

Arts SU Code of Conduct

Purpose: The purpose of this Code of Conduct is to outline the processes used to handle any complaints, appeals or disciplinary action in relation to incidents which occur during Arts SU activities or within Arts SU premises. Arts SU elections have a separate set of regulations and disciplinary processes outlined in the Election Bye-law.

1. Definitions and Overview

- 1.1. The member making the complaint will be described in this bye-law as “the complainant”
- 1.2. The member being complained about will be described in this bye-law as “the respondent”.
- 1.3. Behaviour which may result in an investigation includes (but is not limited to):
 - 1.3.1. Bringing Arts SU into disrepute
 - 1.3.2. Anti-social behaviour which is contrary to expected behaviours of members as outlined in Arts SU and UAL policies
 - 1.3.3. Both verbal or physical threatening towards students or staff at Arts SU
 - 1.3.4. Inappropriate behaviour due to intoxication in one of the venues operated by Arts SU or at any external event connected to Arts SU
 - 1.3.5. Vandalism
 - 1.3.6. Theft
 - 1.3.7. Assault on students or staff at Arts SU
 - 1.3.8. Use/possession/distribution of illegal or controlled substances in UAL or Arts SU premises
 - 1.3.9. Breach of Arts SU’s Articles or Bye-laws
 - 1.3.10. Breach of the law impacting on Arts SU
 - 1.3.11. Fraud
 - 1.3.12. Bringing malicious complaints as part of this process
- 1.4. This process does not cover the conduct of Arts SU staff as this is dealt with under the Arts SU Staff Handbook.
- 1.5. This process applies to all Arts SU members as defined in the Membership Bye-law
- 1.6. This process covers actions which occur on Arts SU premises, at external events rain in connection with Arts SU, actions of visitors or members, actions of members whilst representing Arts SU or participating in Arts SU activity.

2. Non-disclosure

- 2.1. To ensure Arts SU protects staff and maintains a confidential relationship with and between those involved in any complaint; informal or formal, information relating to the complaint will not be discussed with any third party.
- 2.2. In exceptional circumstances information may be disclosed to third parties such as:
 - 2.2.1. When a complaint or disciplinary action is being referred to the UAL complaints or disciplinary procedures.
 - 2.2.2. When a member or any other person is at risk of causing harm to themselves or others.

Complaints

3. Disciplinary Records and Accrued Sanctions

- 3.1. Records of all investigations will be maintained for the duration of 5 years.
- 3.2. Arts SU reserves the right to accrue disciplinary penalties issued under the Disciplinary Committee Sanctions as appropriate.
- 3.3. Arts SU reserves the right, where appropriate, to reopen an investigation or disciplinary issue at any stage.

4. Reporting a complaint

- 4.1. Complaints should be made in writing to Arts SU by emailing a completed copy of the Arts SU Complaints Form to info@su.arts.ac.uk and should be addressed to the Chair of the Trustee Board.
- 4.2. The Arts SU Complaints Form can be located on the Arts SU website [here](#).
- 4.3. All supporting evidence should be included with the Complaints Form to ensure the matter can be thoroughly investigated in a timely manner.

5. Acting on a Complaint

- 5.1. The Chair of the Trustee Board will either authorise an investigation or write to the complainant explaining why the complaint is not being upheld.
- 5.2. Both the respondent and the complainant will be informed in writing within 7 working days of the complaint being raised and given notice of a date for any Disciplinary Committee Meeting.

6. Complaint Investigation

- 6.1. The complaint will be investigated by a Complaint Investigator appointed by the Chair of the Trustee Board who will be a member of the Arts SU Senior Leadership Team.
- 6.2. The Complaint Investigator will conduct the investigation based on the Complaints Form and supporting evidence provided and send recommendation for next steps.
- 6.3. Following on from the investigation three courses of action may be recommended:
 - 6.3.1. No further action is necessary, and the complaint is dropped.
 - 6.3.2. The complaint is to be resolved informally or formally through a written warning or establishing a mediation process.
 - 6.3.3. The complaint is passed on to the Disciplinary Committee
- 6.4. During the period of investigation, the respondent(s) may be suspended from Arts AU activities and premises.
- 6.5. The recommendation from the investigation will be sent to the Chair of the Trustee Board who will formally notify the respondent and complainant of the outcome of the investigation.

Disciplinary

7. Disciplinary Committee

- 7.1. The Arts SU Disciplinary Committee will be made up of two elected Sabbatical Officer Trustees and a member of the Arts SU Senior Leadership Team who was not the Complaint Investigator.
- 7.2. No member of the Disciplinary Committee will be someone who has a conflict of interest or previous involvement in the action under consideration by the committee.
- 7.3. Before the Disciplinary Committee Meeting the respondent will be provided with formal details of the nature of the complainant's original complaint and any additional witness statements relating to the complaint.
- 7.4. The author of the complaint and/or supporting evidence will be treated as confidential and will be provided as information to the respondent.
- 7.5. The respondent will be given the opportunity to provide a response, witness statements and any additional evidence ahead of the Disciplinary Committee Meeting to ensure a fair hearing.
- 7.6. The respondent will be allowed to bring another UAL student with them to the hearing who will need to submit their student number to the chair of the committee at least 48 hours in advance of the meeting.

8. Disciplinary Committee Investigation Process

- 8.1. The meeting will take place in the following manner:
 - 8.1.1. The results of the investigation will be presented.
 - 8.1.2. Witnesses supporting the complaint where appropriate will be called to give statements or any written statements provided in advance will be presented.
 - 8.1.3. The Disciplinary Committee will be given the opportunity to ask questions to the complainant and any witnesses.
 - 8.1.4. The respondent will respond to the complaints, whether in person or in writing calling witnesses where appropriate

- 8.1.5. The Disciplinary Committee will have the opportunity to ask the respondent questions.
- 8.1.6. Everyone apart from the Disciplinary Committee will leave the meeting.
- 8.1.7. The Committee will make a decision based only on the evidence presented.
- 8.2. Although the respondent's attendance is not mandatory at the meeting, the complaint will be heard in their absence and action taken, unless good reason is given in advance for non-attendance. The committee can decide to offer an alternative date if appropriate.
- 8.3. Where necessary Arts SU will make every effort to ensure the complainant and/or their witnesses do not come into direct contact with the respondent and/or their witnesses during the Disciplinary Committee proceedings.
- 8.4. All issues raised at the Disciplinary Committee will be handled with the strictest of confidentiality.
- 8.5. If there is a Police, National Governing Body involvement in the investigation, Arts SU disciplinary action will be suspended until the Police or other action is concluded, or the outcome of any court case in relation is known.
- 8.6. If there is an ongoing UAL investigation regarding the same incident, Arts SU disciplinary action will be suspended until the outcome of the UAL investigation is known.
- 8.7. During the course of any Police, National Governing Body or UAL investigation the respondent(s) will be suspended from all Arts SU activities and premises (with the exception of the Advice Service – unless there is reason to believe a member of staff will be put at risk with the provision of this service). This is not an assumption of guilt.
- 8.8. It is the responsibility of the respondent to formally inform Arts SU when Police, National Governing Body or UAL action has concluded, providing appropriate paperwork for the purpose of the Arts SU disciplinary case file.

9. Disciplinary Committee Sanctions

- 9.1. The Disciplinary Committee may take any of the following actions as a result of the meeting:
 - 9.1.1. No action.
 - 9.1.2. Request for a written apology.
 - 9.1.3. A fine to the value of the damage done and/or losses and/or costs if the disciplinary hearing is in relation to vandalism, damage of property or theft.
 - 9.1.4. A final written warning.
 - 9.1.5. Suspension from Arts SU and all/some of its activities.
 - 9.1.6. Inform UAL and any relevant authorities.
 - 9.1.7. Recommend referral to UAL Disciplinary Processes where the committee believes there is sufficient risk within the institution outside of Arts SU activities. This will be done in writing to the Dean of Students.
- 9.2. All decision of the Disciplinary Committee will be communicated to the respondent and complainant (where appropriate) within 7 working days of the Disciplinary Committee meeting.
- 9.3. Arts SU reserves the right to also bring procedures against the complainant if a complaint is deemed to be malicious.

Appeals

10. Appeals Process

- 10.1. Appeals against any Disciplinary Committee decisions may be made within 7 working days if additional, previously unconsidered information is made available which may have a significant impact on the original decision by the Disciplinary committee.
- 10.2. The appeal must be made in writing to the Arts SU Chief Executive Officer stating the reason for the request.

11. The Appeals Committee

- 11.1. The Arts SU Appeals Committee will be made up of two elected Sabbatical Officer Trustees, the Chief Executive Officer and an external lay trustee.
- 11.2. No member of the Appeal Committee will be someone who has a conflict of interest or previous involvement in the action under consideration by the committee.

- 11.3. Appeals will be heard as soon as practicably possible after the Appeal has been submitted.
- 11.4. The Appeal Committee Meeting will follow the procedures already lead out in section 7.
- 11.5. The Appeals Committee has the authority to change or confirm sanctions issued by the Disciplinary Committee.
- 11.6. The decision of the Appeals Committee is final.