

<b>THE STUDENTS' UNION (THE SU) COMPLAINT &amp; DISCIPLINARY PROCEDURES</b>
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### Confidentiality

Where necessary The SU can share information internally and with the University in order to resolve complaints and disciplinary issues.

## Complaint Procedures

### Making a Complaint

Any person can make a complaint against the Union and any of its student members, staff or Officers by emailing [su-cda@bath.ac.uk](mailto:su-cda@bath.ac.uk).

This email should explain the complaint and how it might be resolved including any supporting evidence.

The SU will respond within 5 working University days to acknowledge that the complaint has been received.

In the event that the complaint received should be handled by another process the person making the complaint will be directed to this process.

If a person is unsure whether they wish to make a complaint they may wish to discuss it first in confidence with the Advice & Support team or an SU staff member.

### Stage 1: Officer and Manager

The SU will arrange for an appropriate Officer and/or manager to handle the complaint.

They will investigate the matter and decide what actions (if any) should be taken to resolve the complaint.

They can meet with any person in connection with the complaint and issue sanctions to student members in accordance with disciplinary procedures.

Once the investigation is concluded they will email the complainant to inform them of the outcome of the investigation where possible within 10 working University days.

## Stage 2: Complaints & Disciplinary committee

The complainant will have 5 working University days on receiving the outcome of stage 1 to email [su-cda@bath.ac.uk](mailto:su-cda@bath.ac.uk) to request that the Complaints & Disciplinary committee meet to consider the complaint.

The Complaints & Disciplinary committee will formally meet with the complainant within 10 working University days of a request to consider the complaint and decide what actions (if any) should be taken to resolve it.

They can meet with any person in connection with the complaint and uphold, dismiss or amend sanctions given to Student members in accordance with disciplinary procedures.

Within 5 working University days of the meeting The SU will inform those who attended the meeting of the outcome.

## Stage 3: Independent review of complaint

If having completed the complaints process any person can prove that these procedures were not followed correctly during the process, they may request the University Secretary to review the complaint.

Any person who wishes to request a review of the complaint must email the University Secretary within 5 working University days of receiving the outcome of the Complaints & Disciplinary committee meeting.

The University Secretary (or a person acting on their behalf) will either uphold or dismiss the complaint and the person who requested the review will be informed of the outcome.

## Disciplinary Procedures

### Reporting misconduct

Any person (*reporting party*) may report misconduct by emailing [su-cda@bath.ac.uk](mailto:su-cda@bath.ac.uk), informing an SU staff member or using the University's Report & Support tool.

Where possible, and appropriate, the reporting party will be informed of:

- actions taken in relation to the disciplinary throughout the process;
- the final outcome;
- where they can seek advice & support.

### Stage 1: Issuing sanctions

Officers and managers can issue sanctions to student members but only where there is evidence that a student member has committed an act of misconduct.

An email will be sent to the student member (*respondent*) giving details of the:

- Allegation;
- Sanction to be issued;
- Evidence against them;
- Appeal process;
- Support & advice available to them.

### Stage 2: Complaints & Disciplinary committee

The respondent will have 5 working University days after receiving a sanction to request an appeal by emailing [su-cda@bath.ac.uk](mailto:su-cda@bath.ac.uk).

The respondent can only request an appeal if they have evidence to prove that:

- they may be innocent of the allegation made against them;
- the sanction issued is not in accordance with this document or proportionate;
- the correct procedure has not been followed in issuing the sanction.

The Complaints & Disciplinary committee will review the evidence provided for an appeal and either:

- inform the respondent that the grounds for an appeal have not been successfully met; or
- formally meet with the respondent within 10 working University days to decide whether to uphold, dismiss or amend the sanction given.

If the Complaints & Disciplinary committee decide to meet to hear the appeal:

- the respondent may bring a friend or adviser to support them, with the committee's prior approval;
- the committee may invite any other person they feel necessary for the purpose of the meeting;
- the committee may still make a decision if the respondent does not attend the meeting;
- they can uphold, dismiss or amend any sanction given to the respondent;
- the respondent will be informed of the outcome within 5 working University days.

### **Stage 3: Independent review of disciplinary**

If having completed the disciplinary process the respondent can prove that these procedures were not followed correctly during the process, they may request the University Secretary to review the case.

If the respondent wishes to request a review of the case they must email the University Secretary within 5 working University days of receiving the outcome of the Complaints & Disciplinary committee meeting.

The University Secretary (or a person acting on their behalf) will review the case to determine if procedural irregularities occurred that might have unfairly affected the judgement reached by the Complaints & Disciplinary committee.

If the University Secretary (or a person acting on their behalf) determines that this has happened they will be able to uphold, dismiss or amend the sanction given to the respondent.

### **Serious Misconducts**

There are serious misconducts identified within the Misconduct and Sanctions section which The SU and University will address jointly.

Any student member suspected of committing a serious misconduct (either in The SU or University) will be referred to the University's disciplinary procedures.

The SU will suspend any student member temporarily until the University's disciplinary procedure is concluded.

If the University concludes that a serious misconducts has been committed then, as part of a joint sanction with the University, The SU will issue a ban in accordance with sanctions listed under the Misconducts and Sanctions section of these procedures.

Any sanction issued by The SU for a serious misconduct can only be appealed in accordance with the University's disciplinary procedures.

## Misconduct and Sanctions

In the guidelines below a ban means a ban from all SU venues, committees, activities, events, blocking website permission and services.

Student members who have been banned or suspended will still be entitled to access The SU Advice & Support team.

Any holidays (such as the summer holidays) may be excluded from the ban at the discretion of the person issuing the ban.

All SU sanctions issued will be in accordance with or proportionate to the following.

Misconduct	Examples	Sanction
Unauthorised entry	Attempting to or entering an SU venue or event without paying	Two to four-week ban
Inappropriate behaviour	Urinating in a public space Intentionally being disruptive to others around them	Two-week ban Two to four-week ban
Bullying	Being deliberately offensive to another person Threatening or coercing another person Harassing another person over a sustained period of time	Four to six-week ban Six to eight-week ban <b>(Serious Misconduct)</b> Twelve to fourteen-week ban
Careless Behaviour	Unintentionally risking or causing minor harm to self or others Unintentionally risking or causing serious injury to self or others	Four to six-week ban <b>(Serious Misconduct)</b> Six to eight-week ban
Supplying Drugs	Being found with an amount of drugs to suggest dealing	<b>(Serious Misconduct)</b> Eight to ten-week ban
Violent Behaviour	Attempting to or intentionally causing minor harm to another person Attempting to or intentionally causing serious injury to another person	Ten to twelve-week ban <b>(Serious Misconduct)</b> Twelve to fourteen-week ban
Disrespecting staff	Being deliberately offensive or threatening to an SU staff member Attempting to or causing harm to an SU staff member	Eight to ten-week ban <b>(Serious Misconduct)</b> Fourteen to sixteen-week ban
Sexual misconduct	Non-consensual sharing of indecent images of another person Non-consensual sexual physical contact of another person	<b>(Serious Misconduct)</b> Sixteen to twenty-week ban <b>(Serious Misconduct)</b> Twenty to twenty-four-week ban
Damage to property	Causing damage or loss of property (Less than £1000) Causing damage or loss of property (More than £1000)	Ban until repaid <b>(Serious Misconduct)</b> Ban until repaid
Breaching a sanction	1 <sup>st</sup> Time 2 <sup>nd</sup> Time	Ten to twenty-week ban Fifteen to twenty-week ban