



Membership Disciplinary Procedure
De Montfort University
Students' Union

1. Purpose

DSU believes that procedures are necessary for promoting orderly relations as well as fairness and consistency in the treatment of individuals. It is important that all Student Members understand the standards of conduct that are expected of them.

The Trustee Board of DSU will appoint an external Trustee to supervise the operation of this procedure. This Trustee is known as the Supervising Trustee and is elected pursuant to Article 30 of DSU's Articles of Association.

This process applies to any behaviour towards the recipient and DSU that is regarded as threatening, harassment, intimidating, discriminatory or behaviour which goes against DSU's Code of Conduct and values as an organisation.

2. Informal Stage

Minor cases of misconduct and poor behaviour will be dealt with informally. On such occasions it may be necessary to issue an informal warning but DSU's CEO will ensure the matter is discussed with the objective of helping the Student Member to understand the wrongdoing and make appropriate improvements to their behaviour.

3. Investigation

Where a potentially serious disciplinary matter arises, DSU's CEO shall determine whether the matter should be investigated in accordance with the Disciplinary Procedure for Student Members.

DSU's CEO will appoint an appropriate person to act as an Investigating Officer. The Investigating Officer will be unbiased with no prior involvement in the matters to be investigated. The Investigating Officer will usually have a maximum of 15 working days within which to conclude all interviews and write up the report which will be considered by DSU's CEO.

The Student Member will be informed of all allegations against them and the name and contact details of the Investigating Officer.

The Student Member will be given the opportunity to submit a written statement in response to the allegations. The Investigating Officer may also interview the Student Member as part of the investigation process.

The Student Member and all other interested parties will be advised of the outcome of the investigation in writing within five working days of the investigation concluding.

4. Suspension

In certain circumstances DSU's CEO shall consider whether a period of suspension of some or all membership rights is necessary whilst an unhindered investigation is conducted. Such a suspension will only be imposed after careful consideration, shall be reviewed regularly and is not in itself a form of disciplinary sanction.

5. Formal Disciplinary Hearing

Where, upon receipt of the Investigating Officer's report, DSU's CEO determines that there is a case to answer, the Student Member will be invited to attend a disciplinary hearing.

The case will be heard by a panel, which will comprise of:

- the Supervising Trustee (Chair)
- a Deciding Officer – who will be a member of the Student Voice Leader team
- an Advisor – who will usually be the Operations Manager (or nominee) appointed to advise the Deciding Officer

The Student Member will be given full details of the hearing in writing, which will include:

- the purpose of the meeting
- the nature of the allegations
- an explanation of the Student Member's right to be accompanied
- all relevant information that will be referred to in the hearing including the Investigating Officer's report
- details of who will be present at the hearing including any witnesses that may be called.

During the hearing the Student Member will be permitted to set out their case and answer any allegations made against them. The Student Member will also be given a reasonable opportunity to ask questions, present evidence and call relevant witnesses.

The Student Member is expected to answer any questions put to them by a member of the panel.

6. Disciplinary Sanctions

The Deciding Officer will convey the decision of the panel to the Student Member and will also inform the Student Member what disciplinary sanction, if any, is to be imposed within three working days after the conclusion of the disciplinary hearing. In deciding on any sanction, the Deciding Officer will carefully consider all the circumstances of the case and the seriousness of the misconduct.

The decision will be confirmed in writing along with details of the Student Member's right of appeal.

Disciplinary sanctions could be:

- Formal written warning
- Final written warning
- Suspension of benefits
- Termination of all membership entitlements

7. Appeal

Student Members have the right of appeal against disciplinary sanctions. The appeal must be registered in writing to the Supervising Trustee within ten working days of receipt of the written decision.

In lodging an appeal, the Student Member is required to set out the grounds for their appeal in a clear and concise manner.

The appeal will normally be heard within ten working days of receipt of the letter of appeal. The appeal will be heard by a panel who have had no previous involvement in the case.

The panel shall normally comprise the following:

- a Student Voice Leader (Chair)
- a member of the Trustee Board
- the CEO of DSU or their nominated representative to act in an advisory capacity

The purpose of an appeal is not to repeat the detailed considerations of the original Disciplinary Hearing or re-hear the case, but to focus on specific factors which the Student Member feels have been dealt with unfairly or which have received insufficient consideration.

The possible outcomes of the appeal are:

- The appeal is upheld and the disciplinary sanction is reduced or removed
- The appeal is upheld and there is a request for a re-investigation or re-hearing
- The appeal is denied and the original decision is upheld

The Student Member will be notified of the results of the appeal in writing within five working days of the hearing.

The decision of the Appeal hearing is final.

8. DSU Licensed Premises

Responsibility for dealing with crime, disorder and anti-social behaviour within DSU licensed premises will be addressed by DSU's Designated Premises Supervisor ("DPS") as defined by the Licensing Act (2003).

The DPS will act in keeping with the values of DSU.

The DPS has authority to exclude Student Members or their guests from DSU's licensed premises on a temporary or permanent basis if they conclude an offence has occurred. They may also request that the Student Member involved make reasonable reparation of damages to property.

9. Monitoring and Review

This procedure will be reviewed periodically, giving due consideration to any connected

governance updates or legislative changes.