

## **Regulation D: Discipline**

### **4.3 Discipline**

- 4.3.1** Elected Officers and Representatives of the Union may be subject to the disciplinary described in Section **4.3.5** if:
- (a) Their conduct shows them to be unfit for the office to which they were elected and/or;
  - (b) When acting on behalf of the Union, they fail to act in accordance of the policies of the Union.
- 4.3.2** Investigation of complaints shall be the responsibility of Union Council, except where the elected Officer is a member of the Executive Committee, when that Committee may investigate and make recommendations to Council.
- 4.3.3** An intention to proceed with investigation of complaints against an elected Officer or Representative shall be notified to the Students' Union General Manager, who shall give to the Officer or Representative notice in writing of such intention at least 5 (five) clear working days prior to the meeting of the Executive Committee or Union Council at which the matter is to be raised.
- 4.3.4** Investigation of complaints and disciplinary proceedings shall not be raised as urgent business or any other business to the agenda of an Executive Committee or Union Council meeting.
- 4.3.5** The disciplinary measures available are;
- (a) Vote of Censure. This shall be a formal warning, and shall require a simple majority vote of a quorate Union Council meeting. A vote of censure shall precede any other action to be considered against the elected Officer or Representative in the first instance.
  - (b) Removal of responsibilities. An elected Officer or Representative may have a specific responsibility removed by a two-thirds majority vote at a quorate Union Council meeting.
  - (c) Vote of No Confidence.
  - (d) In the case of gross misconduct (as defined in Sabbatical Officer contracts) an elected Officer or Representative may be removed from office by a two-thirds majority vote at a quorate Council meeting. The elected Officer or Representative may appeal against the decision by notifying the President, or the General Manager in the instance of the President being subject to disciplinary action, within 48 (forty eight) hours after the Union Council vote. The appeal against gross misconduct will take the form of a cross-campus ballot detailing the complaint and the decision of UC and asking a simple yes or no question as to whether the Officer should be removed from office.
- 4.3.6** The order of proceedings shall be:
- (a) The Executive Committee or Union Council shall first decide if the complaint is upheld.
  - (b) If the complaint is upheld, the Executive committee may recommend, or Council shall impose, a vote of censure.
  - (c) According to the severity of the complaint, the Executive Committee may recommend, or Union Council impose, further disciplinary action in accordance with Section **4.3.2** and **4.3.5** above.

- (d) The Chair of Union Council shall notify an elected Officer or Representative of his/her appeal rights, if any, at the Union Council meeting at which any disciplinary measure is imposed.

#### **4.4 Appeals**

- 4.4.1 There shall be a right of appeal against all disciplinary measures imposed on an elected Officer or Representative, except that there shall be no appeal against a vote of censure.
- 4.4.2 All appeals shall be heard by an appeals committee consisting of the following:
  - (a) Two Sabbatical Officers, who shall not have any personal involvement or vested interest in the outcome of the appeal.
  - (b) Two Non-Sabbatical Officers, who shall not have any personal involvement or vested interest in the outcome of the appeal.
  - (c) Three Union Council representatives, who shall not have a vested interest in the outcome of the appeal.
  - (d) An independent, non-voting chair, who shall be from an external organisation directly related to the student movement, and who shall be nominated by Union Council at the first meeting of the academic year.
- 4.4.3 The appeals committee shall hear evidence from all appropriate persons, and shall report its findings to the next quorate Council meeting. Acceptance of the report shall require a two-thirds majority vote.

#### **4.5 Resignations**

This section shall also apply not only to elected Officers and Representatives of the Union, but also to those elected to the sub-committees of the Executive Committee.

- 4.5.1 Any person who wishes to resign from a position of elected office shall make this intention in writing to the President, in the case of a President's resignation to the Chair of the Executive Committee in the first instance, or to the Deputy Chair if this is not possible. The Union President shall report the resignation to the next following meeting of the relevant standing committee.
- 4.5.2 Any person who fails to attend or submit apologies to two or more successive meetings of Union Council and relevant standing committees shall be deemed to have resigned.