

The Falmouth & Exeter Students' Union Code of Conduct

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1) What is the Code of Conduct?

This Code of Conduct sets out the minimum standards of conduct and behaviour expected by members and affiliated groups when participating in any activity under the name of Falmouth & Exeter Students' Union (The SU), both in-person and online.

The Code helps The SU facilitate an environment where all users of The SU's services, visitors, any member of the University community or any member of the communities in which our members live are treated with dignity, fairness and respect.

2) Why does the Code of Conduct exist?

- To protect The SU's members;
- To protect others that are potentially affected by members' actions;
- To ensure the highest possible standards of fairness, honesty and behaviour;
- To ensure that any student can feel welcomed and included in The SU's activities;
- To reduce the risk of harm, injury, harassment and nuisance to members and the community in general.

3) To whom does the Code of Conduct apply?

- All members;
- All persons associated to a student group including, but not limited to, associate members, coaches/instructors and administrators.

As the Sabbatical Officers are employees of the Students' Union, any complaint about them under this code will be handled using an Employer / Employee approach.

4) Expected behaviour

The SU expects as a minimum standard of behaviour that each member shall:

- Conduct themselves in a reasonable and responsible manner at all times;
- Conduct themselves in a manner of mutual respect and understanding for all members of the University and wider communities;
- Ensure all members feel welcome to participate in inclusive and friendly discussions, activities, services or events;
- Conduct themselves in a manner that ensures The SU is an open, welcoming, inclusive and supportive space for all students;
- Abide by The SU's Policies including Health & Safety, Safeguarding and Equality & Diversity.
- Operate within the rules that govern the activity or the facility in which it is taking place;

5) Misconduct

The following are examples which constitute misconduct that is likely to lead to disciplinary action and is not exhaustive:

- Any form of harassment and bullying (definitions below);
- Any form of discriminatory or anti-social behaviour;
- Engaging in any activity or behaviour likely to bring The SU, the Universities, funders, sponsors or partners into disrepute;
- Act in a way which would cause fear, threats, intimidation, harassment, sexual misconduct or an unwelcoming atmosphere to others;
- Encourage or pressure others into acting against the Code;
- Carry out initiation ceremonies (detailed below);
- Breaches of other Students' Union policies or regulations;
- making defamatory or maliciously false statements about any member of the University community;
- any action likely to cause injury or acting without due regard to the safety of others;

The following are examples of misconduct which shall be considered by The SU to constitute an act of **serious misconduct**;

- acting to, or with intent to, commit theft, fraud, deceit, deception or dishonesty in relation to The SU, its staff and members or while representing or purporting to represent The SU;
- discrimination, harassment, victimisation of others on the grounds of their age, disability, gender, gender re-assignment, pregnancy, maternity, race, religion, belief, sexual orientation or any other characteristic protected under the Equality Act 2010 and any subsequent legislation as may be applied;
- the use, possession or supply of illegal drugs on The SU premises or while representing or purporting to represent The SU ;
- committing a criminal offence if relevant to The SU or to the members' standing as a member of the University community;
- physical or sexual violence towards others, or the threat of physical or sexual violence;
- persistent or repeated acts of misconduct over an extended period;
- failure to report a criminal conviction or driving disqualification to The SU.

6) What are initiations and peer pressure situations?

In line with the majority of universities The SU, Falmouth University or the University of Exeter do not permit “initiation ceremonies”. For this purpose, an initiation ceremony is any event at which members of a group are expected to perform an activity as a means of gaining credibility, status or entry into that group. This peer pressure is normally (though not explicitly) exerted on first year students or new members and may involve the consumption of alcohol, eating various food stuffs, nudity and behaviour that may be deemed humiliating.

Initiation ceremonies are intimidating, humiliating and can amount to bullying. They do not encourage the welcoming and inclusive student groups that The SU wants.

Social activities such as welcome evenings, team meals, social nights, trips away and celebration events that welcome new members and offer a positive first impression of university life are encouraged. The following rules must be followed:

- All activities must be opt-in and have no bearing on the acceptance into the student group or team/squad selection etc;
- Peer pressure must not be exerted on individuals;
- Activities must not be humiliating, unlawful or degrading;
- Activities must not involve the forced consumption of any fluid/substance;
- Taking of alcohol to the activity/event must not be made a condition of attendance;
- If activities involve alcohol then non-alcoholic drinks must be made available;
- Activities must not bring the reputation of The SU, Falmouth University or the University of Exeter or the student group into question or disrepute. The organiser of the event, individual Club Captains or group Presidents and/or the groups as a whole may be held responsible for an “initiation ceremony” and may have University disciplinary action taken against them (including suspension or expulsion).

7) What is harassment and bullying?

It is important that the meaning of “harassment and bullying” is understood is so that it can be identified if it occurs. The most important thing to remember is that it is the effect of the behaviour on the recipient that matters, not how the behaviour appears to other people. One incident can be enough if it is serious.

Harassment is not always obvious and does not have to be directed at one individual. Harassment is any behaviour that is unwanted by the recipient, is unwarranted and has the purpose or effect of affecting an individual’s dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for the individual. Harassment may also be behaviour which is intended to or likely to cause the recipient alarm and/or distress.

Harassment can be related to matters such as gender, sexual orientation, disability, marital or civil partnership status, race, ethnic or national origin, nationality, religion or philosophical belief, gender reassignment, age or any other personal characteristic. It may also be unwanted verbal, non-verbal or physical conduct which is of a sexual nature. It is the impact of the behaviour which is relevant and not the motive or intent behind it.

Harassment covers a wide range of behaviour including (but not limited to):

- Physical contact ranging from unnecessary touching or brushing against a person, to unwelcome sexual advances, actual physical contact or serious assault;
- Verbal and written (including e-mail) harassment through making derogatory, inappropriate or offensive suggestive or unwanted remarks or jokes, expressions of discriminatory views and/or intimidating comments, obscene gestures, pin ups, flags, graffiti, and/or display of offensive (including pornographic) material;
- Isolation or non-co-operation at work, exclusion from social activities;
- Pressure or requests for sexual favours, pressure to participate in political or religious groups;
- Intrusion by pestering, spying, stalking etc;
- Subjecting an individual to less favourable treatment for rejecting unwanted behaviour;
- Bullying can include offensive, insulting, intimidating or malicious behaviour or an abuse or misuse of power to humiliate or undermine the confidence and competence of the recipient.

8) What is sexual harassment?

Sexual harassment is defined by the Equality and Human Rights Commission as any conduct of a sexual nature that is unwanted by the recipient, including verbal, non-verbal and physical behaviours, and which violates the victim's dignity or creates an intimidating, hostile, degrading or offensive environment for them

Unwanted behaviour can include any kind of behaviour, including spoken or written words or abuse, imagery, graffiti, physical gestures, facial expressions, mimicry, jokes, pranks, acts affecting a person's surroundings or other physical behaviour.

The SU also includes ACAS's examples of unwelcome sexual advances: touching, standing too close, display of offensive materials, asking for sexual favours, pictures of a sexual nature

The word 'unwanted' here means 'unwelcome' or 'uninvited'. This does not mean that express objection must be made to the conduct before it is considered unwanted. A member does not need to make it clear in advance that the behaviour is unwanted.

Behaviour 'of a sexual nature' can include unwelcome sexual advances, touching, forms of sexual assault, sexual jokes, displaying pornographic photographs or drawings or sending emails with material of a sexual nature.

The behaviour does not have to be specially directed at someone to be considered harassment. Behaviour can be considered harassment even where it is directed generally (not at a specific person) but a particular person feels harassed.

Sexual Harassment can happen to anyone regardless of gender, sexual orientation or any other characteristic.

If the person carrying out the unwanted behaviour does not intend to violate someone's dignity or create a hostile environment and so on, the behaviour may still amount to harassment if it has that effect.

If the person carrying out the unwanted behaviour actually intends to violate the other person's dignity or create an intimidating, hostile, degrading, humiliating or offensive environment for them, this will of itself amount to harassment regardless of any effect on the individual.

9) What happens if the Code of Conduct has been breached?

All breaches will be dealt with fairly and promptly and will be investigated under Bye Law 11: Disciplinary & Appeals.

10) Possible sanctions

Depending on individual set of circumstances of each breach, with considerations to the risk of harm to the individual(s) and/or organisations and the severity of the breach and consequences, any number of sanctions could apply however the below attempts to show the type and level of sanction possible:

Group Sanctions (not exhaustive):

- Warning
- Letter of apology to be written
- Club/society fine
- Removal of privileges such as support from website and/or other support (for a week/month/year)
- Removal of ability to hire or use university facilities as a club/society (for a week/month/year)
- Removal of teams from the Club/Society
- Removal from BUCS competitions
- Removal of grant funding and/or the ability to apply for funding
- Refer to University disciplinary action
- Disaffiliation of student group for (1/2/3 years)

Individual Sanctions (not exhaustive):

- Warning
- Letter of apology to be written
- Fine for damages
- Ban from some or all of The SU activity for 1 week / 1 month / 1 year
- Refer to University disciplinary action
- Lifetime ban from The SU and no longer a member.