

2020



# **STUDENTS' UNION**

# **CODE OF CONDUCT**

## **INCLUDING DISCIPLINARY**

## **& COMPLAINTS PROCEDURES**

Guidelines & rules for students on how to conduct themselves when involved with UBU.

Applies to all UBU members and also groups such as **Activities Groups** and **Sports Teams** plus **UBU Council**.

Students accepting roles in Council and its Assemblies (including for example all Execs) agree, when taking on their role, to follow the rules specific to their area.

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## Code of Conduct

### 1. Introduction

This **Code of Conduct** must be read in the context of the **University of Bradford Union of Students' Constitution** which sets out the overall aims and objectives of UBU, which is a Charity.

"Member" here refers to all University of Bradford students who have not actively opted out of membership of the Students' Union (in accordance with the Education Act 1994). It also applies to any Associate Members and Life Members who may be involved with our groups and students.

All University of Bradford *students* (whether or not they are UBU members) are separately required – by the University – to also abide by the University of Bradford Ordinances including Ordinance 16 ("Conduct of Student Members of the University").

### 2. Purpose

The primary concern for UBU is always the welfare of students, especially when they take part in any activities organised in the name of UBU.

By "welfare" we include physical and mental health, together with the expectation that all our members will feel safe, comfortable, and welcome to engage with any and all of our social, volunteering, educational, recreational, and other activities.

It is also the intention of UBU that all its spaces and activities shall be "safe spaces" for all students.

This document aims to provide staff and students associated with UBU with tools to enable transparent approach to manage student behaviour.

These guidelines are issued in order to ensure:

- That the safety and wellbeing of anyone attending any UBU activity or event, no matter how organised, will be protected.
- That all individuals will be respected and treated fairly and without prejudice relating to any protected characteristics, and without harassment of any kind.

The appendices include our [Disciplinary Procedure](#) which indicates what can be done in the event of a breach of the **Code of Conduct**.

### 3. When does the Code apply?

This **Code of Conduct** applies to activities, on- and off-campus, including those organised by Sports Clubs, Activities Groups / Societies, and UBU Council's Officers & Networks. It also applies to all participants in Kick Start activities.

The **Code of Conduct** also applies any time when a student's activity, in person or online, is linked to an activity or event organised by UBU or a registered UBU group, or could reasonably be construed to be representing UBU. This includes social media and also anyone wearing UBU branded clothing.

The **Code of Conduct** also applies to individuals making use of UBU social spaces in an individual capacity.

The **Code of Conduct** applies regardless of whether any [complaint](#) has been brought.

#### 4. Responsibilities of all Members in Activities & Events

These have been categorised for convenience; category headings do not restrict the application of each rule.

##### Reputational & respect issues

- i. Every Member of UBU is expected to take these policies and their implications seriously, to provide leadership by example, to be considerate and supportive of others, to be fair and sporting at all times, and to be proud to represent the good name of UBU.
- ii. Members will conduct themselves at all times to ensure that their actions do not bring either the University or UBU into disrepute. Members should give mind to how their actions might be perceived, and not just the intention behind those actions.
- iii. Members should be aware of using inclusive language on social media websites; never use profanities in organised events or on social media, never post indecent or offensive images on social media. All UBU groups (in addition to the individuals responsible) will be held responsible for anything posted under their accounts on social media.
- iv. Do not be abusive to anyone or anything, either verbally, physically, or electronically (e.g. online).
- v. You must act as an appropriate ambassador for the University, UBU and your UBU group(s) whilst undertaking an activity.

##### Health & Safety issues

- vi. No trips, events, or planned activities (to which other students are invited or may drop in) may be organised without the approval of the UBU Events Team (see events booking form and risk assessments). In all cases and with no exceptions, a risk assessment must be completed and the UBU Health & Safety policies and procedures must be followed.
- vii. No social activity should take place whereby there is risk of damage to the physical or psychological health of those taking part.
- viii. At all events, the organisers (e.g. the Execs or Officers) are required to ensure at least one responsible person is present who will not partake of alcohol. Additionally all members are to take a responsible attitude to the consumption of alcohol when involved in events or wearing UBU clothing both on and off campus. Nobody should ever encourage anyone else to consume alcohol by any means except to state its availability, e.g. on a menu.
- ix. Excessive consumption of alcohol is discouraged whilst travelling to and from an activity or event in organised transport or whilst wearing UBU clothing or carrying banners or other identifying materials. For the avoidance of doubt, whilst “excessive consumption” is a subjective point, it may be taken into consideration in the event of an investigation under the [Disciplinary Procedure](#) or [Complaints Procedure](#).
- x. Organisers should be sensitive about the availability of alcohol; where members decide they do not wish to attend social events (including “Wednesday circles”) because alcohol is present, they must not be disadvantaged because of this. Their non-attendance at such events should not become a barrier to inclusion and participation in the group and in particular its core activities.

##### Legal & external regulatory issues

- xi. Members will adhere to the law of England & Wales, and additionally the law of any other country in which the relevant activity is taking place. Breach of the law will also constitute breach of this [Code of Conduct](#). This includes possession and use of illegal substances. In relation to sports clubs this also includes a requirement to follow the anti-doping rules set by UK Anti-doping (UKAD).
- xii. Where applicable, abide by the rules and regulations set by Governing Bodies, for example British University College Sports (BUCS).
- xiii. Members shall also adhere to the terms and conditions properly imposed by external contractors employed for UBU, for example, conditions of carriage on rented coaches.

##### Internal governance issues

- xiv. All Members are required to report to the UBU any participant in a UBU group who does not hold a valid membership for that group and / or UBU.
- xv. Registered UBU groups must adhere to appropriate **By-laws** such as the **Areas By-law** covering Activities Groups and Sports Clubs. The Officers are responsible for any breach which they knowingly allow or approve, and individual members are responsible for any breach they commit.

#### Property issues

- xvi. UBU property and that of UBU Groups is for use only in connection with official UBU and UBU Group activity. Permanent removal for exclusive personal use, and use including temporary use for unauthorised external commercial activity, is forbidden.
- xvii. Treat all facilities and equipment made available to you during activities and events with respect (e.g. sports pitches, seminar rooms, vehicles, toilets). Report any damage and breakages.

#### Dignity & behavioural issues

- xviii. Treat all those involved in the University and UBU (staff, students, and visitors) with respect.
- xix. All members of UBU registered groups must recognise and adhere to UBU Equal Opportunities Policy and related policies of the University. UBU operates a Zero Tolerance approach to breaches of these.
- xx. Social events must not cause any individual involved to feel degraded, harassed or intimidated.
- xxi. “Initiation ceremonies” are specifically prohibited by UBU, and the University, and BUCS. This includes “welcome events” and ceremonies where members are expected to perform tasks in order to gain credibility, status, or entry to the group. Organising an initiation ceremony will automatically result in the organisers being brought into the **Disciplinary Procedure**.
- xxii. Disrespectful or intimidating behaviour towards members of the local community or University will not be tolerated.
- xxiii. Do not harass or abuse anyone. This includes any form of “social banter”, “lad culture”, or “gossip” that could amount to abuse or harassment.
- xxiv. Do not use threatening, intimidating, violent, disorderly, prejudicial or offensive behaviour towards other members of the club or any other persons.

#### 5. Potential Consequences of Breaching the UBU Code of Conduct

On each separate occasion that the guidelines are breached, the individual responsible, and potentially any group they were representing at the time, face possible sanctions.

Our sanctions are intended as a deterrent and will always be accompanied by some form of instruction to try to ensure that those involved learn from the experience, and to minimise the risk of recurrence.

The sanctions will be ascertained, imposed, and may be eligible to be appealed, in accordance with our **Disciplinary Policy**, which can be found in [Appendix B](#).

Affected Members will also be contacted by the UBU Complaints Coordinator to ensure the UBU **Complaints Procedure** is followed if relevant and necessary. The **Complaints Procedure** is in [Appendix C](#). This also includes details of the procedure for appealing any sanction.

#### Available Sanctions

UBU may sanction one or more individual students in line with the list of examples shown in [Appendix A](#), part 1.

UBU may sanction an a registered UBU group such as a Sports Club or Activity Group (a.k.a. Society) in line with the table of examples shown in [Appendix A](#), part 2.

## 6. Note regarding external bodies

Any sanction imposed by UBU does not preclude intervention also by external authorities (e.g. Police, University) who will apply their own procedures and sanctions.

Any Member of a UBU registered group who breaks University regulations will be subject to University disciplinary procedures and may be expelled from the University and their course. In some instances, the UBU group may be disbanded.

If a Member of a UBU registered group breaks the law, the Police will become involved. The result may be as it would be in any part of society: arrest and a court appearance, a fine, an adversely affected credit rating, inability to serve as a Trustee or Director, Community Service, and even custodial time; plus potentially a criminal record.

## 7. How to raise an issue or complaint

If you spot something of concern, inform the Sabbatical Officer most relevant to the issue, who will initiate the [Disciplinary Procedure](#). The following are typical examples of which will be the relevant Sabbatical:

- For issues within Sports Clubs, the Sports & Wellbeing Officer
- For issues within Activity Groups, the Community & Activities Officer
- For issues within Faculty Representative or Student Representative settings, the Education Officer
- For issues within the Council or the general student population, the Student Affairs Officer

In the event that you feel there may be some form of conflict of interest, it is acceptable to approach an alternative Sabbatical Officer.

In any case, *at the discretion of the person or group complaining*, it is possible to instead make a formal complaint via the [Complaints Procedure](#).

Examples of when this might be appropriate include, but are not limited to:

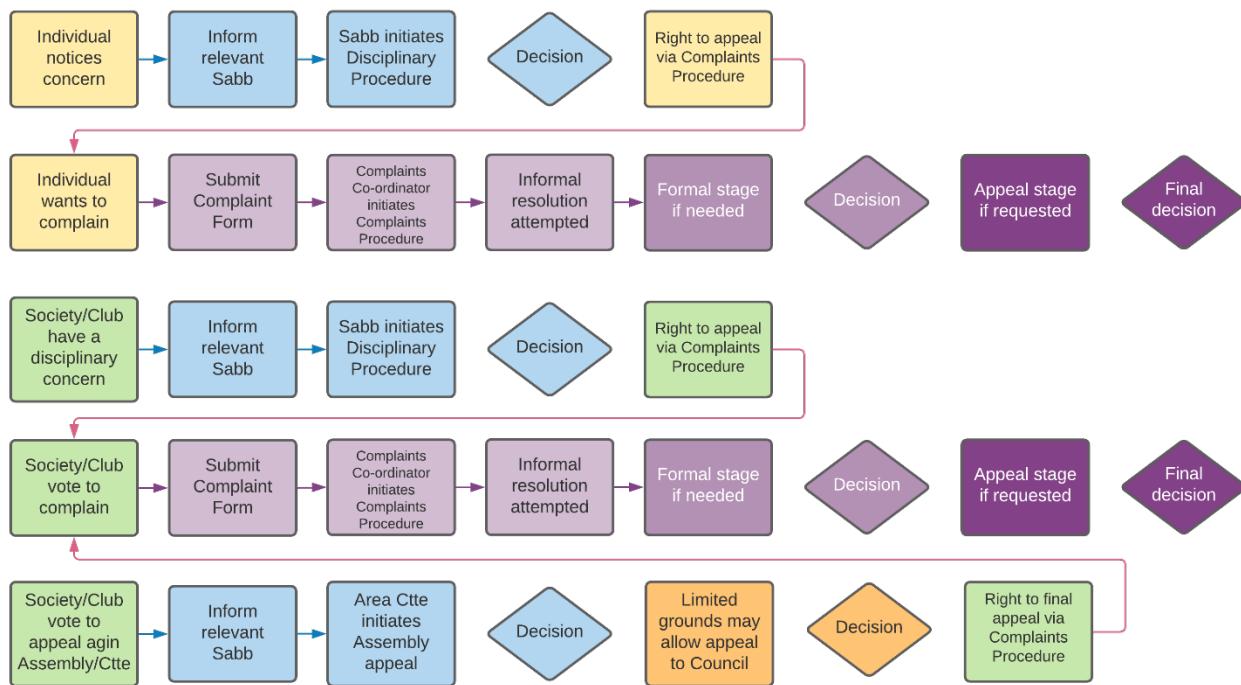
- there is an overall conflict of interest regarding all of the Sabbatical Officers;
- where you do not reasonably feel that the Disciplinary Process will address your issue;
- where you have any concerns regarding the confidentiality or other aspects of the process.

In such circumstances, to raise a formal complaint, there will be a form to fill in, available from UBU via our website. Please refer to the [Complaints Procedure](#) for full details.

## 8. Flow diagram of Code of Conduct processes

Select the most appropriate starting point from the left-hand column.

Note that "Society/Club" represents all similar groups including Activity Groups, Council Committees, etc.





## Appendices

### Appendix A: tables of potential sanctions

#### Part 1: individuals

##### UBU may sanction individuals by means of:

- i. Written warning (not for repeat offenders);
- ii. Instruction to issue an apology (not normally to be the sole sanction for repeat offenders);
- iii. Specific match or event bans, which may cover individual events or a determined period of time;
- iv. Fines for damages;
- v. Bans from *all* events and activities organized by specified, or all, UBU groups;
- vi. Exclusion from Kick Start award eligibility;
- vii. Expulsion from membership of a UBU group, including dismissal from elected roles;
- viii. Under extremely serious circumstances, expulsion from membership of UBU.

##### Life Membership

Expelled student Members will not be eligible for Life Membership upon graduation.

Expelled Life Members will not normally be able to rejoin in that capacity.

Note that UBU has no direct involvement in membership of the University Alumni Association.

##### Associate Membership

Non-students such as Associate Members, if expelled, will not normally be re-accepted in future.

## Part 2: official Groups, e.g. Sports Clubs and Activity Groups (Societies)

### General principles

- There are three levels of incidents and three corresponding levels of disciplinary action.
- The more serious an incident is judged to be by UBU, the more serious the consequence will be.
- Persistent repeat offenders will find sanctions escalate for repeats of the same, or related offences.

### Level 1 Incidents (examples)

- Abuse to officials, coaches or instructors, University or Union staff, or students
- Property misuse including littering, vandalism, untidiness
- Community or residential distress, including noise and directed abuse
- Abuse or disruption at social venues or in social settings

### Level 1 disciplinary actions (examples)

- Formal apology from individuals or the club / group
- Fines or financial compensation
- Private account freezing
- Payment of additional training for the club / group or execs
- Social bans
- Community and / or volunteer work

### Level 2 Incidents (examples)

- Property damage, internal or external venues
- Initiations
- Theft or club accounts misuse, including financially extorting members
- Knowing or repeat cultural / ethnic insensitivity or appropriation

### Level 2 Sanctions (examples)

- Bans from competitions, training or activity
- Bans from attendance to sporting events such as Varsity, Colours
- In-house venue bans
- Executive members or team removal
- Funding reduction or removal

### Level 3 Incidents (examples)

- Incidents leading to the disrepute of the club, University of Bradford or University of Bradford Union.
- Incidents deemed to be severe enough in nature to be referred to Police

### Level 3 Sanctions (examples)

- Suspension of the club / group from UBU
- Individuals potentially removed from University

### Variable incidents

Bullying, Harassment, and Victimisation  
(definitions in line with University's Policy)

### Sanctions

Discretionary between Level 1, 2 or 3

Hate Crime and Discrimination against Protected Characteristics under the Equality Act

Discretionary between Level 2 or 3

## Appendix B: Disciplinary Procedure

The [Disciplinary Procedure](#) describes what will happen in response to breaches of the [Code of Conduct](#) and written complaints about student behaviour. Procedures within UBU are necessarily at all times subordinate to the University's Disciplinary Code, and also the law of the land. Action under these regulations cannot preclude action by the University or government agencies including the Police.

The [Disciplinary Procedure](#) shall be invoked in any of the following ways:

1. Through the [Complaints Procedure](#) when a complaint is deemed suitable to be brought forward by the Complaints Coordinator; and / or
2. When a suspected breach of the [Code of Conduct](#) is brought forward directly by a UBU Officer or staff member; and / or
3. When a matter is escalated from the UBU Sports or UBU Activities Committees (or their Assemblies) in accordance with the [Areas By-law](#).

The matter shall be referred to the Sabbatical Officer who represents the relevant area (for Activities, Sports, and Education), or in their absence and for general situations, the Student Affairs Officer.

The Sabbatical will convene a Disciplinary Group comprising three students including one Sabbatical, one Council Executive Officer, and a staff member from the relevant area. Wherever possible these will be selected to include a gender balance. Their role is to decide whether the matter can be reasonably dealt with themselves or whether the issue should be referred on to:

- i. The UBU Chief Executive Officer (CEO)
- ii. The University Secretary

If the Disciplinary Group decide to deal with the matter themselves, they shall then summon the student(s) to attend a hearing, giving reasonable notice, and shall at the same time inform the student(s) of:

- i. Their right to be accompanied by one other person of their own choice (and also, of the availability of the UBU Advice Centre);
- ii. The allegation made against them;
- iii. This document, including the penalties that may be imposed should the student(s) admit or be found guilty of the alleged offence.

The procedure at the hearing shall include the following:

- iv. The Chair shall ask the student(s) if they admit or deny the alleged offence.
- v. If the student denies the offence, the conduct of the hearing shall be as the whole Group consider fair and reasonable, certainly ensuring that the student(s) are given an opportunity to present their case.
- vi. If the student(s) admit or are found guilty of the offence, they shall be allowed to make a statement in mitigation in relation to the penalty.

Potential sanctions (penalties) are listed in the [Code of Conduct](#) appendices.

The Chair shall confirm the groups' decision in writing to the student within 5 working days of the hearing and advise them of the right to appeal against the decision and / or the penalty, if (and only if) they believe the process was unfair or in error.

Details of how to appeal are in the [Complaints Procedure](#).

## Appendix C: Complaints Procedure

### Section 1: Definition and Scope

#### 1.1 *What is a complaint?*

A complaint is a formal expression of dissatisfaction made by either an individual student or a group of students for which an identifiable outcome is sought.

A complaint may relate to the quality of service, the acceptability of standards, or the appropriateness of communications provided by University of Bradford Union of Students ("UBU").

A complaint may also be made in connection with an officially authorised UBU activity.

Complaints may be brought by any Member of UBU.

Any student who has chosen to opt out of membership of UBU shall, in the first instance, take any complaint regarding UBU directly to the University Secretary.

Non-Members who are also not University of Bradford students may also submit complaints and UBU shall consider the most appropriate channel for these at its discretion.

#### 1.2 *What does not qualify as a valid complaint under this procedure?*

Complaints are not acceptable and will not be dealt with under this procedure if any of the following apply:

- i. the matter should first be investigated by a lower, more appropriate process
- ii. the matter relates to UBU Elections, in which case it should be dealt with in accordance with the process in the [Elections By-law](#);
- iii. the complaint has been made anonymously;<sup>1</sup>
- iv. the complaint has been made by a third party (including family members or friends of registered students);<sup>2</sup>
- v. the complaint relates to the conduct of UBU staff, in which case it should be made directly to the Chief Executive Officer (CEO) to be dealt with via established University Human Resources procedures;
- vi. the complaint relates to the CEO, in which case it should be directed to the Chair of the Board of Trustees under confidential cover.
- vii. the matter has already been investigated and disposed of by UBU in this process;
- viii. the matter has already been investigated and disposed of by the University of Bradford;
- ix. the issues are outside the scope of the procedure;
- x. the complaint is made without disclosing adequate grounds;
- xi. the complaint is outwith the time limit;
- xii. the complaint is trivial, malicious, vexatious, or frivolous;
- xiii. the complaint is merely a difference of opinion regarding policy or political decisions of elected UBU officers or representatives, providing that those decisions have been made in a constitutional way and are suitably documented.

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1. Anonymous complaints can only be investigated where there is compelling evidence of a good reason why the complainant would need to protect their anonymity beyond the protection afforded by this confidential process.

2. Only in very exceptional circumstances can a complaint be made by a third-party; this might include where the third party is the parent of a minor, or has legal power of attorney for the complainant.

### 1.3 Principles

The [Complaints Procedure](#) shall abide by the following principles at all times:

- i. complainants will not be disadvantaged unreasonably nor treated unfairly because of making a complaint — UBU will act without bias or prejudice, with the objective of establishing facts and coming to a reasonable and just resolution which is relevant and proportionate;
- ii. any complainant seeking guidance on how to make a complaint to UBU shall have access to timely and accurate advice;
- iii. complaints will be handled with an appropriate level of confidentiality, with information released solely for the purposes of investigating or responding to the complaint — no third party shall be told more about the investigation than is strictly necessary to obtain information required from them;
- iv. complainants will be kept informed of the progress of the investigation at reasonable intervals and where possible at each major stage of the process;
- v. a complaint must be correctly notified to UBU within 20 working days of the event or circumstances which are its cause — only in exceptional circumstances will extensions to this time limit be considered by UBU;
- vi. if a complaint relates to a series of events, the complaint should normally be notified within 20 working days of the most recent event;
- vii. complaints will be dealt with in a timely manner and UBU will aim, where practical, to deal with complaints within one calendar month of the first working day following receipt;
- viii. any person who is the subject of a complaint has the right to be provided with an anonymised copy of the complaint and to be invited to comment on it;
- ix. UBU will make reasonable adjustments for all parties during all stages of the [Complaints Procedure](#) as required under the Equality Act 2010;
- x. members may be accompanied at any meeting or hearing under this [Complaints Procedure](#) by a representative of their choice and that representative may speak on their behalf — Members must provide the name of the representative to the Union before the meeting or hearing.

### 1.4 Malicious, Vexatious or Frivolous Complaints

No complainant should be disadvantaged for making complaints in good faith. All reasonable complaints will be taken seriously and dealt with according to this procedure.

However, if it is established that complaints are malicious, vexatious, or frivolous, and particularly if they are egregious or repeated, UBU may consider taking disciplinary action against the Member or Members making such complaints.

## Section 2: Complaints Coordinator

UBU shall have a Complaints Coordinator who oversees the [Complaints Procedure](#). They shall be a UBU staff member, appointed by the Chief Executive Officer and approved by the Trustee Board.

The Complaints Coordinator is available to those registering a complaint and those who are the subject of a complaint, to provide advice and guidance on the process. The Complaints Coordinator is not an advocate for either party and will neither hear evidence nor take decisions about the outcome of any complaint at any stage. The Complaints Coordinator will play an impartial advisory role in appeals, and act as the primary liaison if a student invokes their right to appeal, as set out in this procedure.

If a student suspects a breach of the [Complaints Procedure](#), they must bring this to the attention of the Complaints Coordinator for investigation at the earliest opportunity.

If a student wishes to register a complaint against the Complaints Coordinator, it must be sent to the UBU Chief Executive Officer under confidential cover. Following the conclusion of the Formal Stage of the [Complaints Procedure](#), it will normally be more appropriate to request the Appeal Stage, rather than complaining about the Complaints Coordinator. In such circumstances, affected Members may seek advice from the confidential UBU Advice Centre regarding how best to proceed.

## Section 3: Stages of the Complaints Procedure

The [Complaints Procedure](#) comprises three stages:

- First: the informal, early resolution stage, which is the preferred starting point;
- Second: the formal stage;
- Third: the appeal stage, which is applicable only under specific circumstances.

### ***3.1: First stage — “Informal Stage”***

Many complaints can be easily and amicably resolved informally. Where possible, these should be dealt with as soon as the matter arises. Therefore, in the first instance, all complainants should bring their complaint to the attention of the Complaints Coordinator who will attempt to find a suitable way for the issue to be mediated. Time limits apply and are listed in the “principles” section, above.

Typically the Complaints Coordinator would discuss the complaint with the complainant and make enquiries. They will endeavour advise the complainant of their suggested outcome within five working days.

If a complaint has still not been resolved satisfactorily by this informal procedure, the complainant may invoke the formal [Complaints Procedure](#).

### ***3.2: Second stage — “Formal Stage”***

#### 3.2.1: Submission

Formal complaints must be submitted by the Member(s) to the Complaints Coordinator using the UBU Complaints Form (available via the UBU website or on request by email).

The Complaint Form requires the following details:

- i. The name(s), contact details and UBU number(s) of the complainant(s);
- ii. An outline of the nature of the complaint;
- iii. An indication of any action(s) taken so far to resolve the issue(s) informally, including under the Informal Stage of this [Complaints Procedure](#);
- iv. The outcome / resolution the complainant is seeking in order to resolve the matter;
- v. Any supporting evidence which relates to the complaint (e.g. copies of emails, copies of letters, witness statements, other relevant supporting documentation) — such evidence must be attached with the form when it is initially submitted. Later submissions will not normally be accepted.

#### 3.2.2: Receipt

On receipt of a Complaint Form, the Complaints Coordinator will officially log the complaint along with any supporting documentation and dispatch a standard letter of acknowledgement. This should be sent out by email within 5 working days of the complaint being received.

With all official letters from the Complaints Coordinator, if the complainant has indicated that email is not receivable by them, signed-for post may be used.

Once a completed Complaint Form has been submitted the complaint becomes formal: all future correspondence regarding the complaint will be kept on record.

#### 3.2.3: Confirmation

The UBU Complaints Coordinator will next ascertain whether the complaint is eligible to be heard under this [Complaints Procedure](#).

If the complaint is deemed to be ineligible, the Complaints Coordinator will write to the complainant to

notify them of this decision. This should be sent out within 5 working days of the decision and will provide details as to the right of appeal as laid below. Any appeal must be lodged in writing within 10 working days of date the decision is sent out if by email, or the date received if sent by signed-for post.

#### 3.2.4: Mediation

Where possible in the Formal Stage of the [Complaints Procedure](#), UBU will offer a confidential mediation service for Members, to support them in trying to resolve complaints informally and at the earliest opportunity. This will be a member of the Advice Centre team unless there is a conflict of interest that prevents this. Mediation is entirely voluntary for all parties concerned — all participants must be willing to engage in facilitated discussion which aims to seek a suitable, mutual agreement between all parties for an acceptable way forward. All parties retain responsibility for resolving their differences — no decision is *imposed* in a mediation process.

#### 3.2.5: Further Consideration / Investigation

If the complaint is deemed to warrant further consideration, the Complaints Coordinator will notify the complainant of this decision, within 5 working days of the decision date. The notification must note the action being undertaken, expected timescales (where possible), and the name of the Investigating Officer.

The Complaints Coordinator, in consultation with the CEO, will appoint an independent person as Investigating Officer, who will lead a formal investigation. This person shall be a senior member of UBU staff or a Sabbatical Officer.

The Investigating Officer will investigate the evidence surrounding the complaint, including (but not limited to) that supplied by the complainant.

A personal hearing with the complainant will always be offered as part of the process of evidence gathering. The complainant has the option to be accompanied by a representative of their choice. This meeting shall be minuted. The meeting may be conducted online.

The Investigating Officer will normally also invite anyone who is the subject of a complaint to a similar personal hearing. They will have the option to be accompanied by a representative of their choice and the meeting shall be minuted. If the Investigating Officer decides not to hold this meeting, they shall record their reasoning for this in writing.

#### 3.2.6: Reports

Following the investigation, the Investigating Officer will produce a written report which summarises the evidence and will state whether the complaint has been ***upheld, partially upheld, or rejected***.

The report will include the reason(s) for this decision and any recommendations, and will include information on the right to appeal the decision(s). This will be sent to all parties in the complaint, plus the Complaints Coordinator, as soon as possible after the decision is reached.

### 3.2.7: Outcomes

If the Investigating Officer makes a decision to uphold or partially uphold the complaint, they are able to recommend and request any of the following:

- i. A formal apology be made;
- ii. Further procedures be invoked, e.g. UBU or University [Disciplinary Procedure](#);
- iii. Actions be taken to rectify the specific causes of the complaint (which need not necessarily correspond to any stated desired resolutions from the complainant);
- iv. Further review be carried out by other bodies e.g. UBU Council, UBU Trustee Board etc.;
- v. Financial compensation or restitution be offered (as deemed appropriate, e.g. from a UBU group, and subject to approval of the Trustee Board).

The Investigating Officer cannot offer any of the following:

- i. Changes to UBU policy or procedures;
- ii. Discipline of UBU staff. (The CEO will at all times have the right to explore such a matter separately, if deemed appropriate by the CEO.)

The Complaints Coordinator shall allow the appropriate time for an appeal, as set out below, before notifying all parties of the outcome.

Failure to abide by the outcome may result in a sanction deemed fit by the UBU CEO, in consultation with the Trustee Board, such as expulsion from UBU Membership, and/or referral on to the University's Disciplinary Process.

### 3.3: Third stage — “Appeal Stage”

Should the Formal Stage fail to satisfy and/or reconcile the parties, they have right to appeal the decision. A request for an appeal should be submitted in writing to the Complaints Coordinator within 10 working days of the date that the Report from the Investigating Officer was made available to the parties.

The sole purpose of an appeal is **to review the process by which the complaint was considered**; it is not an opportunity to have a complaint heard again owing to dissatisfaction with the outcomes. Normally an appeal will only take place if it can be reasonably demonstrated that either:

- i. new evidence, not previously made available to the process, has become available, and which could not reasonably have been brought to the attention of the Investigating Officer previously; or
- ii. a procedural irregularity or act of bias has been identified on the part of the Investigating Officer.

Upon the receipt of a formal and in order request for appeal, the Complaints Coordinator will refer the appeal to the **University Secretary**, who will appoint a senior Officer of the University to hear the appeal.

The senior Officer of the University will then make their investigations, and inform the appellant what action they plan to take and the timescale over which the appeal is expected to take place. The Officer will have the authority to either uphold the complaint outcome or to overturn it.

Following the appeal, the senior Officer will write to the parties (including the Complaints Coordinator) detailing their findings. The decision of the senior Officer of the University is final and constitutes formal completion of UBU's procedures in the matter.



I understand and accept the terms of this **Code of Conduct**.

**Signed by the Officer:**

Position .....

Signature .....

Print Name .....

Date .....

**Signed on behalf of the Union:**

Senior Officer, e.g. Sabbatical (specify role here): .....

Signature .....

Print Name .....

Date .....