

BY LAW 12 APPENDIX 4 Licensed Area Disciplinary Regulations

1. Introduction

- 1.1. All members and visitors to the University of Warwick Students' Union are subject to the rules and regulations of the organisation. The aim is to promote fairness and order in the treatment of individuals, in line with the policies of the Students' Union, which include the Constitution, Appendices, Regulations, Procedures and Policies, and in particular the Equal Opportunities Appendix and the Union's Door Policy.
- 1.2. On entering the Union building, using their Warwick Card to enter another Students' Union, utilising Union services or facilities, or taking part in activities under the auspices of the Union, Members are deemed to have accepted responsibility for complying with the policies of the Union on behalf of themselves and their visitors.
- 1.3. All members of the Union are responsible for acquainting themselves with Union policies, Union Regulations and Procedures. Ignorance of Union policies and procedures will not be accepted as a defence.
- 1.4. A Member must produce their Warwick Card to any Union staff member upon request. This applies when the member is occupying Union premises, utilising Union services or facilities, or taking part in activities under the auspices of the Union. Inability or refusal to produce a Warwick Card may lead to immediate exclusion from the premises, licensing area, services, facilities or activity.
- 1.5. Any member must give up their Warwick Card at any point when asked to do so by a member of Union staff.
- 1.6. Any member must leave the venue immediately if asked to do so by a member of Union staff.
- 1.7. The Union reserves the right to eject any non-member from the venue (or any licensed premises). In this case the non-member must show the form of ID which they used to gain access to the building. The Disciplinary Procedure may then be invoked against the member who signed them in. This Member is deemed to have accepted responsibility for the conduct of that person.
- 1.8. It is the responsibility of the Licensee to decide what offence has occurred.
- 1.9. The Licensee has duties under the Licensing Act 2003. No Officer, Constituent Group or

Union Democratic body can therefore overturn a disciplinary decision made by the Licensee.

2. Procedure

2.1 The Disciplinary Officers are the Licensees, the Security Manager and their nominated representatives.

2.2 Any behaviour that causes a student, guest or staff member to lodge a complaint will be sufficient grounds for an investigation.

2.3 Where an alleged breach of the regulations occur, a staff member shall have the authority to exclude the member from the venue or to take any other reasonable action to prevent further immediate breaches of the regulations. This action, shall at the earliest opportunity, be reported to a nominated Disciplinary Officer who shall endorse, amend or withdraw the restrictions pending a meeting with the accused.

2.4 Members who have been asked to leave, or removed from the building, will be informed of why they have been excluded. They will then be told to contact a Disciplinary Officer at a specified time on the following working day. If the member fails to do this, the failure will be taken into consideration when the Disciplinary Officer makes their decision.

2.5 When the member contacts the Disciplinary Officer they will be asked to provide a statement of their version of events and those of any witnesses they may choose. The Disciplinary Officer will keep a record of this meeting for future consideration.

2.6 If the Disciplinary Officer decided that the offence is of a minor nature, then they may impose a ban of up to four weeks, in consultation with a licensee.

2.7 If the Disciplinary Officer deems the offence to warrant more than a four-week ban, then they will give the Member written notice of a Disciplinary Meeting with a Licensee. After considering the evidence, the Licensee will advise the Member of their decision.

2.8 The Democracy and Development Officer will be informed of all offences resulting in a ban. A summary of all outcomes and the banned persons list will be produced annually for a Trustees meeting.

2.9 The Disciplinary Officer reserves the right (in consultation with the democracy and Development Officer) to inform the University Licensees of any decision to ban an individual from the Union Building.

2.10 The Disciplinary meeting shall have the power to adjourn, continue or postpone a meeting at its discretion.

3. Appeal Process

3.1 There is no right of appeal against a ban when dealing with misconduct in Licensed Areas.

3.2 If the appellant wishes to raise any concerns about the ruling of the Licensee in a Disciplinary meeting, they must do so in writing not more than 48 hours after the meeting. This should be addressed in the first instance to the President.

3.3 In a case where the President has a conflict of interest, the matter will be passed to another Sabbatical Officer.

3.4 The President shall then discuss the matter with a Licensee after which the Licensee will

have the final decision as to whether to uphold the penalty, reduce it or remove it.

3.5 If the appellant is dissatisfied with their dealings with the Union, they may refer their complaint to the University Registrar. The Registrar may delegate an alternative University officer to respond at his discretion. It should be noted however that recourse to the Registrar does not constitute an appeals procedure and as such the appellant cannot delay complying with requirements of the disciplinary on the grounds that the Registrar has yet to adjudicate.

4. Sanctions

4.1 A sanction may be suspended for a given period, subject to the behaviour of the member for the period identified. A decision of this nature should be communicated to the member in writing, clearly stating that the sanction shall be imposed if there is any further breach of Union Regulations. Additionally, further conditions governing the imposition of any such penalty may be specified.

4.2 A penalty may be deferred at the discretion of the Licensee.

4.3 When setting penalties, the Licensee will take into account any time or penalty already spent.

List of Grounds for Disciplinary Action

1. Violence or threat of violence.
2. Using, dealing or possessing drugs on Union premises.
3. Drunk and disorderly conduct.
4. Damage to Union property or property belonging to a Member or guest.
5. Refusal to leave the Union premises.
6. Misbehaviour of a Member's guest's.
7. Harassment of any kind.
8. Abusive language to students or staff members.
9. Lewd or offensive behaviour.
10. Taking glass on the dance floor.
11. Deliberate breaking of glass.
12. Smoking in non-smoking areas.
13. Any behaviour deemed unacceptable by the licensee.

List of Sanctions

1. Verbal or written apology.
2. Total or partial ban from some or all areas of the Union for a specified period of time.
3. Withdrawal of rights to participate in or benefit from specified Union services or facilities for a specified period.
4. Permanent or temporary suspension of some of the rights and benefits of membership of the Union (except that the member's right to receive notice of, attend, speak and vote at a Company General Meeting cannot be suspended).
5. Financial restitution in full or in part of the cost of making good any damage or loss suffered by the Union or other Members or persons.
6. Financial penalty up to £50.
7. Any combination of the above penalties.
8. Any other sanction deemed appropriate by the Licensee.