

## Code of Conduct

### **Aims of this Code of Conduct**

- To protect members.
- To protect others that are potentially affected by members' actions.
- To ensure the highest possible standards of fairness, honesty and behaviour.
- To reduce the risk of harm, injury, harassment and nuisance to members and the community in general.
- To create inclusive and vibrant communities at the University.
- To ensure elected representatives conduct themselves, and the activities they are responsible for, in an inclusive, safe and legal way.

### **To whom does this Code apply?**

- All members, including associate members and honorary life members.
- All persons associated to a student group including, but not limited to, members, associate members, coaches/instructors and administrators.
- All elected Officers, volunteers or those that hold a representative position with the Students' Guild.

As the Sabbatical Officers are paid representatives, any complaint about them under this code will be handled using an Employer/Employee approach. This does not affect the ability of members to scrutinise or hold elected representatives to account, as detailed in the Bylaws. This also includes the Trustees of the Organisation.

For the avoidance of doubt, this Code does not relate to Guild staff, who are covered as an employee of the organisation.

### **Terms of the Code of Conduct**

All members agree to abide by the terms outlined below:

- Adhere to the Bylaws and policies of the Students' Guild.
- Behave in a manner which does not endanger or is anti-social towards other individuals
- Uphold the principles of Health and Safety Policies and be proactive to resolve issues to keep everyone safe from harm at all times.
- Act in a way so as not to cause fear, threats, intimidation, harassment or an unwelcoming atmosphere to others.
- Ensure all members feel welcome to participate in non-judgemental and non-threatening discussions, activities, services or events.
- Act responsibly at all times when participating in activities, or representing the Students' Guild, and to avoid actions which could bring the group, the Students' Guild or sponsors/funders into disrepute.
- Be aware of how their actions may be perceived by others.
- Conduct themselves in a reasonable manner relating to language, noise and behaviour.
- Not encourage or pressure others into acting against the Code.
- Operate within the rules which govern the activity, or the facilities in which it is taking place.

All Student Groups agree to abide by the terms outlined below;

- Adhere to the Bylaws and policies of the Students' Guild.
- Ensure all activity is registered and approval by the Students' Guild before undertaking said activity.
- Uphold the principles of Health and Safety Policies at all times and be proactive to resolve issues to keep everyone safe from harm.

- Operate within the rules which govern the activity or the facility in which it is taking place.

All Elected Officers, Volunteers & Representatives agree to abide by the terms outlined below;

- Adhere to the Bylaws and policies of the Students' Guild.
- Ensure all activity is registered and approved by the Students' Guild before undertaking it.
- Uphold the principles of Health and Safety Policies at all times and be proactive to resolve issues to keep everyone safe from harm.
- Operate within the rules which govern the activity or the facilities in which it is taking place.
- Ensure that they are inclusive of all members at all times.

### **What happens if this Code of Conduct is believed to have been breached?**

Committees of student groups must not investigate potential breaches of this code, and should refer directly to the Students' Guild.

All complaints will be undertaken in line with the Complaints Policy. Where the complaint is outside of the scope of the Students' Guild we will refer to University of Exeter.

### **Breaches of discipline**

Disciplinary action may be taken in respect of any breach of this code:

- On Guild premises;
- While the member is using Guild facilities or at a Guild event; or
- While a member is representing or acting on behalf of the Guild at any event of whatever kind and wherever held;
- In relation to actions or incidents between two or more members of the Guild in any of the settings above, or in relation to actions or incidents between Guild representatives and staff or stakeholders.

The Guild has set out within this Code the types of misconduct and gross misconduct it considers to constitute breaches of discipline, including misconduct by a student group, elected officer, volunteer or representative. These lists are illustrative and not exhaustive.

A Full Member of the Students' Guild will also be a Student at the University of Exeter and so, the Guild will only take action under this Code when the action or activity is clearly a Guild related incident. Usually, breaches of discipline between Members that have no involvement in Guild activity, or the Guild involvement is merely the context of a wider breach of discipline, will be the responsibility of the University, or a higher authority to investigate. The Students' Guild will work with relevant authorities to ensure any outcome is supported through the activities and services under the Guilds authority.

### **Gross misconduct**

Gross misconduct is misconduct of such a serious nature that the Guild will be entitled to immediately suspend the member's membership entitlements. Examples of gross misconduct include, but are not limited to:

- Theft, fraud and falsification of records, whether or not for personal gain;
- Physical violence or threats;
- Deliberate or serious damage to, or misuse of, Guild or personal property;
- Misuse of the Guild's name;
- Bringing the Guild into serious disrepute;
- Acceptance of bribes or other corrupt practices;
- Serious incapability whilst representing the Guild brought about through alcohol or the use of recreational drugs;

- Possession, custody or control of illegal drugs on the Guild's premises;
- Serious breach of the Guild's policies and regulations;
- Deliberate unauthorised disclosure of confidential information (including breaches of GDPR);
- Gross negligence;
- Acts of incitement or deliberate/malicious acts of harassment or discrimination of an individual or groups of individuals for example, on the grounds of sex, transgender status, marital or civil partnership status, pregnancy, colour, race, nationality, national origins, ethnic origins, religion or belief, religious practices, sexual orientation, disability, age, previous criminal convictions or trade union membership;
- Serious bullying or intimidation of an individual or groups of individuals, including threatening behaviour;
- Sexual misconduct;
- Serious infringement of equal opportunities, safeguarding or staff protocol policies;
- Conviction of a criminal offence that impacts on the member's ability to remain a Guild member and/or office holder.

### **General misconduct**

The great majority of breaches of discipline will not be sufficiently serious to warrant immediate suspension of all membership entitlements. Certain types of offences will however warrant the issue of a warning or some other disciplinary sanction as set out in this procedure, and examples of such breaches are listed below.

Examples of the types of misconduct that may warrant some form of disciplinary action include (but are not limited to):

- Harassment or discrimination of an individual or groups of individuals on the grounds of sex, transgender status, marital or civil partnership status, pregnancy, colour, race, nationality, national origins, ethnic origins, religion or belief, religious practices, sexual orientation, disability, age, previous criminal convictions or trade union membership;
- Bullying or intimidating behaviour;
- Breach of health and safety rules;
- Failure to follow the Guild's policies and regulations;
- Misuse of computer facilities including misuse of email and Internet access;
- Failure to take proper care of the Guild's or University property;
- Rudeness or offensive behaviour including the use of abusive language to individuals or groups of individuals.

### **Student Group Misconduct**

Student Group Misconduct is misconduct which is enacted by a group collectively. This includes the actions of the Elected Officers, Representatives and Members of the group, either individually or collectively. Where individuals have breached this policy, it is down to the Review Panel to decide if the Student Group are also culpable by allowing the breach to take place. This misconduct can include examples listed under Gross and General Misconduct.

### **Elected Officers, Volunteers & Representatives Misconduct**

Elected Officers, Volunteers & Representatives Misconduct is misconduct which is enacted by an individual within a leadership or voluntary role within the Students' Guild. These individuals will be treated against a higher threshold of acceptable standards due to their role. This misconduct can include examples listed under Gross and General Misconduct, along with;

- Upholding the values of the Students' Guild and its membership.
- Act responsibly at all times, in line with the Nolan Principles of Public Office

- Ensure that their relevant membership have appropriate access to them and they do not exclude any member from engaging with them.

### Sanctions for breaching the Code

Any breach of this Code of Conduct may result in one or more sanction as set out below. The matrix details the decision-making process and likely sanctions.

### Code of Conduct Decision Matrix

Breach of the Code of Conduct	Likely severity of harm (injury to person and/or damage to reputation)			
		<b>Slightly harmful</b> Minor or no injury/ no or low reputational damage (1)	<b>Harmful</b> External intervention (e.g. hospitalisation or other)/local level reputational damage to the Students' Guild (2)	<b>Extremely harmful</b> Serious physical or mental harm/national level reputational damage to the Students' Guild (3)
<b>No/minor breach</b> (1)		1	2	3
<b>Moderate breach</b> (Organisational rules broken) (2)		2	4	6
<b>Major breach</b> (civil/criminal law broken) (3)		3	6	9

Any breach of this Code of Conduct may result in one or more of the following (please note this is not an exhaustive list) and that sanctions are decided at the discretion of the Review Panel. Each Level of Sanction may include the sanctions within the levels below it. It may also be possible that group and individual sanctions are deemed necessary in one case:

### Member sanctions:

1	Warning
	Letter of apology to be written
2	Ban from relevant activity** or accessing Guild Services for a period up to 1 month
3	Ban from relevant activity** or accessing Guild Services for a period up to 3 months
	Mandatory attendance at a training session or equivalent
4	Ban from relevant activity** or accessing Guild Services for a period greater than 3 months
6	Ban from running for an elected position at the Students' Guild
	Refer to University disciplinary action
	Removal of Guild activity from HEAR report
9	Lifetime ban from Students' Guild groups or events
	Removal of Students' Guild Membership

### Group sanctions:

1	Warning
	Letter of apology to be written
2	Fine
	Removal of one or more privileges* for a period up to 1 month
3	Removal of privileges* for a period up to 3 months
	Mandatory attendance at a training session or equivalent
4	Removal of grant funding and/or the ability to apply for funding in the future

	Removal of privileges for a period up to 1 year
6	Removal of stall at Freshers Fair
	Disaffiliation of student group for one academic year
	Refer to University disciplinary action
9	Disaffiliation of student group for 3 academic years

#### Officer sanctions:

1	Warning
	Letter of apology to be written
2	Ban from relevant activity**, position and/or accessing Guild Services for a period up to 1 month
3	Ban from relevant activity**, position and/or accessing Guild Services for a period up to 3 months
	Mandatory attendance at a training session or equivalent
4	Removal of elected position
6	Ban from running for an elected position at the Students' Guild
	Refer to University disciplinary action
	Removal of Guild activity from HEAR report
9	Lifetime ban from Students' Guild groups or events
	Removal of Students' Guild Membership

\*The privilege removed will be the one most relevant to the group involved, and may include privileges provided to them from other sources (i.e. external funding.)

\*\*The activity may also refer to those carried undertaken outside of the Students' Guild.

In addition, if repeated breaches are committed by the same individual or group, further action may be taken. A sanction at levels 1, 2 and 3 may be awarded up to three times. On the third breach, the sanction will automatically move to a higher level and the Review Panel will consider the magnitude of the sanction.

#### Review Panel

The Review Panel will be convened to review the breach and to decide the sanction to be imposed. Any investigation conducted under this process, or others, should put forward recommendations based on the Code of Conduct Decision Matrix. These recommendations will determine the membership of the Review Panel.

For recommendations below level 4, the Review Panel will be made up of a Sabbatical Officer with the relevant area of the individual or group within their remit and a Senior Member of Guild Staff as an advisor to the Panel.

For recommendations above level 6, the Review Panel will be made up of the Guild President, a Sabbatical Officer with the relevant area of the individual or group within their remit, and a Senior Member of Guild Staff as an advisor to the Panel.

#### Appeals

If you wish to appeal a sanction imposed from this Code, please refer to the Complaints Policy.