



DISCIPLINARY PROCEDURES FOR FULL MEMBERS OF READING UNIVERSITY STUDENTS' UNION (RUSU)

Note:

The Designated Premises Supervisor (DPS) acting on behalf of RUSU (the Premises Licence Holder) reserves the right to refuse entry and exclude any person from all RUSU Licenced venues for a maximum of 12 weeks' (term time from date of offence) for any indiscretions that are not included in RUSU Disciplinary Procedures. There is no scope for appeal should you be notified that you are excluded from the Licenced venues.

DP1 Application of Disciplinary Procedures

1.1 This document sets out the procedures to be followed in the case of disciplinary actions against a member of RUSU ("the student").

1.2 Disciplinary action may be taken in respect of any breach of discipline alleged to have occurred:

- (i) on RUSU premises;
- (ii) while the student is using RUSU facilities;
- (iii) while a student is representing RUSU at any event of whatever kind and wherever held or
- (iv) by a signed in guest of a member of Reading University Students' Union

1.3 In this procedure, a breach of discipline means (but is not limited to):

- (i) threatening or harassing any other person, whether physically, verbally or online;
- (ii) assaulting any other person;
- (iii) damaging any property, whether deliberately or negligently;
- (iv) acting in contravention of the Equality & Diversity Policy;
- (v) acting in breach of the Behavioural Policy;
- (vi) acting in breach of the Zero tolerance Policy;
- (vii) infringement of current RUSU policies;
- (viii) acting without due regard for the safety of others;
- (ix) acting with dishonesty or with intent to defraud;
- (x) behaving in any manner likely to bring RUSU or the University of Reading into disrepute or
- (xi) acting in breach of the law.

1.4 Should the incident be deemed in breach of the law the matter will be referred to the Police, which could lead to a criminal prosecution. In this situation the matter will be dealt with by the Police in the first instance. Once this investigation is complete the matter will then progress via RUSU's disciplinary procedure.

1.5 Should the incident be deemed to be in breach of University regulations the matter will be referred to the University Authorities by RUSU. Where the University considers that its Regulations for conduct have been breached it may impose a disciplinary sanction and its Standing Disciplinary Committee has the power to remove a student from membership of the University. In this situation the matter will be dealt with by the University in the first instance. Once this investigation is complete the matter will then progress via RUSU's disciplinary procedure.

1.6 Where a student is also a RUSU staff member and is alleged to have committed a breach of discipline, the matter may be dealt with either under this procedure or under the Student Staff Disciplinary Procedure. Whether or not the alleged breach occurred while the student was working as a staff member at the time of the alleged incident, the student can still be dealt with through the Student Staff Disciplinary Procedure. For the avoidance of doubt, a student who is also a RUSU staff member may not, while under an Interim Ban, Disciplinary Ban or suspension imposed under either Procedure enter onto RUSU premises for the purposes of working. For the purpose of clarity it should be noted that should a member of student staff be involved in an alleged incident while a student, this could have an impact on their future employment with the organisation.

1.7 Any allegation of breach of discipline which is made against or involving a RUSU Student Trustee shall be dealt with through the normal RUSU Disciplinary Procedure as outlined in this Policy. Should the breach of discipline be proven, the Student Trustee may be removed from office as per Article 25.5 of the RUSU Constitution.

DP2 – Interim Bans

2.1 If any RUSU Officer Trustee has reasonable cause to believe that a student has committed a breach of discipline they may place that student under an interim ban.

2.2 If a licensee of RUSU or their representative has reasonable cause to believe that a student has committed a breach of discipline while on RUSU licensed premises they may place that student under an interim ban.

2.3 On being placed under an interim ban, the student shall if on RUSU premises or using RUSU facilities, leave those premises or facilities forthwith.

2.4 While a student is under an interim ban, they shall not, except with the prior consent of the RUSU Officer Trustee or Licensee of RUSU or their representatives

- (i) enter onto RUSU premises or use RUSU facilities; or
- (ii) represent RUSU at any event of whatever kind wherever held.

2.5 An interim ban shall remain in full effect until the later of the following:

- (i) the date on which the student is notified of the decision on their case
- (ii) the date of which the student is notified of the outcome of any appeal

DP3 – Disciplinary Investigation

3.1 A student alleged to have committed a breach of discipline shall, as soon as possible after the event in question (or its discovery, as the case may be), be given a written notice (either by email or letter) setting out the particulars of the alleged breach.

3.2 Should the student not respond to communications or refuse to engage with the process, they will be deemed to have nothing to add. Should an investigation stage occur, this is to establish the facts and where appropriate obtain statements from any available witnesses.

3.3 It should be recognised that being the subject of a complaint can be a difficult time for an individual and RUSU will undertake the investigation with appropriate discretion, care and consideration. RUSU will endeavour to ensure all steps in the process remain fair and in line with Equality and Diversity Policy.

3.4 The investigation will be undertaken by an Officer Trustee and a RUSU staff member not involved in the case. The investigation will be undertaken in a timely manner taking into consideration the complexity of the case; availability of witnesses and timing in the academic year. Having carried out an investigation, they will then decide whether the matter should progress to a disciplinary hearing. The notification that the matter should progress to a disciplinary hearing will clarify whether the alleged breach will be dealt with via the University procedure, RUSU member procedure or RUSU Student staff procedure.

DP 4 Disciplinary Hearing

4.1 The student will be notified of a Disciplinary Hearing in advance and will be provided with any written evidence to be used. Disciplinary Hearings will be arranged as far as possible at a mutually convenient time and place.

4.2 At the Disciplinary Hearing the student will have an opportunity to state their case and answer the allegations that have been made. The Disciplinary Hearing with the banned student should be as soon as possible, normally within a week. At the Disciplinary Hearing, the student shall have an opportunity to explain their actions. They may be accompanied by a fellow University of Reading student (not being a member of the Disciplinary Committee or the Appeals Committee) and, whether or not they attend, may submit representations and provide information to the Committee.

4.3 The Disciplinary Committee shall make a decision as to whether the student did commit the alleged breach, and, if so, what sanction is imposed, having regard to the Sanctions Guidance. The decision shall be notified to the student in writing (either by email or letter) within one week of the meeting.

4.4 Within one week of notification of the decision, by writing to the Chair of the Appeals Committee (the President of RUSU) the student may appeal against:

- the severity / appropriateness of sanction imposed;
- a procedural irregularity in the disciplinary process.

Or alternatively the student may appeal if they are able to provide new evidence that was previously unavailable.

DP 5- Constitution of Disciplinary Committee and Appeals Committee

5.1 The Disciplinary Committee shall consist of an Officer Trustee, who shall chair the meetings, and two people selected from the following groups: a Student Trustee; a Part Time Officer; an Officer Trustee or a RUSU staff

member. None of the selected committee members should have been previously involved in the incident, issue or with the individuals in question.

5.2 The Appeals Committee shall consist of the President of RUSU or their representative, who shall chair the meetings, and two people selected from the following groups: a Student Trustee; a Part Time Officer; an Officer Trustee, an External Trustee or a RUSU staff member. None of the selected committee members should have been previously involved in the incident, issue or with the individuals in question.

5.3 No-one who serves on the Disciplinary Committee shall subsequently serve on the Appeals Committee.

DP 6 – Sanctions Guidance

6.1 Should the Disciplinary Committee find that the student; club or society has committed a breach of discipline the following sanctions are available to the Committee:

- No further action;
- Formal warning for a specific timeframe;
- A fine of up to £500 to cover damages;
- The removal of individual / team / club from BUCS and any other competitions;
- Disaffiliation of a team / club / society from RUSU and withdrawal of all support;
- Removal of individual membership from a team / club / society;
- Removal from position of responsibility, whether elected or appointed;
- A ban from RUSU premises for a specified timeframe;
- A ban from using RUSU facilities (e.g. minibus / room hire) for a specified timeframe.

6.2 Where disciplinary action is necessary, the student will be informed of the decision. This will be in writing and will state:

- Detail of the misconduct that has resulted in the disciplinary action;
- The level of disciplinary action;
- Any recommendations / action required to prevent future disciplinary action;
- If appropriate, the length of time the warning will last before it is removed;
- Details of the appeals procedure.

6.3 Where the Disciplinary Committee deem it appropriate, the teams / clubs / societies that the student in question is affiliated with, may be informed of the outcome of the Disciplinary Procedure.

DP7 – Appeals procedure

7.1 Within 14 days of receipt of an appeal, the Chair of the Appeals Committee shall call a Committee meeting.

7.2 The Appeals Committee shall review the information about the case, including the notes from the Disciplinary Hearing and letter of appeal in advance of the meeting.



7.3 The student may attend and may be accompanied by a fellow University of Reading student (not being a member of the Disciplinary Committee or the Appeals Committee) and, whether or not they attend, may submit representations and provide information to the Committee.

7.4 The Appeals Committee shall decide:

- (a) where the appeal is against a finding that the student has committed a breach of discipline, whether to uphold or to dismiss the appeal;
- (b) where the appeal is against a sanction imposed, whether the sanction should stand or be removed, altered or varied and detail what the new sanction is;
- (c) where the appeal is against the process, whether this would have had an impact on the sanction imposed.

7.5 The decision of the Appeals Committee shall be communicated in writing (either by email or by letter) within seven days of the meeting.

7.6 The decision of the Appeals Committee is final and the student will have no further right of appeal.

DP8 - Confidentiality

All material relating to disciplinary and appeals proceedings, including the names and addresses of those involved, shall be recorded and kept securely. Access to such material will be allowed on a "need to know" basis only. These records are to be kept confidential and retained in line with the above disciplinary procedure and the Data Protection Act 1998. Copies of any meeting records will normally be given to the individual concerned (in certain circumstances information shall be withheld for example to protect a witness)