

**Imperial College Union
Board of Trustees / 12 May 2021**

Disciplinary Framework Update

Author(s): Shervin Sabeghi – Deputy President (Welfare)

Purpose: To provide an update for Board on progress with developing a disciplinary procedure framework and outline next steps.

Decision(s): To consider the approach to developing our disciplinary framework.

1. Background

The Union has a responsibility to take all reasonable measures we can to foster an environment in which all members feel safe and comfortable engaging in our activity and services. Having sufficient policies and procedures in place to adequately deal with when a member has had a negative experience is crucial to this. Our current procedures are incomplete and have been in a state of review for some time. This paper summarises a proposed framework around our disciplinary procedures and outlines next steps for this work.

2. Proposed framework

The proposed framework suggests three core themes to our disciplinary framework: member's, CSPs, and venues. Each comprise a code of conduct that outline the expected (positive) behaviours that are expected in each area, and a disciplinary policy that outlines how the process is managed when there is a suspected breach of each code of conduct. The different procedures will be distinct and designed to not overlap such that a particular 'incident' can lead to all three being used (potential example: a member being violent during a CSP event in our venues). They do, of course, interact with each other, and the diagram in the appendix provides an oversimplification of how the interdependencies may work. It is anticipated that it won't be possible to design out 'grey area' decisions – particularly in relation to the distinction between members acting individually and members acting in their capacity as a club committee. We also require a complaints procedure that outlines how complaints are managed before they reach the stage of a disciplinary.

There are other interdependencies that need to be considered, most importantly with the College's disciplinary procedures to define an escalation process of serious complaints received by the Union as well as how we handle things passed down to us from the College. It will also be necessary to consider how we handle complaints that include criminal behaviour, especially if they are being simultaneously investigated by the police.

3. Next steps

There is a large degree of variability in the current state of the different procedures outlined in the framework below. All existing current policies need to be reviewed with the proposed framework in mind, and consultation of students will be required in different ways for different procedures. In section 4 of the appendix, the streams of work are outlined for each policy that requires designing, who requires to be consulted/involved, the governance ownership of each, and anticipated timelines.

Each stream of work is tasked with designing the policy as well as providing a summary of how the policy should be implemented operationally (e.g. systems and comms).

A. Description of Disciplinary Policies

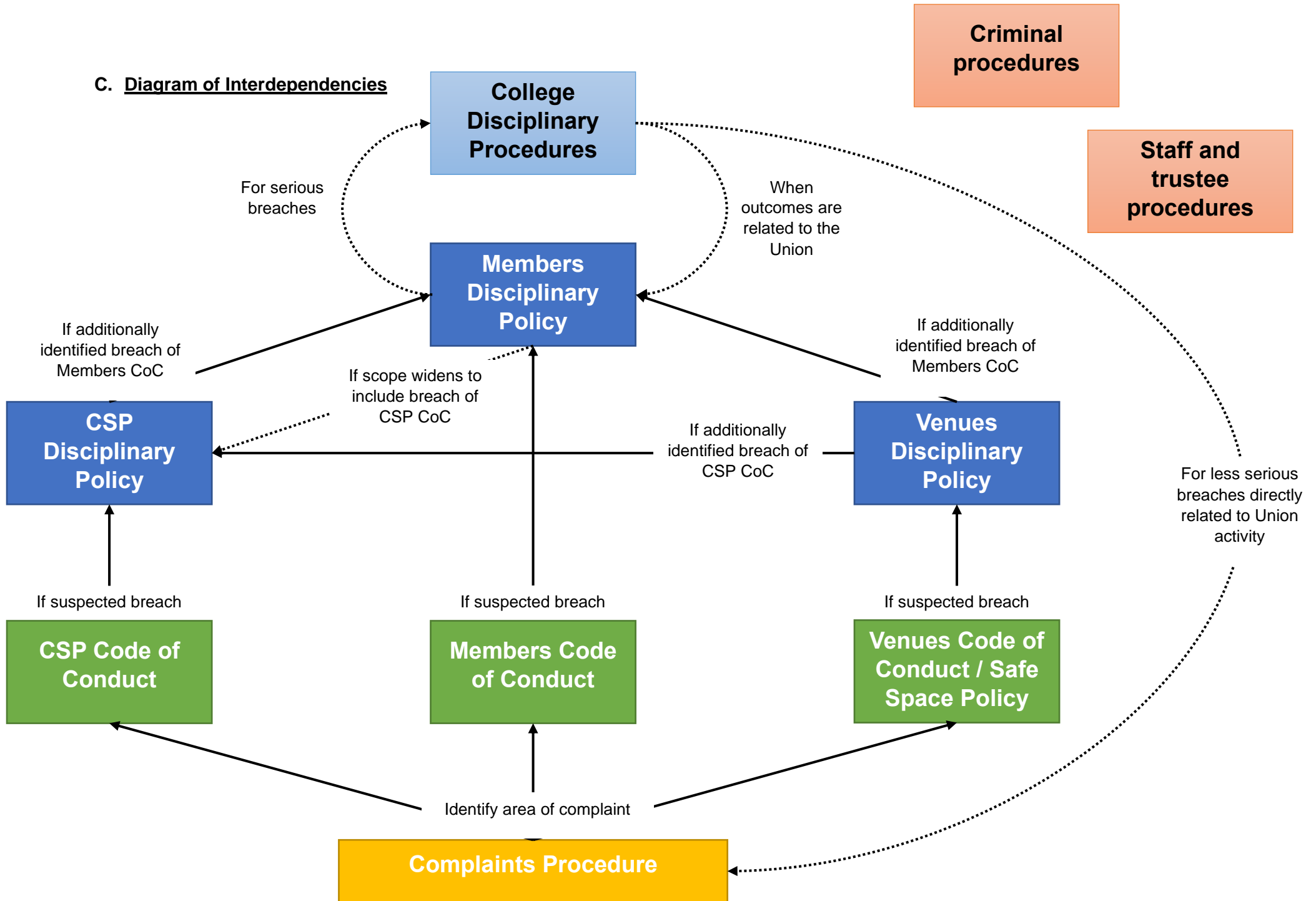
	Members disciplinary policy	CSP disciplinary policy	Venues disciplinary policy
Jurisdiction	All members and associate members of the Union	All CSPs considered as a collective and all committee members in their capacity as committee members	All users of the venues (members and non-members)
Powers	Any sanction related to membership of the Union and Union services, monetary charges.	Any sanction on a CSP, or related to rights of a committee member in their capacity as a committee member. To refer up to Members Disciplinary Policy.	Any sanction on rights within venues, monetary charges. To refer up to Members Disciplinary Policy or CSP Disciplinary Policy.
Informed by	Members Code of Conduct, defining base expected behaviours for all ICU members	CSP Code of Conduct, defining 'enhanced' expected behaviour for committee members in CSPs/CSP as whole.	Venues Code of Conduct (/Safe Space Policy), defining 'enhanced'/specific expected behaviour within venues
Notes	<ul style="list-style-type: none"> Includes where cases need to be referred to College procedures, and how the Union handles referrals down from College 	<ul style="list-style-type: none"> Will treat CSPs as a collective of CSP committee members 	<ul style="list-style-type: none"> Will include adaptations of the Safe Space Policy Will incorporate considerations around Licencing Law

B. Other considerations

The Disciplinary Framework described relates to members (and associate members) of the Union, and individuals who use the venues. The following areas need consideration alongside this framework:

- i) Interaction with criminal investigations for incidents where a breach of policy is also a breach of law.
- ii) Discipline procedures for trustees and staff members.
- iii) Interplay with democratic procedures e.g. motions of no confidence
- iv) How other policies that require adherence (e.g. GDPR) are incorporated in the disciplinary framework and codes of conduct
- v) How complaints made about 'The Union' to the Union are handled

C. Diagram of Interdependencies



D. Streams of work

	Current state	Work required	Who involved?	Timeline	Governance / ownership
Member Disciplinary Policy / Complaints Procedure	Revised draft of collective policy as of October 2020	Review and finalise draft considering new framework and lessons learned from recent investigations	Internal review by SS, TF, TN, and APS Approval by Board and Council	April – May 2021, for approval at Council and Board in w/c 10 th May	Board / Council
Member Code of Conduct	Temporary code of conduct in place for current academic year	Significantly adapt current code of conduct in consultation with Council working group	Internal development by OTs, TF, and TN Consultation with Council working group	May – June 2021, for approval at Council on June 8 and Board on June 23	Board / Council
CSP Disciplinary Policy	Disciplinary procedures for CSPs currently outlined in section of CSP policy owned by CSPB	Review recent club investigation internally Adapt current procedures into distinct policy in consultation with CSPB	Internal review by SS, RU, RSu, and TN Consultation with and approval by CSPB	May – June 2021, for approval at CSPB in June	CSPB
CSP Code of Conduct	Current CSP Code of Conduct embedded in CSP policy owned by CSPB	Review current code of conduct in consultation with CSPB and CWB	Internal review by SS, RU, RSu, and TN Join consultation with CSPB and CWB	May – June 2021, for approval at CSPB in June	CSPB
Venues Disciplinary Policy	Some elements exist in Safe Space Policy, but mostly not currently in place	Mostly develop from scratch, incorporating any relevant parts of Safe Space Policy	Internal development by SS, RSc,, and SL Consultation with SSB	May – June 2021, for approval at Council on June 8 and Board June 23	Leadership
Venues Code of Conduct	Current Safe Space Policy outlining non-acceptable behaviours in Union spaces	Review Safe Space Policy and adapt into distinct venues policy in consultation with CWB	Internal review by SS, RSc, and SL Consult CWB and SSB	May – June 2021, for approval at Council on June 8 and Board June 23	Leadership