

# **KeeleSU Member Code of Conduct**

## **1. Introduction**

- i. The KeeleSU Constitution provides that KeeleSU may establish a Code of Conduct to set out our reasonable expectations of the behaviours of our members, with the aim of ensuring that all students have the best possible experience during their time here at Keele.
- ii. This policy sets out the procedures to be followed in the case of breach of these expectations.

## **2. Scope**

- i. This code applies to;
  - Members of KeeleSU<sup>1</sup>
  - KeeleSU societies
  - Keele Athletic Union clubs
  - Visitors to KeeleSU premises
- ii. This code applies to behaviours/actions;
  - On KeeleSU premises
  - Whilst using KeeleSU facilities (including online)
  - When representing, or purporting to represent KeeleSU
  - Whilst on KeeleSU business
  - Whilst undertaking any activity supported by KeeleSU
  - Whether in person, on-line, in writing, or by a physical act or gesture

## **3. Misconduct**

- i. To ensure that when issues do arise they can be dealt with properly and fairly, it is important to set out what we consider to be misconduct and what might happen if misconduct does occur.
- ii. The following are examples of behaviours that might result in disciplinary action being taken against a member. This list is not exhaustive and aims to give a range of examples that set the tone for the behaviours that we do not tolerate in our community;
  - Threatening or abusive behaviour likely to make another member, or members, of the Keele community feel unreasonably vulnerable or unsafe

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<sup>1</sup> 'Membership' as defined by the KeeleSU Constitution, as those Keele students registered on a course of study at Keele University, including Full Time Sabbatical Officers.

- Bullying or harassment of another member, or members, of the Keele community
  - Any breach of KeeleSU's Equality and Diversity policies
  - Failure to comply with the university's policy regarding freedom of speech
  - Any breach of KeeleSU's Drugs and Alcohol policies
  - Making defamatory or maliciously false statements about any member of the Keele community
  - Behaving in any manner that brings, or is likely to bring, KeeleSU into disrepute
  - Misuse or unauthorised use of KeeleSU premises, facilities or resources, including online facilities such as the KeeleSU website
  - Damage to, defacement of, or misappropriation of KeeleSU property, or the property of other KeeleSU members, whether caused intentionally or recklessly
  - Breaches of any other KeeleSU codes, policies or guidance that you should reasonably be aware of
  - Failure to comply with KeeleSU financial rules and procedures
  - Interference with fire or security equipment, including activating alarms, other than in a genuine emergency
  - Any action likely to cause injury to, or acting without due regard to the safety of others
- iii. The following are examples of misconduct which shall be considered by KeeleSU to constitute an act of serious misconduct;
- Discrimination, harassment and/or victimisation of others on the grounds of their age, disability, gender, gender reassignment, pregnancy, maternity, race, religion, belief, sexual orientation, or any other characteristic protected by relevant Equality legislation
  - Physical or sexual violence or the threat of physical or sexual violence
  - Theft, fraud, deceit, deception or dishonesty in relation to Keele SU, our staff, members, Trustees, or while representing, or purporting to represent KeeleSU
  - Use, possession, or supply of illegal drugs on KeeleSU premises or during KeeleSU activities, in contravention of our zero-tolerance to drugs position
  - Committing a criminal offence with serious reputational, financial or other impactful implications for KeeleSU and/or the Keele community
  - Persistent or repeated acts of misconduct over an extended period

#### **4. Breaches**

- i. Where a breach in the code of conduct is identified, this policy shall be followed to fairly and appropriately investigate and decide on the matter. Disciplinary sanctions, as set out in this policy and others, may be applied as a result of a decision reached by that process.
- ii. Any actions or decisions taken under this code do not preclude further and/or additional action being taken by the university and/or other agencies, including the police, as appropriate. KeeleSU may determine, at any stage of an investigation that it is

reasonable and appropriate to refer a disciplinary matter to any such organisation to ensure the upholding of the law and to protect the interests of the Keele community.

- iii. An SU Manager, Deputy Manager or official KeeleSU security sub-contractor personnel may, at their empowered discretion, apply a stage one disciplinary sanction (detailed in section 6) in response to an observed breach of the code. A Full Time elected officer may also apply a stage one disciplinary sanction, however only in the case of a society or club breaching the code of conduct.
- iv. In such cases that a stage one disciplinary sanction is applied, the matter will be recorded within the relevant KeeleSU IT system for the purposes of enforcement, monitoring and discouragement of further breaches.
- v. Alleged serious breaches of the Code, or repeated and/or persistent minor breaches of the Code will result in formal investigation led by an investigating person, who will convene a small investigatory panel to consider the facts of the complaint.
- vi. The panel will consist of;

Stage 2 investigations and Stage 1 appeals	The investigating person (an SU Manager or Deputy Manager) One other SU Manager or Deputy Manager Any other official person the investigating person deems appropriate to support an effective resolution
Stage 3 investigations and Stage 2 & 3 appeals	The investigating person (an SU Manager or Deputy Manager) An SU Senior Manager An Elected Full Time Officer Any other official person the investigating person deems appropriate to support an effective resolution

- vii. Whilst an investigation is ongoing, the panel may deem it necessary to temporarily suspend the membership benefits of the accused and prevent the accused from taking part in a relevant activity/event/attending a venue.
- viii. Where an investigation is conducted as a result of a member complaint, normal principles of natural justice determine that the accused will know who is making the complaint against them, and this will be upheld, save for in circumstances where, in the view of the panel, the complainant may be exposed to additional risk of physical and/or emotional harm.
- ix. The panel will invite statements from each of the person making the allegation or complaint, and the alleged perpetrator. If it is deemed valuable and appropriate, the panel may request the complainant and/or alleged perpetrator attends a meeting to

discuss the facts of the case. The complainant and/or alleged perpetrator may attend such a meeting with a friend in a support capacity.

- x. The panel will consider the facts presented and make a judgement as to whether or not a breach of the Code has been committed. The panel will make a decision from the following options;
  - Seek further information from the complainant and/or others before making a decision
  - To uphold the complaint and apply a relevant and proportionate disciplinary sanction to the alleged perpetrator
  - Dismiss the complaint as frivolous, vexatious, without foundation or for otherwise failing to demonstrate a breach of the Code
- xi. The decision of the panel, including the specific details of any sanction applied, will be communicated clearly to the alleged perpetrator.
- xii. The decision of the panel whether the complaint has been upheld or not will be communicated to the complainant. The panel will inform the complainant if a disciplinary sanction is to be applied, but will not ordinarily discuss the details of the sanction. Only if the case involves some risk of immediate harm to the complainant, and having taken specialist advice if appropriate, will we discuss the details of the sanction with the complainant.
- xiii. In all cases, the investigating person will identify the range of support services available to both the complainant and the alleged perpetrator within the SU and university community.
- xiv. If a sanction is applied that you feel is unjustified or disproportionate to the identified breach of the Code, you may appeal the decision following the appeals procedure set out in section 7.
- xv. All statements and records should be kept on the relevant KeeleSU IT system for the duration of the members study.

## **5. Raising of a complaint against another member and it's investigation**

- i. It is commonly considered good practise for complaints to be addressed informally in the first instance, and we encourage you to consider doing so. If you do not feel comfortable or safe to do so, or if it would otherwise be inappropriate to raise the matter informally, you may raise a complaint under this procedure by;
  - Writing to the senior management of KeeleSU at [su.feedback@keele.ac.uk](mailto:su.feedback@keele.ac.uk), with a complete form found at <https://keelesu.com/aboutus/governance/>.

And;

- Explaining as fully as you can how you believe there has been a breach of the Member Code of Conduct, and if appropriate, what action you would like to see taken.
- ii. You will receive acknowledgement of the receipt of your complaint within 5 working days, explaining what will happen next.
- iii. The recipient will consider the complaint and seek to appoint an appropriate investigating person. Dependant on the nature of the complaint, this may be a manager, deputy manager or senior manager, an elected KeeleSU student representative, a KeeleSU trustee, or an external person of relevant skill and experience.
  - Seek further information from the complainant and/or others before making a decision
  - Apply a stage one disciplinary sanction to the alleged perpetrator
  - Convene a formal investigation to consider if a stage two (or higher) disciplinary sanction is appropriate
  - Dismiss the complaint as frivolous, vexatious, without foundation or for otherwise failing to demonstrate a breach of the Code

## 6. Disciplinary Sanctions

- i. These disciplinary sanctions are designed to address undesirable behaviours to promote a healthy, supportive student community at Keele SU. They are intended to encourage good behaviour by dissuading misconduct, and by giving members who have committed minor breaches the opportunity to learn and re-engage productively with Keele SU's community activities and events.
- ii. The table below provides guidance on the types of misconduct that might attract a sanction, and what that sanction might be. Those deciding what sanctions to apply will give due consideration to the type of activity engaged in, the opportunity for the perpetrator to learn from the situation and the interests of the complainant.
- iii. With all of the above in mind, and in promoting efficiency of the procedure, level one sanctions may be applied immediately by an SU official (SU Manager, Deputy Manager and/or a sub-contractor working for Keele SU) without the need for an investigation. A Full Time elected officer may also apply a stage one disciplinary sanction immediately, however only in the case of a society or club breaching the code of conduct.
- iv. Ordinarily, sanctions will be applicable with immediate effect, though the circumstances of each case shall be considered and this position adjusted if appropriate.

- v. Note that sanctions may be applied to individuals and/or groups, for example a club or society, if deemed appropriate.
- vi. Illicit substances and drug paraphernalia do form part of the table below, however due to other KeeleSU and University policies, will be handled as in Appendix 3.

Sanction Level	Example Behaviour	Possible Sanctions	Sanction applied by
One	<p>Anything considered minor misconduct, including but not limited to;</p> <p>Minor breach of KeeleSU rules/policy with limited negative impact</p> <p>One-off behaviour that makes others feel threatened emotionally or physically</p> <p>One-off abusive/misleading behaviour towards KeeleSU staff, representatives or members</p> <p>One-off refusal to follow the reasonable instructions of a KeeleSU staff member</p> <p>Soiling of premises/vehicles</p> <p>Minor/low value theft</p> <p>Minor verbal abuse</p> <p>Minor physical assault</p>	<p>One or more from;</p> <p>Immediate rectification of damage</p> <p>Spot fine (maximum £25 + rectification)</p> <p>Ejection from premises</p> <p>Removal from or prevention from participating in one activity/event/match/game/training activity</p> <p>Short term ban (maximum 7 days) from participating in a relevant activity/event/ attending a venue</p> <p>Written warning</p>	<p>Anyone from;</p> <p>SU Manager, Deputy Manager or Duty Manager</p> <p>Full Time Elected Officer</p> <p>Official Sub-Contractor (e.g. Security Company)</p>
Two	<p>Repeated minor misconduct</p> <p>Behavior that is intended to make others feel threatened emotionally or physically</p> <p>Physical assault</p>	<p>One or more from;</p> <p>Medium term ban (maximum 60 days) from participating in a relevant activity/event/ attending a venue</p> <p>An equal suspended sentence</p>	<p>Stage 2 Investigating Panel</p>

	<p>Verbal abuse</p> <p>Damage to premises/facilities</p> <p>Minor illicit substance related offences</p> <p>Indirect or one-off instance of sexism, racism, homophobia, transphobia, disablism, or other prejudicial and/or discriminatory behaviour</p> <p>Breach of a level one sanction</p>	<p>Requirement to fund replacement/repair damaged items</p> <p>1-5 Disciplinary points</p> <p>Referred to university disciplinary procedures</p> <p>Temporary suspension of membership benefits</p> <p>Written warning</p>	
Three	<p>Persistent repeated minor misconduct</p> <p>Serious assault, bullying, harassment or intimidation, including sexual harassment or misconduct</p> <p>Aggressive or serious sexism, racism, homophobia, transphobia, disablism, or other prejudicial and/or discriminatory behaviour</p> <p>Serious illicit substance related offences</p> <p>Breach of level 2 sanctions</p> <p>5 Disciplinary Points</p>	<p>One or more from;</p> <p>Long term ban (Range from 60 days to permanent exclusion) from participating in a relevant activity/event/attending a venue</p> <p>Referred to university disciplinary procedures</p> <p>Temporary or permanent suspension of membership benefits</p>	Stage 3 Investigating Panel

vii. Definitions of disciplinary sanctions for venues specific cases are outlined in appendix 1.

## 7. Appeals

- i. It can be the case that mistakes are made by the investigating panel in deciding the outcome of a complaint or disciplinary matter, likewise, new information may come to light that may have changed the outcome of an investigation, or you may feel a sanction is unjustified or disproportionate. The appeals process gives both Keele SU and members the opportunity to revisit and re-evaluate decisions made to ensure the outcome is appropriate and effective.

- ii. A complainant may appeal the outcome of a complaint investigation by writing to [su.feedback@keele.ac.uk](mailto:su.feedback@keele.ac.uk) within 5 working days of being told of the outcome of their complaint. They should seek to explain the grounds for the appeal as fully as possible.
- iii. A member against whom a complaint has been upheld and/or disciplinary sanctions applied may appeal the decision made against them by writing to [su.feedback@keele.ac.uk](mailto:su.feedback@keele.ac.uk) within 5 working days of being told of the outcome of their disciplinary. They should seek to explain the grounds for the appeal as fully as possible.
- iv. Upon receipt of an appeal, the same process is to be followed as for the investigation into a complaint, but the investigatory responsibilities will be delegated to a different investigating person, who will convene a different, and non-conflicted investigating panel, who in turn, will revisit the case along the same lines as previous, before determining whether the outcome arrived at previously was correct or not.
- v. The investigating person will write to the appealing member with the outcome of their investigation and any further decisions made.
- vi. The outcome of an appeals process is final.

## Appendix 1 - Guidelines for Venue Specific Cases

### Stage 1

<b>ON THE SPOT FINES</b>	
<b>Offence</b>	<b>Sanction</b>
Members found in possession of or consuming alcohol on the premises that has not been purchased on the premises	£25 fixed fine
Members found stealing items of union property (up to a value of £10)	Value of the property + £25 fixed fine
Members found illegally smoking tobacco or a e-cigarette inside the building.	£25 fixed fine
Members found urinating in inappropriate areas (e.g. against the wall of the building)	£25 fixed fine
Members found illegally entering the building to avoid payment of entry or due to refusal of entry (e.g. entering via a fire exit, does not include re-entry after being ejected once due to intoxication)	Entry fee for the event + £25 fixed fine
Members found allowing other members to illegally enter the building (e.g. opening fire exits)	£25 fixed fine
Members found vomiting through intoxication on the safety bus. (The safety bus is a funded free service so the fine is imposed to cover cleaning and any other additional costs) .	£25 fixed fine
Members found in an unauthorised area without consent of KeeleSU (e.g. a staff restricted area or part of the building which is closed)	£25 fixed fine

Member causing minor vandalism (e.g. creating a small hole in the fabric of the building, removing or defacing posters/marketing materials, damage to soap dispensers etc)	Cost of the item + £25 fixed fine
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By agreeing to pay the fine, the member is admitting full guilt of the offence and accepting the sanction. As such no right of appeal is granted.

If the member refused to admit guilt and wishes to contest then the incident should be escalated to stage 2 disciplinary action and the members membership privileges shall be partially removed as with a stage 2.

<b>1 WEEK IMPOSED BANS*</b>	
<b>Offence</b>	<b>Sanction</b>
Refusing the leave the licensed premises, re-entering the premises after being ejected or not co-operating with staff	1 week Ban
Minor Verbal Abuse	1 week Ban
Minor Health and Safety Breaches	1 week Ban
Using someone else's identification in order to obtain admission	1 week Ban
Minor inappropriate behaviour	1 week Ban

\*the term "Ban" is used to represent a partial removal of membership privileges by excluding the member from the licensed areas of KeeleSU at all times and from KeeleSU building between the hours of 7pm and 8am the proceeding day. The start of a ban is from the date of disciplinary, not offence. The end of a ban is then worked out from this date, counting only weeks in term time.

## Stage 2

Offence	Recommended ban	Recommended fine	Suggested Disciplinary Points	Suggested other sanctions.
Repeated minor misconduct	2-4 weeks	N/A	1-3	Suspended sentence to match the issued ban
Vandalism	1-4 weeks	Cost of repairs including any materials and labour	0-2	Suspended sentence to match the issued ban
Verbal assault (aggressive/ threatening language)	1-4 weeks	N/A	0-2	Suspended sentence to match the issued ban
Physical assault/Fighting (not resulting in significant injury)	1-4 weeks	If assault also results in damage to property refer to intentional/accidental vandalism.	1-3	Suspended sentence to match the issued ban
Health and Safety Breach  (Including tampering with fire safety equipment)	1-6 weeks	Cost of replacing/resetting fire equipment.	1-3	Suspended sentence to match the issued ban
Theft	2-8 weeks	Cost of replacing all stolen items.	1-5	Suspended sentence to match the issued ban.  Case should be escalated to

				level 3 for large theft or burglary
Inappropriate behaviour	1-2 weeks	Any costs resulting from behaviour	1-3	Suspended sentence to match the issued ban
Major verbal assault (discriminatory or seriously threatening language.)	4-8 weeks		1-5	<p>Suspended sentence to match the issued ban</p> <p>Case should be escalated to level 3 for serious offences (especially for cases of gender, race, religion and sexuality etc).</p> <p>Consideration to escalate to University or Police</p>
Serious physical assault/fighting	4-8 weeks	If assault also results in damage to property refer to intentional/accidental vandalism.	3-5	<p>Suspended sentence to match the issued ban</p> <p>Case should be escalated to level 3 for serious offences.</p> <p>Consideration to escalate to University or Police</p>

Fraud (e.g. Payment with counterfeit money/cards)	4-8 weeks		1-5	Suspended sentence to match the issued ban
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The term “Ban” is used to represent a partial removal of membership privileges by excluding the member from the licensed areas of KeeleSU at all times and from KeeleSU building between the hours of 7pm and 8am the proceeding day.

The term suspended sentence refers to a length of “ban” which will be automatically imposed upon future breaches which are sent to a stage 2 or 3 disciplinary in the future. Suspended sentences remain in place for 1 year from the date of issue.

Disciplinary points are issued depending upon the nature and severity of the offense. Upon reaching 5 points the case will be referred to a stage 3 hearing with the view to put a permanent removal of membership privileges by excluding the member from the licensed areas of KeeleSU at all times and from KeeleSU building between the hours of 7pm and 8am the proceeding day.

When sending someone to disciplinary, it should be made clear to them that this is the case at the time. It is also best practice that an e-mail is also sent via TOPdesk to the perpetrator re-iterating this point, however informing the perpetrator at the time is sufficient.

### Stage 3

<b>Offence</b>	<b>Recommended ban</b>	<b>Suggested Disciplinary Points</b>	<b>Referral to Police</b>	<b>Referral to University</b>
Persistent Repeated Minor Misconduct / 5 Disciplinary Points	Indefinite	N/A	No	Considered
Supply of drugs	Indefinite	N/A	Yes	Yes
Possession of a weapon	12+ weeks	4+	Yes	Considered
Supply of alcohol to minors	8+ weeks	4+	Considered	Considered
Sexual Assault / Harrasment	8+ weeks	3+	Considered	Yes
Intentional false activation of the fire alarm	8+ weeks	3+	No	Considered

An indefinite ban from KeeleSU does not have an end date and can only be removed by the Designated Premises Supervisor.

## **Appendix 2 - Guests of KeeleSU and Applicable Sanctions**

- i. KeeleSU has a duty of care towards its members.
- ii. Guests (anyone who is not a current member of KeeleSU) to the KeeleSU premises that therefore breach the code of conduct or present a threat to members of KeeleSU, will be disciplined as so;

<b>Sanction applied to guest</b>	<b>Sanction that would be applied to a member</b>
£25 Fine	£25 Fine
1 Week Ban	1 Week Ban
Indefinite ban from KeeleSU premises	Stage 2 or 3 Disciplinary Action

- iii. The appeals process for a guest, it direct contact with the Designated Premises Supervisor.
- iv. If a guest is subject to disciplinary action, then the student that signed in that guest is applied the following;

<b>Sanction applied to guest</b>	<b>Sanction applied to student that signed in the guest</b>
£25 Fixed Fine	None
1 Week Ban	Verbal warning
Indefinite ban from KeeleSU premises	Sent to stage 2 disciplinary with the added sanction of;  Removal of ability to sign in guests for 3+ months.

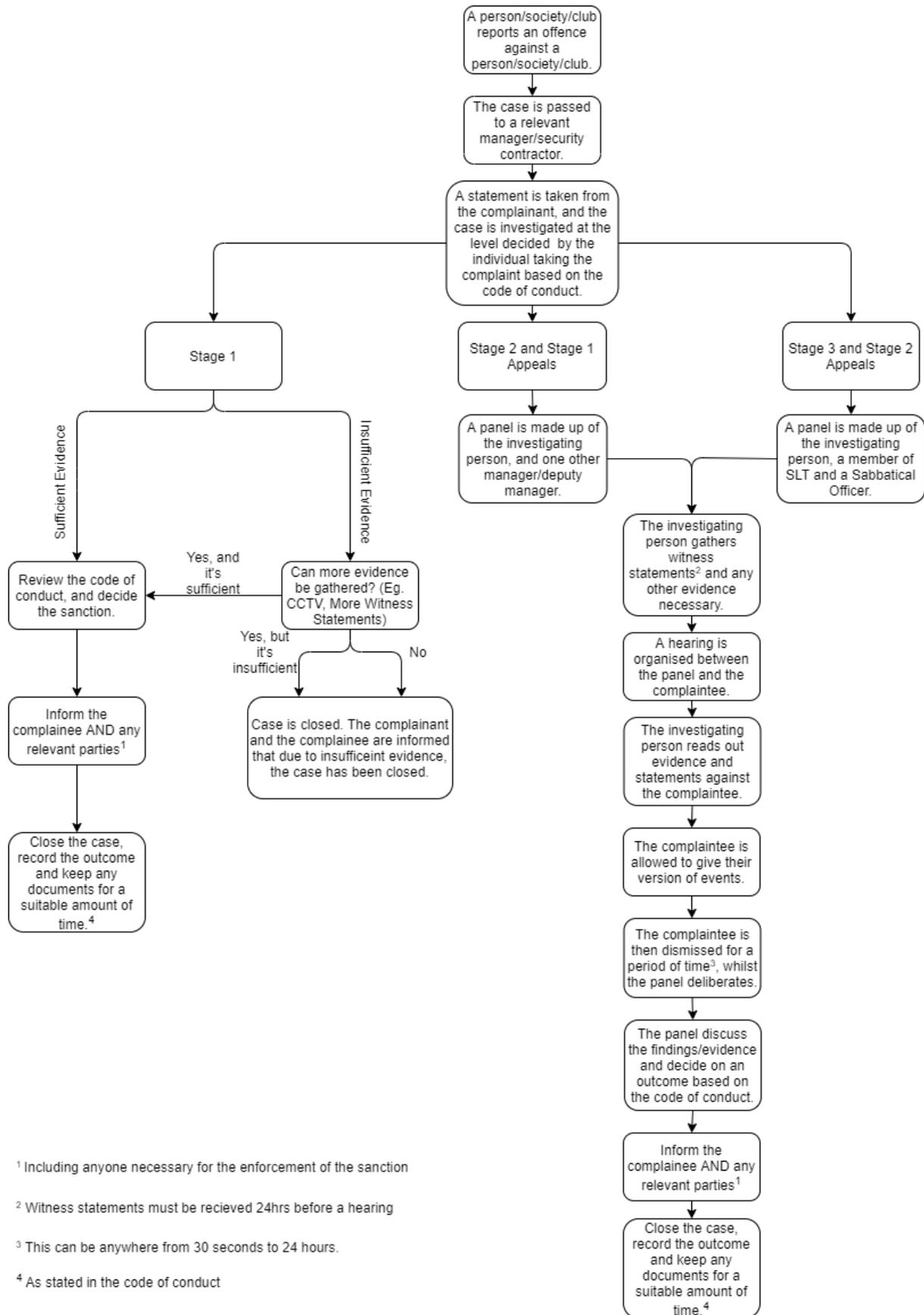
### **Appendix 3 - Illicit Substances & Drug Paraphernalia**

- i. In conjunction with Keele University's approach to substance misuse, this appendix is to serve as KeeleSU's disciplinary action in relation to illicit substances.
- ii. KeeleSU holds a zero tolerance stand point on the possession and supply of illicit substances.
- iii. The following sanctions can be applied at the time of seizure or when found in possession of a suspected illicit substance by either an on shift Duty Manager or security contractor;

Offense	Sanction	Other actions taken
Possession of a suspected illicit substance (Incl. N <sub>2</sub> O and "legal highs")	3 week ban, 3 week suspended sentence, 1 disciplinary point	Substance logged and taken to police.
Possession of a substantial amount of a suspected illicit substance (E.G Intent to supply or supply)	Stage 3 Disciplinary	Police called at time.  Detainment by SIA licenced staff until further action from law enforcement  University informed.

- iv. In this case, a suspended sentence can be automatically be put in place at the time of sanction being applied due to a repeated substance involved case.
- v. To appeal an applied sanction, the case must be escalated to Stage 2 disciplinary action.
- vi. Alongside disciplinary action, those applying the sanction should also signpost to selected university supported, substance misuse support.

## Appendix 4 - Disciplinary Flowchart



<sup>1</sup> Including anyone necessary for the enforcement of the sanction

<sup>2</sup> Witness statements must be recieved 24hrs before a hearing

<sup>3</sup> This can be anywhere from 30 seconds to 24 hours.

<sup>4</sup> As stated in the code of conduct