

Societies Council Code of Practice for Discipline & Appeals



Discipline

- (a) Without prejudice to the rights of the University or of individual students in relation to proceedings against individual students under the terms of the UCD Student Code, a student society or its officers may be charged with conduct which infringes on the rights of members of the University, or which brings the University into disrepute, or with failing to abide by the provisions of its constitution. The policies of the University and the Council with regard to society activity shall apply at all times to society members attending society events or representing societies on or off University property.
- (b) Complaints against actions or inactions of the Officers or Committees of the Societies Council shall be made directly to the Chairperson of the Disciplinary & Review Committee, whose contact details will be available to all societies, and who shall conduct a review and/or investigation in accordance with the procedures outlined below.
- (c) Allegations pursuant to this section may be made by a member of the University community and should be brought in the first instance to the attention of the Treasurer of the Council, who may meet with the Complainant and attempt to resolve the matter informally. If the Treasurer of the Council is unable to successfully apply informal local resolution processes, the Treasurer of the Council shall refer the matter to the Chairperson of the Disciplinary Committee, who shall consider any matter so referred and, having considered preliminary written submissions of the Complainant and/or Respondent, determine if there is evidence which requires a full investigation to be conducted.
- (d) There shall be a Disciplinary & Review Committee of the Council consisting of:
 - i. A Chairperson, who shall have legal experience, and be familiar with Council & Society activity.
 - ii. A former Chairperson of the Societies Council;
 - iii. Three graduates of the University of at least three years standing who shall previously have served as Auditor or Treasurer of a Society.

In all cases, the principle of natural justice shall apply.

- (e) The Disciplinary Committee shall be appointed for a three year term by the Executive Committee of the Council from the nomination of the Chair of the Council. Members of the Committee may be reappointed upon the conclusion of a term of office. The Executive Committee shall satisfy themselves that all appointees will be suitably qualified and, in the event that they are not satisfied, shall request the Chair of the Council to provide a broader list of nominees.
- (f) The Disciplinary Committee shall consider any matter referred to them by the Chair or Treasurer of the Council, or referred by the Recognition or Finance Committees or other Committees of the Council.
- (g) The Disciplinary Committee shall meet as soon as is practicable, but not more than 28 days from the date of a complaint, and as often as necessary thereafter with regard to each complaint or complaints. The quorum for such meeting shall be three persons.

- (h) The Disciplinary Committee shall conduct their own investigation of the complaint, including, but not limited to, consideration of submissions by the complainant and any relevant respondent(s), and may, at their discretion, appoint an Investigator to any complaint or referred matter, who shall conduct an investigation in accordance with the terms of reference and scope laid down by the Committee. The Investigator shall present a report to the Committee for consideration and the Committee alone shall determine, at their sole discretion, what shall constitute an appropriate sanction.
- (i) The Disciplinary Committee shall regulate and apply its own procedures in accordance with the principles of natural justice. In cases where it is satisfied that the complaint made has been proved, and is in breach of society rules or falls below acceptable standards, it may impose such penalties as it considers appropriate, including, but not limited to, fines, suspension from office and/or expulsion from a society or societies. If the Disciplinary Committee determines the appropriate penalty to be the withdrawal of recognition, such penalty may be applied.
- (i) The Committees of the Council shall take such action as is required to execute any penalties applied by the Disciplinary Committee.
- (k) Where complaints are upheld, the Disciplinary Committee may take such action as is appropriate, in accordance with the principles of natural justice, including the issuing of a formal warning. If necessary, the Disciplinary Committee may escalate such matter to the University in accordance with University procedures, including, but not limited to, the Student Code and other Policies.
- (l) Where the Investigator or Disciplinary Committee are satisfied that false or misleading allegations have been made regarding a Society, Committee member, individual member, the Council, or an Officer of the Council, the Investigator and Disciplinary Committee shall be empowered to make disciplinary recommendations regarding the Complainant, including escalation to the University in accordance with the Student Code or other relevant policies.
- (m) Any affected party may appeal a decision of the Disciplinary Committee, as per Article 12 of the Constitution.
- (n) Where relevant and appropriate, the Disciplinary Committee process and procedures shall remain aligned with the UCD Dignity & Respect Policy, UCD Child Protection Policy and UCD Student Code, including when students are involved with or representing societies or society activity outside the University campus. Complaints under the Dignity & Respect and Child Protection policies shall be dealt with outside the processes of the Council.

Appeals

- (a) Any student society may appeal a decision by the Council or its committees.
- (b) Such appeals, other than appeals against determinations of the Disciplinary Committee, shall be heard in the first instance by the original Committee which made the decision. Such Committee shall invite the appellants and their representatives to make a submission.
- (c) In the event of a failure to reach agreement with the original Committee, or in the case of an appeal against a determination of the Disciplinary Committee, the society, societies or individual(s) may request the intervention of the Appeals Committee. Such Committee shall consist of:
 - i. Two former Chairpersons of the Council
 - ii. Two staff members of the University, selected from among the Senior Treasurers of Active Members

The Appeals Committee shall select a chairperson from amongst its membership and shall establish its own procedures and criteria.

- (d) Any appeal may result in one of the following:
 - i. The appeal is allowed
 - ii. The penalty is decreased or increased, or the nature of the penalty is varied
 - iii. The appeal is rejected
- (e) The decision of the Appeals Committee shall be final. Such decision shall be communicated by the Treasurer of the Council to the appellants and to the chairperson of the original committee.
- (f) Decisions of the Appeals Committee may be referred to the Student Activities Committee of the University, whose remit shall be limited to an assessment and adjudication of whether or not the Committee(s) of the Council conducted their processes in accordance with the Constitution of the Council.