

VENUES CODE OF CONDUCT

>> POLICY & PROCEDURE

Venues Code of Conduct Policy & Procedure

Approved: Management Committee (18 September 2020)

Review: Annually in September

1. Purpose

The Students' Union operates a range of services for the benefit of its members, and this policy concerns the disciplinary procedures that operate within our licensed venues. The policy applies to the areas and services operated and managed under the terms of the Licensing Act 2003, and the key components of this policy are informed and at times dictated by this legislation.

The Students' Union believes that these rules and procedures are necessary for promoting responsible and safe behaviour, and ensures fairness and consistency in the treatment of individuals. It is important that members know what standards of conduct and behaviour is expected of them and, as a result, full details of this policy and its rules and procedures will be accessible to members at all times.

2. Covid-19 Addendum

Covid-19 has had a significant impact on society in 2020 with government globally implementing measures to control the spread of the pandemic. The UK Government has commenced the process of easing restrictions and released guidance to multiple sectors of the economy to enable appropriate measures to be implemented locally.

The University 'Covid-19 Code of Conduct & Community Responsibility Agreement' confirms the anticipated conduct of the University community and the internal processes that will be followed if there is a breach of University policies, procedures and terms and conditions. A communications campaign has been produced in partnership with the Students' Union entitled 'Play your part' which informs students of this.

To support the licensed operations an addendum to the Venues Code of Conduct has been produced which states the immediate and follow-up actions which will be taken in response to breaches of the stated 'House Rules' in respect of Covid-19 Secure operations. Where actions are taken in respect of breaches of the Covid-19 Addendum there will be no option to appeal the decision made. Where follow up actions have been taken which require an incident to be dealt with under the Venues Code of Conduct this will proceed as normal.

3. Context

This policy should be read in conjunction with the Students' Union's constitution, where Byelaw J clearly sets out a Members' Code of Conduct in relation to student behaviour when engaging in Union activities. This is done via a set of principles. It states that members are expected to:

- Conduct themselves in a reasonable and responsible manner at all times, in a way that characterises mutual respect and understanding for all members of the community.
- Conduct themselves in a way that promotes the values of the Union, taking into account public perception and the external reputation of the organisation.
- Treat all Union (and College) property with respect, and not interfere with other peoples' enjoyment of Union facilities or events.

- Adhere to relevant policies, procedures, rules and regulations of the Union, including (but not limited to): equality and diversity, health and safety and financial regulations.

Byelaw L (the Members' Disciplinary Process) details the disciplinary process that enforces this. With respect to Union 'services' such as the bars and nightclub, Section 3 of this Byelaw empowers the staff team (through the Chief Executive) to put in place other procedures for dealing with misconduct where appropriate. This is done to ensure the Union complies with relevant legislation, such as the Licensing Act 2003.

The Chief Executive has managerial authority to enforce good conduct in the use of services, in line with standard operating procedures, using appropriate discipline against summary offences. The exercise of this authority, therefore, may not limit membership of the Union, and only refers to the use of services.

In addition to this, as a licensed venue the Students' Union has a legal responsibility to work with the University, Police and other authorities in the discharge of its duties, which includes sharing data and referring incidents for criminal investigation where appropriate. Where a criminal investigation is ongoing, the Students' Union will seek appropriate guidance and take action that may include temporary suspension from the venues whilst the matter is concluded.

4. Types of Misconduct

For clarity, appendix one of this policy sets out the most common types of misconduct that are likely to arise within the venues. It provides definitions to help both members and staff understand what is not acceptable. The list is non-exhaustive, and the Students' Union is able to refer any incidents that fall outside of these examples under Byelaw J.

5. Disciplinary Procedure

a. Incident Occurs

When an incident occurs in a venue or event, the student will be dealt with appropriately at the time to ensure the safety and security of individuals in attendance. A formal report will be generated that details the incident and any further evidence collected and filed with it. The document used for this purpose is the Incident Report.

Some incidents are minor, and generally are able to be resolved immediately. These will be recorded as an incident report with the agreed resolution included, and will not progress any further along the disciplinary process. Any student involved in an incident that will potentially result in an exclusion from the venue will automatically be suspended from the venue pending the review of the incident and disciplinary sanctions.

b. Incident Reporting

When an Incident Report is generated it will contain detailed information with reference to the incident, which will include the names of the individuals involved, the student ID card numbers of those involved, the location, and detailed observations from the incident. The report will also reference any witness statement and state whether other security data was captured at the time of the incident. Incident reports, CCTV and associated witness statements will be used as the key evidence for the disciplinary process.

c. Stage One

At stage one, all incidents will be reviewed by at least two members of the Students' Union's venues management team. This will take place twice a week, usually on a Monday and a Thursday.

They will look at the nature and context of the incident, and consider the evidence collected at the time. A decision will then be made as to the nature of the misconduct, and a disciplinary sanction imposed. This will be communicated directly to the student via electronic means to their College email account.

Any decision requiring a disciplinary sanction of 26 weeks or more will be referred automatically to a member of the Students' Union's Extended Senior Management Team for confirmation.

d. Stage Two

Individuals who have received a disciplinary outcome are permitted to appeal the decision provided this is done within 7 working days of the stage one decision being communicated to the student. The appeal must include any and all further evidence, and clearly state which of the three grounds the appeal should be considered under:

- I. The Students' Union has conducted the investigation process in a way that is inconsistent with this policy.
- II. The Students' Union was not able to consider evidence that has now become available.
- III. The Students' Union has imposed a disciplinary sanction that is inconsistent with this policy.

Appeals will be considered by a member of the Students' Union's Senior Management Team who has no prior knowledge of the incident. An investigation and hearing may be called if required. Once the Stage 2 process is complete a formal response will be issued to the individual. There is no further appeal beyond this.

e. 52 week / lifetime exclusions

Any Stage Two appeal where there has been a disciplinary sanction of 52 weeks or more applied will be referred automatically to the Students' Union's Chief Executive and a Trustee.

Appendix One: Examples of Misconduct

Please note this list is not definitive or exhaustive, but is provided to give an indication of the likely sanctions that are imposed in the case of misconduct within a venue. Context around specific incidents will be taken into consideration where appropriate, including repeat incidents. All exclusions are term-time only weeks.

Minor Misconduct	Example	Sanction
Smoking in non-designated areas	All forms of smoking (including electronic cigarettes) in non-designated areas of the venue.	Warning and then ejection from the venue
Over intoxication (minor)	A temporary state in which an individual's physical and / or mental faculties are impaired by either an excessive consumption of alcoholic or other substances.	Ejection from the venue
Vomiting due to over intoxication	The involuntary ejection of matter from the stomach due to the excessive consumption of alcoholic or other substances.	Ejection from the venue and £25 cleaning charge
Over intoxication (major)	A temporary state in which an individual's physical or mental faculties are impaired by either an excessive consumption of alcoholic or other substances. The individual requires assistance from staff in either recovery or getting home from the venue.	2 week exclusion
Serious Misconduct	Example	Sanction
Non-compliant behaviour	Defiant behaviour that involves ignoring guidance or reasonable requests from staff in the discharge of their professional duties.	2 week exclusion
Repeated non-compliant behaviour	Repeated defiant behaviour that involves ignoring guidance or reasonable requests from staff in the discharge of their professional duties.	4 week exclusion
Unauthorised access	Entrance (or attempted entrance) into the venue without a valid ticket or wristband.	4 week exclusion

Minor vandalism	Intentional damage of Students' Union's property causing minimal or limited impact on the operation of the venues.	4 week exclusion and payment for damage
Major vandalism	Intentional damage of Students' Union's property causing a major impact on the integrity or operation of the venue.	8 week exclusion and payment for damage
Major Misconduct	Example	Sanction
Indecent behaviour	<p>Actions that are considered lewd or inappropriate, contrary to generally accepted standards of public taste within the specific context.</p> <p>This would include behaviours such as engaging in sexual acts in public or public urination.</p>	4 week exclusion
Abusive behaviour	<p>Use of insulting or offensive actions or language targeted at an individual or group, resulting in physical or emotional distress. Manipulation, control or coercion of individuals to perform specific acts.</p> <p>This may include deliberate humiliation, intimidation, or action that result in diminishment of identity, self-worth or dignity.</p>	8 week exclusion
Threatening behaviour	<p>Intentional use of threatening, insulting or offensive actions or language targeted at an individual, resulting in physical or emotional distress.</p> <p>The behaviour must be shown to be intentional, and that a reasonable person would consider themselves in immediate danger.</p>	12 week exclusion
Physical assault	Intentional or reckless physically aggressive behaviour, leading to injury requiring first aid attention.	32 week exclusion
Harassment	Use of actions or language, generally repeated or persistent and directed at a specific person, which tends to annoy or cause harassment, alarm, or distress to another person.	32 week exclusion and relevant training

Discrimination	Use of actions or language in an abusive manner that is targeted at an individual due to specific characteristics. Characteristics may include (but not limited to); religion, physical appearance, ethnicity, disability, health status, gender (including reassignment and identity), age, nationality or sexual orientation.	32 week exclusion and relevant training
Sexual harassment	Behaviour directed at another individual (intentionally or otherwise), of a sexual nature unwanted by that individual. Sexual behaviours may include (but not restricted to), unwanted touching, kissing, grinding and stalking. Behaviour may be physical or verbal, but is always degrading and offensive.	32 week exclusion and relevant training
Violent assault	Intentional or reckless physically aggressive behaviour, leading to injury requiring first aid attention and possible hospitalisation or paramedic intervention.	Permanent exclusion
Theft	The intentional act of stealing property, either from the Students' Union or another guest.	24 week exclusion and payment for loss
Misuse of safety equipment	The intentional misuse of safety equipment without reasonable grounds to do so.	24 week exclusion and payment for damage
False activation of emergency alarms	The intentional activation of an emergency alarm without a reasonable cause to do so.	32 week exclusion
Possession, consumption or supply of illicit alcohol	Possession of supply of alcohol brought into the venue against the terms and conditions of entry.	12 week exclusion
Possession or consumption of illegal substances	Possession or consumption of all illegal substances either inside the venue, or the immediate vicinity.	24 week exclusion
Possession of illegal substances with an intent to supply	Possession of illegal substances with an intent to supply within the venue, or the immediate vicinity.	Permanent exclusion

Possession of offensive weapons	Possession of an offensive weapon, irrespective of intention, within the venue or the immediate vicinity.	Permanent exclusion
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Covid-19 Addendum

Please note this list is not definitive or exhaustive, but is provided to give an indication of the likely sanctions that are imposed in the case of non-compliance within an event/venue. Context around specific incidents will be taken into consideration where appropriate, including repeat incidents.

Minor misconduct will be managed on a 'One strike' warning process, failure to comply will result in the action stated.

Minor and serious misconduct will not be eligible for appeal. Major misconduct will be subject to the main Venues Code of Conduct process outlined above and individuals will be able to appeal the outcome. Repeated failure to comply with respect to minor and serious misconduct will be referred to the main Venues Code of Conduct. All exclusions are term-time only weeks.

<i>Minor Misconduct</i>	<i>Example</i>	<i>Sanction</i>
Intoxication on arrival at the event or venue	A temporary state in which an individual's physical and / or mental faculties are impaired by either an excessive consumption of alcoholic or other substances, and where on arrival at the entry point it is clear that the individual will not be able to comply with Covid-19 rules within the venue.	Refusal of entry
Failure to arrive at the venue within designated entry window.	Designated entry windows will be published on ticket confirmation, all members of the party should arrive together at the stated time. Late arrivals impact on operational controls and social distancing measures	Refusal of entry
Failure to comply with social distancing measures within the venue.	Individuals/ Groups who breach rules on moving between tables/zones, do not observe 1-way flow, refuse to wear face coverings when transiting within the site.	Ejection from venue
Over-intoxication (minor)	A temporary state in which an individual's physical and / or mental faculties are impaired by either an excessive consumption of alcoholic or other substances, whilst seated at the table. Where an individual must be refused service due to the level of intoxication.	Ejection from venue

<i>Serious Misconduct</i>	<i>Example</i>	<i>Sanction</i>
Non-compliance with instruction by staff with reference to social distancing measures	Individuals/ Groups who respond negatively to instructions provided by staff working an event/ venue to comply with social distancing measures.	Ejection from venue & 2 week exclusion
Over-intoxication (major)	A temporary state in which multiple individuals' physical and / or mental faculties are impaired by either an excessive consumption of alcoholic or other substances, whilst seated at the table. Where assistance may be required from staff to assist in the wellbeing of individuals, or where individuals are perceived as not being able to comply with Covid-19 rules within the venue.	Ejection from venue & 2 week exclusion
<i>Major Misconduct</i>	<i>Example</i>	<i>Sanction</i>
Groups refusing to comply with social distancing measures within the venue.	Multiple individuals or groups refusing to comply with social distancing guidance within a venue or zone, impacting on the general wellbeing of others in attendance or staff.	Closure of venue or zone.