or consume alcohol whilst on any Students’ Union licensed premises.
8. Members shall not possess or use illegal substances whilst in Students’ Union occupied premises, representing the Students’ Union or participating in Students’ Union activities.
9. RVCSU appointed senior organiser of an event reserves the right to request members to consent to a search of their belongings and/or persons either on admission to premises/events or whilst on the premises or at events where security personnel are not employed for this specific purpose. Members will usually be asked to give such consent if their behaviour is or has been consistent with behaviour which could be associated with breeches of this Code of Conduct. In addition, a system of random searches will usually be operated at the entrance to licensed premises. RVCSU is under no obligation to provide members with reasons as to why a request for a search was made. Members may choose to decline to a search of their belongings and/or persons, in such instances leave the premises/event for the remainder of the trading day. Members shall be required to observe and respect such requests.
10. Members shall not interfere with any teaching class or examination. The definition of interference includes (but is not limited to), excessive noise, entering late, failure to comply with requests by teaching staff.
11. All members shall, at all times, communicate with staff, and visitors of the college in a manner that is socially acceptable. Members communicating with college staff in an unnecessarily aggressive, threatening or impolite tone shall be in breach of these regulations.

**2.6 Use of Email**

1. The union President shall reserve the right to authorise access to college distribution lists.
2. Members of the union council shall normally be permitted access to the distribution lists.
3. Emails shall only be sent using the distribution lists for the following reasons,
a) Year-specific information
b) Official union business
c) To advertise official union social events
4. Use of the distribution lists outside the reasons listed in 2.6 III shall result in the individual concerned having his/her access to the distribution lists suspended indefinitely. This right shall be reserved by the union President
5. Students who do not have access to the distribution lists, or members that do but wish to post information outside these regulations must do by using the college intranet or other suitable methods.

**2.7 Criminal Offences**

1. Members shall not commit any offence against the Criminal Law whilst on Students’ Union occupied premises, representing the Students’ Union, or participating in Students’ Union activities.
2. Members who allegedly commit a criminal offence in their private lives may be in breach of the Code of Conduct and subject to the Disciplinary Procedure where it is felt that the alleged offence either brings the name of the Students’ Union into disrepute, where the behaviour of the member has an adverse impact upon the Students’ Union or the ability of other members to benefit fully from their membership of the Students’ Union, or where other members or employees of RVCSU might feel threatened by their presence
3. Alleged misconduct, which also appears to constitute a criminal offence or be in breach of the colleges’ regulations, may be referred to the appropriate authority.
4. The victim of alleged misconduct may refer the matter or require the matter to be referred to the police. Whilst there is no legal obligation to report an alleged or suspected offence, anyone may make such a report, and no person may prevent another person from making such a report.
5. Where there is prima facie evidence that a criminal offence has been committed but the victim does not wish the alleged offence to be reported, the union President, in consult with the Students’ Union’s Executive Committee, must decide, with due diligence, whether to report the offence or not.

**2.8 Complying With Disciplinary Procedures**

1. Members shall not reasonably refuse to assist in procedures for operating the Code of Conduct and Disciplinary Procedures. This shall include a requirement that they identify themselves when requested to do so by any employee of RVCSU when on Students’ Union occupied premises or utilizing Students’ Union services or facilities or taking part in activities which fall under the auspices of RVCSU.
2. Members shall comply immediately with a disciplinary decision upon receipt of notice of the decision, pending the outcome of any appeal if lodged.

**3.0 Penalties**

1. The Students’ Union shall have the powers to impose a range of penalties for breeches of the Code of Conduct or any other Students’ Union regulations. The penalties are:
a) Reprimand or caution.
b) A written or verbal apology to aggrieved person.
c) A formal and recorded written warning indicating the action, which may be taken if there is a further breach of the Code of Conduct. A copy of any written warning shall be given to the student, one copy retained by the appropriate Disciplinary Officers and one copy placed on the Disciplinary File kept by the General Manager or their nominee on behalf of the President.
*(Normally no more than one written warning shall be issued before the imposition
of a more severe penalty in the event of a further proven or undisputed breech of
the code by a member to whom the warning(s) have been issued. However, the period between a first warning and a second proven or undisputed breach of the student conduct regulations as well as the nature of the incidents concerned should be considered before imposing a penalty).*d) Financial restitution in full or in part of the cost of making good any damage or loss suffered by the Students’ Union or other members or persons.
e) Financial penalty up to £100 for being in breach of the Code of Conduct.
f) Exclusion from Students’ Union occupied premises or withdrawal of rights to participate in or benefit from specified Students’ Union services, facilities or activities for a specified period. (Exclusion or withdrawal of rights may be imposed pending a hearing or pending further investigation of an alleged offence where the nature and/or severity of the alleged offence warranted it). During this time the student shall not be permitted onto any union property, or to participate in any union event, inclusive of participation in the activities of the unions clubs and societies.
g) Suspension from membership of the Students’ Union. This shall mean that the member ceases to be a member on a specified date for a specified period of academic time, which shall not exceed 12 months. During this time the student shall not be permitted onto any union property, or to participate in any union event, inclusive of participation in the activities of the unions clubs and societies.
h) Expulsion from membership of the Students’ Union. This shall mean that the member ceases to be a member and shall not be entitled to re-enter membership on any future occasion.
i) Any combination of the above penalties.
2. Suspension of penalty. A penalty may be suspended for a given period, subject to the behaviour of the member in the period identified. A written communication to the member setting out such a suspended penalty shall clearly state that the penalty shall be imposed if there is any further proven or undisputed breach of the Code of Conduct or other regulations. Additionally, further conditions governing the imposition of any such penalty may be specified.
3. Deferral of penalty. A penalty may be deferred to apply from a certain date to avoid any untoward consequential penalty. Certain decisions by their nature or timing entail further direct or indirect consequential penalties. An example would be where a penalty withdrawing the right of a member to enter the bars coincides with hustings due to take place in the bar for an election in which the member is standing. A consequential penalty should NOT normally be taken into account when arriving at the initial decision on the appropriate penalty. It may, however, be appropriate to adjust the penalty, which would otherwise have been applied to ensure the effect of any consequential penalty is also fully considered.
4. The Disciplinary Committee may choose to make a report of the case to the college secretary. Such a report shall, in all cases, be made when a penalty is imposed under f,g,h,i above
	1. **Disciplinary Procedure**
5. The following principles govern the Disciplinary Procedure:
a) Members are entitled to know the full details of any charge of misconduct.
b) Members are entitled to be accompanied and assisted at a hearing or appeal by another member or person.
c) Members have the right to see all evidence to be presented throughout the hearing of evidence excluding the personal details.

d) Members have the right to know the membership of the committee not less than one day before the meeting and appeal against the constitution of the committee to the President.

e) Disciplinary procedures will be concluded as speedily as possible consistent with fairness and the nature of the alleged misconduct.
e) The process provides a right of appeal.
f) In all disciplinary proceedings a student shall be presumed to be innocent of the charge until the contrary is proved on the balance of probabilities.

1. The Disciplinary Procedure may be initiated by any member of the Students’ Union. The alleged misconduct, together with detail of the student(s) concerned, shall be referred by the complainant to the President (or other Officer in his/her absence) as soon as reasonably possible after the occurrence of the alleged breach. Where a member refuses to identify him/herself, this shall be regarded as a further breach of the Code of Conduct Regulations.
2. Where an alleged breach of the Code of Conduct Regulations involves a member in an alleged act of misconduct either within or in the immediate vicinity of licensed premises, then the bar manager or representative may suspend that members right of admission to the licensed premises. (This provision is in addition to the right of the licensees to take action independent of this procedure).
3. Where an alleged breach occurs in any other setting (including trips or activities away from the College) then the appropriate Officer, staff member or other agent shall have the authority to exclude the member from the facility, service or activity or to take any other reasonable action to prevent further immediate breaches of the Code of Conduct Regulations by any member whom they believe to have already breached the Regulations. This action shall at the earliest opportunity be reported to the President.
4. Where the alleged breach constitutes a criminal offence, the Students’ Union may decide to refer the matter to the Police. Where a member is subject to criminal proceedings arising out of the alleged breach of the Code of Conduct Regulations, the Students’ Union may, at the discretion of the President, choose to suspend disciplinary proceedings pending the outcome. *(In such circumstances, the Executive Committee may decide to impose a temporary exclusion from Students’ Union occupied premises or temporarily withdraw rights to participate in or benefit from specified Students’ Union services, facilities or activities pending the outcome of criminal proceedings and any subsequent disciplinary action under this Code of Conduct. Such action will only be taken where it can be demonstrated that the alleged breach of the Code of Conduct, if proven, would mean that the continued presence of the member would either bring the name of the Students’ Union into disrepute, where the behaviour of the member has an adverse impact upon the Students’ Union or the ability of other members to benefit fully from their membership of the Students’ Union, or where other members or employees of RVCSU might feel threatened by their presence or any other reasonable reason).*
5. Appropriate investigations will be undertaken as soon as possible. All persons concerned in the alleged misconduct, whether complainant, respondent or witness, will be required to complete a Statement Form. All evidence will be submitted on a Statement Form, together with any additional documentation as appropriate.

**5.0 Disciplinary Committee**

**5.1 Membership**

1. The Disciplinary Committee (hereinafter called ‘the Committee”) shall consist of the President (Chair), and two other executive officers to be selected at based upon impartiality from the disciplinary action from the membership of the executive committee.
2. The President shall appoint a secretary to the committee.
3. Whenever a meeting of the Committee is called, any member having an interest in its proceedings, which he or she considers may prevent him or her from adjudicating upon them fairly and impartially, shall declare such interest to the Committee. Those Committee members not declaring an interest shall consider the eligibility of the member declaring an interest for membership of the Committee for the meeting in question.
4. Where the member bringing the complaint to the committee is also a member of the committee, the defendant shall be permitted to object to this and request an alternative member of the executive committee to take his/her place on the committee.
5. Where The Respondent presents reasonable grounds that a member of the committee should be excluded for bias and/or prejudice against the respondent the president shall hear the appeal and judge whether to seek a replacement member for the committee.

**5.2 Procedure**

1. The Chair shall be responsible for convening the Disciplinary Committee and for the proper conduct of all proceedings relating thereto.
2. The Respondent shall be provided in writing, at least 5 working days before the said meeting with:
a) notice of the time, place and date of the meeting
b) full details of the charge(s) of misconduct
c) a copy of any written evidence
d) a copy of these regulations
3. When appearing before the Committee, the Respondent may be accompanied by a friend, who shall be a member of the Students’ Union.
4. The case against the Respondent will be put by the president.
5. The case for the Respondent will be put either by the respondent or their friend.
6. The Committee and the Respondent shall be empowered to present written evidence. Such written evidence may not be provided without providing the other party via the Committee Secretary with a copy of it, at least two working days before the hearing. Other forms of evidence other than written statements will be accepted at the discretion of the Chair of the Committee. The Committee and the Respondent shall be empowered to cross-examine each other’s’ evidence.
7. The Committee and the Respondent shall be empowered to call witnesses and to cross examine each other’s’ witnesses. Only witnesses from whom prior written statements have been received and circulated shall be called. The Chair may set aside this regulation at his/her discretion in the interests of natural justice, but must give his/her reasons for doing so.
8. It shall be the responsibility of the Chair to ensure that minutes of the hearing are prepared. Such minutes shall be signed by him/her and copies sent to the Complainant and Respondent within 7 days of the hearing. The communications officer shall file a copy of the Minutes in the Disciplinary File. The Respondent will be informed of his/her right of appeal.
9. All hearings of the Committee shall be conducted in private.
10. Any decision on the outcome of a hearing shall be a unanimous verdict. Where the committee is unable to reach a unanimous verdict, the chair reserves the right to make a decision based on the majority feeling of the committee.
11. At the end of the hearing the Chair will notify the Respondent of the decision. The Respondent will be informed that this decision will be communicated to him/her in writing. Where the Committee finds the complaint proven, it shall impose a penalty or a combination of penalties from those available, or, in the case of appeal, confirm, quash or vary the original findings and/or penalty.

**5.4 Penalties**

1. Any penalty listed in section 3 or any combination of penalties.

**6.0 Rights of Appeal**

**6.1 Appeal against the finding/penalty**

1. The Respondent may appeal against the decision of the Disciplinary Committee. The Complainant may similarly appeal.
2. Any appeal must be based on:
a) Additional new evidence
b) Perversity of judgment against the weight of the evidence presented
c) Procedural irregularity
d) Demonstrable prejudice or bias against the Respondent
e) The penalty cited as ultra vires (beyond the authority of the Officer or Committee to impose) or otherwise inappropriate to the misconduct.
3. Any appeal shall be in writing and lodged with the college secretary within seven
working days of written notification of the outcome of the hearing, who shall decide whether grounds exist for an appeal.
4. Where the college secretary rules that there are grounds for appeal, the disciplinary
committee shall reconvene using the same regulations for procedure. The chair shall
remain as the president of the union but the other two members of the committee
shall not be the same as in the original hearing.