



HARTPURY
STUDENTS' UNION

Members

Code of Conduct

Hartpury Students' Union Code of Conduct

Hartpury Students' Union ('the SU') is committed to being an inclusive and safe organisation and recognises that misconduct from members can have an impact, either directly or indirectly, on the wellbeing of other members of our community.

Introduction

This Code of Conduct ('Code') details the behaviour we expect from all members of the SU when taking part in activities organised by the Union and its clubs or societies or representing the SU within and beyond Hartpury University and Hartpury College.

It covers the expected behaviour of all SU members (listed below) when participating in any activity or event, in-person or online.

Students of Hartpury University and Hartpury College ('the institution') are also subject to the Hartpury codes of practice and their disciplinary procedures and the SU may refer alleged breaches via the appropriate channels at Hartpury.

This Code of Conduct is in addition to expectations outlined in the Hartpury Student Charter.

This Code applies to:

- All members and participants of student groups affiliated to the SU including those on leave of absence and those on placement year. Members are defined as per the SU's Constitution and include each and every student who has not opted out.
- All SU Officers and Representatives.
- Any person associated to a student group or activity, including but not limited to committees, associate members, coaches/instructors and administrators.
- Spectators and supporters of a student group.
- Candidates running in any SU election.
- It does not apply to permanent SU staff, who follow Hartpury procedures. Student staff (elected Officers) are covered by both procedures.

This Code exists to:

- Protect members of the SU.
- Protect others who may be affected by members' actions.
- Ensure the highest possible standards of fairness, honesty, competition and conduct.
- Reduce the risk of harm, injury, harassment and nuisance to members and the wider community.
- Enable an inclusive and respectful student environment.
- Set out some of the sanctions that might be applied if someone breaches the Code.
- Detail the actions that can be taken should the Code be breached.

Behavioural expectations

Anyone involved in SU activity as outlined above must abide by the following behavioural expectations:

- Abide by the constitution, policies and procedures of the SU and institution;
- Act responsibly at all times and avoid any actions or conduct which could bring the reputation of the student group, SU, institution or sponsors/funders, associates or partners into disrepute or be detrimental to the reasonable enjoyment of the SU by other members and their guests;
- Do not participate in any action which might cause unnecessary harm to yourself or others;
- Report any action that may cause or have caused harm to yourself or others;
- Respect the property (and property under control) of the Institution, SU, the student group and of other members;
- When competing in events and competitions, you must compete in a manner of fair play with respect for opponents and polite behaviour regardless of the nature of the competition, when representing the SU or the institution;
- Conduct yourself in a reasonable manner relating to language, noise and behaviour;
- Treat facilities, staff and students at the institution and other institutions with respect and abide by any rules that may apply;
- Ensure that money, equipment and resources belonging to a group are used solely for the purpose of achieving the group's aims and objectives;
- Comply with the SU financial regulations and with any decision on the use of SU funds made by a group under the SU umbrella;
- Comply with the SU regulations for conduct of elections and meetings;
- Ensure all members feel welcome to participate in non-judgemental and nonthreatening discussions, activities, services or events;
- Refrain from any form of bullying or harassment of others and respect the rights, dignity and values of others, refraining from behaviour that is unwelcome, uninvited and causes a detrimental effect (see appendix A);
- Do not carry out initiation ceremonies as detailed below;
- Do not encourage or pressure others into acting against the Code;
- Ensure status or position is not used to attain benefits or preferential treatments;
- Operate within the rules, including national guidelines or relevant student group Codes of Practice and procedures which govern activity;
- Do not be unduly intoxicated at any event or activity where such behaviour could be deemed unacceptable or unprofessional;
- Do not consume alcohol or illegal substances whilst being transported to or from any activity organised under the umbrella of a student group, the SU or the institution;
- Do not disclose any confidential material about the SU, other members or officers, unless prior permission has been granted by Officers;
- Abide by the law at all times;
- Take responsibility for your own understanding of this Code and the repercussions of any breaches and must seek further information or clarification if they are unsure about how it should be applied.

Student Leaders

Student leaders (i.e. Officers, representatives, student group committees) have a particular responsibility to uphold the Code in the areas of activity that they lead.

Student leaders must:

- Acknowledge a standard agreement for running activities that incorporates the Code.
- Seek permission from the SU before inviting external speakers to SU events, in line with the SU external speakers policy.
- Adhere to the agreement set out in their individual student group Code of Practices, where applicable.
- Comply with the SU financial policies governing the use of funds to clubs and societies.
- Report any concerns for the health and safety or welfare of its members.
- Abide by all other SU policies, procedures and processes in place.

Social activities

Social activities such as welcome evenings, team meals, social nights, trips away and celebration events that welcome new members and give a positive first impression of student life are encouraged. The following rules must be followed:

- All activities must be opt-in only and have no effect on eligibility to hold membership of the student group or a committee position.
- Members of a student group should not pressure or coerce any other members into any action with which they feel uncomfortable.
- Activities must not be humiliating, unlawful or degrading.
- Activities must not involve the forced consumption of any fluid/substance.
- Taking of alcohol to the activity/event must not be made a condition of attendance.
- If activities involve alcohol, then non-alcoholic drinks must be made available.
- During all activities, especially those involving the consumption of alcohol, members must be aware of behaviour and the impact on others, particularly members of the local community.
- Activities must not bring the reputation of the SU, the institution, or the student group into question or disrepute.
- The organiser of the event and the club captains/chairs of the group will be held responsible for social activity taking place.
- All organisers are encouraged to speak to the Officers or SU staff for guidance regarding welcome events.
- Student Groups must not carry out initiation ceremonies as detailed below.

Initiations

The SU and the institution do not permit initiation ceremonies. Initiation ceremonies are defined as: "An event at which members of the group are expected to perform an activity as a means of gaining credibility, status or entry into that group. This peer pressure is normally (though not explicitly) exerted on first year students or new members and may involve the consumption of alcohol, eating various foodstuffs, nudity and behaviour that may be deemed humiliating".

Initiation ceremonies are intimidating, humiliating and can amount to bullying. They do not encourage the welcoming and inclusive student groups that the SU wants.

The organiser of the event, individual club committees and/or the groups as a whole may be held responsible for an “initiation ceremony” and may have disciplinary action taken against them.

Use of the Students’ Union spaces on campus

All individuals using any SU space on campus should:

- Adhere to the behavioural expectations as outlined in this Code of Conduct
- Respect alcohol free zones – do not bring alcohol into these areas or enter if you are intoxicated
- Respect other students utilising the space
- Respect quiet spaces, especially while other students are studying
- Respect the equipment and facilities provided by the SU and report any damaged items to the SU staff
- Maintain a tidy space, ensuring you clean, dry and put away any items used and clean up any messes made

Misconduct on social media

In addition to the behaviours outlined above, members of the SU must adhere to the Hartpury social media Policy when representing the SU, institution or student groups in any capacity. This includes rules around engaging with others online and remembering to only post professional content that represents Hartpury and the SU in a positive light.

Freedom of Speech

All individuals involved in SU activity should protect and promote freedom of speech for students, staff and visitors and engage in respectful dialogue. This includes avoiding disruptive behaviour that could prevent others from expressing their views. Appendix B provides further information on freedom of speech.

Breaches of this Code

Hartpury SU is committed to addressing all breaches of this Code and maintaining a safe and inclusive environment for members to participate in. If you are aware of a breach of the Code, please inform a member of Hartpury SU staff.

Breaches include (but are not limited to):

- Breaching behavioural expectations set out in this Code.
- Breaching SU or Hartpury policy or procedures or agreed protocols, or those of the institution where they relate to Hartpury SU.
- Any other conduct that may be considered damaging to the reputation, interests or operations of Hartpury SU.

Scope:

Action under this Code may be taken in respect of any conduct at any place or time including (without limitation):

- On Hartpury premises;
- While the member is using Hartpury facilities or at a Hartpury event;
- While a member is representing or acting on behalf of Hartpury at an event of whatever kind or wherever held;
- Online, where the individual is representing the SU or the institution, including in group chats;
- In relation to actions or incidents between two or more members in any or none of the settings above, or in relation to actions or incidents between Hartpury representatives and staff or stakeholders.

Complaints process in relation to the code

The complainant should give details of the name(s) of the person(s) involved, together with details of the allegation (including the date and place at which the alleged action took place) and be delivered as soon as possible after the event complained of (and ideally within ten working days of the occurrence) to the SU Manager.

Complaints are not normally accepted by third parties other than in exceptional circumstances. Any such exceptions must be agreed by the complaint handler.

Anonymous complaints will not normally be accepted without a compelling reason and related evidence. Any such circumstances will be agreed by the complaint handler.

Malicious complaints will not be accepted. If the SU finds complaints to be malicious this may constitute a breach of the Code.

Informal investigations process

Minor cases of misconduct and poor performance are best dealt with informally, without the formal disciplinary procedure. Such an approach may be appropriate in cases including but not limited to investigations involving SU volunteers, minor disagreements in student groups, or matters where allegations may have been made in error.

If it is safe and appropriate to do so, the SU will work with students to resolve the issue informally. Investigations will usually involve an elected Officer and a member of the SU management team. As appropriate, early-stage discussion, mediation or conciliation may be facilitated between those involved provided all parties are in agreement. In such instances complaint handlers may recommend an informal course of action to address the matter. This might include recommending support services, mediation, or training for those who have breached the Code or been affected by a breach of the Code.

The SU may apply appropriate sanctions as outlined below. In the event of an offence being committed which could lead to the withdrawal of membership or leadership role, any SU staff

member may immediately suspend the rights of the member(s) concerned. The suspension will remain in place until the investigation is complete and an outcome is agreed.

Student leaders (e.g. club and society committees) should work with SU staff to resolve breaches of the Code. Student leaders should not investigate a breach of the on their own and should not remove group members at their own discretion.

Formal investigations process

When the issue cannot be satisfactorily resolved informally or the allegation is serious enough (e.g. a serious breach of financial regulations), the complaint will be handled in line with Hartpury disciplinary procedure that is available to view via the main Hartpury website.

Sanctions for breaches of the code

Any breach of this Code may result in disciplinary action. Each of these can lead to one or more sanction. Sanctions will depend on the severity of the breach. Decisions in relation to potential breaches will be taken on the balance of probability.

Possible sanctions include (but are not limited to):

- Attendance at relevant workshops
- Issue of a formal warning about future conduct and outlining the future consequences should there be subsequent code breaches (verbal or written)
- Require the individual to issue a formal letter of apology
- Require the individual to make good any damage caused
- Session cancellation/ society event cancellation
- Removal of funding or privileges (e.g. room facilities, email, coaching, hiring vehicles) for one month
- Suspension of a group or individual from external competitions
- Removal of club or individual from Club or Society competition for 1 year
- Removal of stall at Freshers' Fair
- Expulsion of an individual from a student group and activities of that group
- Removal of responsibilities as a student representative or committee member
- Removal of membership from the SU, in line with the SU Constitution

SU Officers

The complaint handler may find it necessary to suspend the Officer on full pay while the investigation is conducted. While suspended, the Officer should not visit the SU's premises or contact any of the SU's stakeholders including suppliers, contractors, or staff, unless authorised to do so by the SU Manager.

As stated in the constitution, because the ability to hold elected office in the SU is dependent upon membership status and one of the rights and privileges of membership, termination of all entitlements would represent a termination of that holding of office. In the case of employed elected officers, this would therefore represent a termination of contract.

Appeals

If a student is unhappy with the outcome of the ruling and/or the sanctions applied through informal process, they may appeal. The appeal should be made in writing to the SU Manager stating the grounds upon which the appeal is to be made and must be received within ten working days.

Grounds for appeal are:

- The severity of the penalty is thought to be unfair
- New evidence has come to light, that could not have been reasonably obtained at the time of the initial investigation
- Procedural irregularities
- Extenuating circumstances

The appeal will be reviewed by the Chief People Officer, or another appropriate member of Hartpury staff, and a final decision will be made. Appeals for the formal investigations process should follow the Hartpury complaints procedure.

Criminal allegations

The SU or institution may suspend any investigation should it become aware of legal proceedings in response to the issues raised in the complaint or a process under the institution's own regulations. Similarly, the SU reserves the right to refer allegations of any criminal offence to the relevant authorities and suspend its own proceedings until the outcome of police or criminal proceedings are known, other than where duty of care considerations mean alternative action is deemed appropriate.

Confidentiality

The Union's aim is to deal with all matters under this Code sensitively and with due respect for the privacy of any individuals involved. All those involved must treat as confidential any information communicated to them in connection with an investigation or disciplinary matter, and no such information should be placed in any publicly accessible forum, including, but not limited to, social media websites. Failure to observe this requirement may result in disciplinary action being taken under this Code.

All records are to be kept confidential and retained in line with the disciplinary procedure and Hartpury's data protection Policy.

Areas not covered by the Code

The following circumstances are not included within this Code.

- General disputes between students (refer to Hartpury University disciplinary procedures and Hartpury College behavioural management procedures).
- Alleged misconduct that may constitute a criminal offence and is subject to investigation by the police may not be considered until relevant processes have closed.

- Alleged staff misconduct will be handled under Hartpury internal Human Resources procedures.

Definitions

The definitions used in this policy are as follows:

- Members refers to the student members of the Union as defined in the Union's Constitution.
- Student Group refers to affiliated Hartpury SU activity groups including clubs, societies, volunteer projects, committees and networks.
- The Institution refers to Hartpury College and Hartpury University.
- The SU refers to Hartpury Students' Union.
- Officers refers to elected students comprising part time officers (elected to be Officers while continuing their studies) and full-time sabbatical Officer(s)
- Student leaders refers to a student responsible of leading a group of other students, for example Officers, student representatives, Liberation representatives and student group committees.
- Investigating Officer refers to the named individual appointed to undertake a complaint investigation.
- Visiting speakers refers to any individual external to the SU or the institution.
- Leave of absence is a period of time an employee or student is permitted to be away from their work or studies, while still maintaining their employment or enrolment status.

Appendix A: Harassment, discrimination and bullying

The Union expects all members of our community to treat each other with respect, dignity, courtesy and consideration. We do not tolerate bullying, harassment, discrimination or victimisation of any kind.

Harassment is defined in the Equality Act 2010 and includes unwanted behaviour or conduct which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment because of, or connected to, one or more of the following protected characteristics: age; disability; gender reassignment; race; religion or belief; sex; and sexual orientation. Harassment may include physical, sexual, verbal or non-verbal behaviour.

Objectivity tests are designed to establish, objectively and reasonably, whether conduct could be considered as 'harassment'. This means the following should be taken into account:

- the perception of the person who is at the receiving end of the conduct
- the other circumstances of the case
- whether it is reasonable for the conduct to have the effect under scrutiny.

Discrimination occurs where a person treats another person less favourably than they treat or would treat others, based on certain characteristics or traits, often referred to as protected characteristics.

Bullying is characterised as offensive, intimidating, malicious or insulting behaviour, or the abuse or misuse of power (which does not always mean being in a position of authority) through means

intended to undermine, humiliate, or cause physical or emotional harm to a person. Bullying is not necessarily related to a 'protected characteristic'.

Bullying, discrimination and harassment are not necessarily face to face, it may occur through written communications, visual images, online, via group chats, over email, social media or over the phone. They may be carried out by individuals or groups and can occur in public or in private.

Passionate speech and comment, and legitimate debate can be distinguished from bullying behaviour and harassment. However, care should be taken to ensure that others are not made to feel intimidated.

Examples of bullying and harassment include but are not limited to offensive or intimidating comments; verbal abuse, insults, or jokes; graffiti or vandalism; unwanted sexual comments, groping, touching or stalking; threatening behaviour or physical violence.

Appendix B: Freedom of speech

The SU is committed to upholding freedom of speech and fostering a vibrant and inclusive environment for the open exchange of ideas. Free speech is a person's ability to hold their own opinions and express them freely without interference.

Principles of Freedom of Speech

- Open exchange of ideas: We encourage the open exchange of ideas, even if they are controversial or unpopular. Robust debate and critical thinking are crucial for a healthy learning environment.
- Right to hold and express views: Everyone has the right to hold their own opinions and to express them freely within the law, without fear of censorship or intimidation.
- Respect for others: The right to freedom of speech does not extend to hate speech, harassment, or incitement to violence. We expect all members of our community to engage in respectful discourse, even when disagreeing with others.

Activities and Events

- The SU will not discriminate against speakers or groups based on their views.
- We will provide a platform and/or physical space for a wide range of viewpoints, even if they challenge the views of the majority.
- Students and societies are free to organise events and invite speakers, provided they comply with the SU external speakers procedure.
- The SU reserves the right to refuse bookings or take reasonable steps to mitigate risks where there is a clear likelihood of violence or a breach of law.

Reporting Concerns

If you believe that freedom of speech is being unduly restricted, you can report your concerns to the SU or through Hartpury reporting procedures.

Additional Resources

The Office for Students (OfS) provides guidance on freedom of speech in universities:
<https://www.officeforstudents.org.uk/>.