



# University of Limerick

## Law Society Constitution

(the Constitution)

*Bunreacht an Chumann Dlí Ollscoil*

*Luimnigh*

## **1. Constitution**

The Constitution is ratified by the University of Limerick Law Society (**the Society**) and replaces any previous constitution of the Society.

Any definitions not defined in this document are set out in the UL Student Life Clubs & Societies Common Constitution. The UL Student Life Clubs & Societies Common Constitution shall have primacy over this document.

The Constitution is available to all members of the Society and the public at large.

### **1.1. The Guarantors of the Constitution**

The Guarantors of the Constitution are the University of Limerick Student's Union (**UL Student Life**) and The University of Limerick School of Law (**the School of Law**).

### **1.2. Signature of the Constitution**

The Constitution is to be signed annually by the President of the Society, the UL Student Life President and the Head of the School of Law.

## **2. Character of the Society**

### **2.1. Name**

The name of the Society shall be the University of Limerick Law Society.

### **2.2. Mission**

The Society is *in pursuit of legal scholarship and community within the University of Limerick*. The Society endeavours to educate its members and all students of the School of Law beyond the classroom; both socially and academically. The Society aims to create a community of University of Limerick legal scholars and to provide its members with the greatest opportunities during their time in the University of Limerick and beyond.

### **2.3. Affiliations**

The Society is under the auspices of the UL Student Life Clubs & Societies Executive.

The Constitution also recognises the special relationship between the Society and the School of Law.

### **3. Activities of the Society**

#### **3.1. Academic & Career Development Support**

One of the Society's primary objectives is to educate our members and observers beyond the classroom. Thus, one of the activities the Society shall engage in is hosting academic events with a focus on legal matters and matters which have an impact on our members. These events should not substitute lectures or tuition provided by the School of Law, but act as a support to our members and observers.

Furthermore, the Society should try and provide its members with the best possible career opportunities. This involves liaising with graduate recruiters to allow our members to get an insight into graduate recruitment and to make connections with future employers.

#### **3.2. Mooting Competitions**

One of the founding principles of the University of Limerick is that of clinical education. The Society aims to honour that principle through hosting mooting competitions. A moot is a mock version of a legal appeal. In these moots, competitors argue legal principles and authorities with the objective of winning the appeal for their fictional client. Moreover, moots give competitors genuine advocacy skills in their pursuance of a career in law.

The Society should engage in hosting both internal and inter-varsity moots. This provides an outlet for our members to visit other universities and make connections outside of the University of Limerick.

#### **3.3. International & Domestic Outings**

The Society shall venture to organise at least one international excursion for its members per year. These excursions must have the objective of educating its attendees of an alternative legal system or have some legal educational purpose. The Society shall give adequate notice to members of this excursion in order to organise funding.

Moreover, the Society shall organise domestic outings to judicial and legislative points of interest locally and nationally. The objective of these excursions is to facilitate members to see the pursuit of justice in action.

### **3.4. Conferences**

In its ambition to educate students beyond the classroom, the Society will host events, seminars and debates on topical subjects that are not regularly thought in lecture halls. These events should incorporate freedom of expression and endeavour to reflect the values of Irish society and the University of Limerick. The Society may invite guests of honour to these Conferences and may from time to time award these guests with an honorary life membership or “Fellowship of the Society”.

### **3.5. Social Events**

In its pursuit of a legal community in the University of Limerick, the Society must organise socialising events for members, faculty and invited guests. The Annual Law Ball is to take place in semester 2 of each academic year. The Society shall also endeavour to organise social events for first year students to assist them in setting into university life.

These Social Events are essential to the existence of the Society, for without it we would merely be an academic organisation. These events create a comradery amongst law students and reflect the values of the legal profession.

## **4. Membership**

The membership of the Society shall consist of Full Members, Associate Members and Fellows who have registered on the UL Student Life Clubs & Societies website.

### **4.1. Types of Membership**

#### **4.1.1. Full Members**

All students currently attending a course at the University of Limerick and all current staff [permanent and part-time] and alumni of the University of Limerick and UL Students Union are eligible to be Full Members of the Society. Attending a course for the purpose of the Constitution means pursuing any degree (undergraduate or postgraduate), full-time or parttime

and includes time spent on teaching practice, co-operative education, Erasmus and link-in modules.

Students of Mary Immaculate College, Limerick are not eligible to be Full Members of the Society.

Anyone who is a Full Member of the Society shall be entitled to be nominated to any position on the Committee or to any other committee of the Society.

Full Members and Full Members only, shall have voting rights at any general meeting of the Society.

#### **4.1.2. Fellowship of the Society**

The Committee of the Society may, subject to prior consultation with and approval of the UL Student Life Clubs & Societies Executive, invite any person who they deem to have done great service to the Society or the University to be an honorary member or be awarded a (**Fellowship of the Society**) in perpetuity of the Society.

Outgoing committee members shall only be awarded with a Fellowship of the Society if their service was transformative to the Society as a whole and had a significant impact on members experience. A Fellowship may only be awarded to an outgoing committee member by a committee that they are not a member of and their Fellowship must have unanimous support.

Anybody awarded a Fellowship of the Society shall be deemed a Fellow of the Society

Fellows shall have the same rights as Full Members, if they fulfil the criteria for full membership.

In the case they do not satisfy the criteria for full membership, they shall have no voting rights and many not serve on the Committee of the Society.

Fellows shall be exempt from paying any Membership Fee.

The Guarantors of the Constitution shall be deemed fellows while they hold their office.

#### **4.2. Membership Fees and Term**

Every member of the Society must pay an annual membership fee in order to be eligible to be a Full Member of the Society, as well as completing the electronic membership registration on

the UL Student Life Clubs & Societies Website. There are two categories of Membership Fees as follows:

- a. Student 1 x €5
- b. Alumni & Staff of UL 1 x €5

The base amount shall be determined by the Committee of the Society annually, taking into consideration the University's Student Capitation. The base amount is at the discretion of the Committee and shall be allocated annually.

The term of membership shall be from the date that the member signs the membership book or completes the electronic form until the Monday of Week One of Semester One of the following academic year

### **4.3. Resignation of Members**

Any member who wishes to resign must do so by giving the Secretary at least fourteen (14) days written notice (which includes notice by email) of their intention to do so.

The Membership Fee is non-refundable.

## **5. Governance of the Society**

The Society shall be governed by the Committee of the Society. The Committee of the Society is responsible for managing the business and affairs of the Society. The Society is led by the President who is responsible for setting all Society business. No superiority of Committee members exists, and no committee member outranks another with the exception of the President.

### **5.1. The Committee**

The Committee of the Society (the **Committee**) shall manage the business and affairs of the Society.

The Committee shall be elected solely from the membership of the Society.

The Committee shall be composed of the following officers:

- President;
- Welfare Officer;
- Treasurer;
- Secretary;
- Public Relations Officer;
- Academic & Careers Officer;
- Conference Convenor;
- Mooting Convenor;
- First Year Representatives
- Sponsorship Co-ordinator;
- Trips & Social Events Officer;

of whom the President, the Welfare Officer, the Treasurer, the Secretary and the Public Relations Officer are Core Committee Positions (**Core Committee**).

Any two of the officers holding a Committee Position shall be the Society's representatives on the Clubs' and Societies' Council (**CSC**)

#### **5.1.1. President**

The role of the President shall be fulfilled by one person only. The said person must have completed at least one year of service on a previous session's Committee. The President's duties shall include the day-to-day management of the Society and the directing all Society activities. The President shall chair all Committee and General Meetings of the Society. The President shall set the Society's objectives at the beginning of each year. The President shall be responsible for overseeing the Society's finances alongside the Treasurer. Where there is a division of opinion on the Committee in respect of direction, the President has executive authority to decide on the Society's behalf. The President can serve a maximum of one term in office.

#### **5.1.2. Welfare Officer**

The Welfare Officer shall be responsible for ensuring the welfare of all Society members and shall be a point of contact for any member with any difficulties. The Welfare Officer must be impartial. The said person shall be responsible for resolving inter committee disputes upon the request of the President or if the President is a party to a dispute.

The Welfare Officer with the President is responsible for ensuring the Society is compliant with UL Student Life Clubs & Societies regulations.

The Welfare Officer also serves as an Official Committee Member (**OCM**) and may be deputised from time to time to assist in executing the Society's objectives.

In the event that the President resigns or is impeached, the Welfare Officer shall serve as acting President until an Extraordinary General Meeting is convened within two weeks of the vacating of office. **5.1.3. Treasurer**

The Treasurer's duties shall include the maintenance of the Society's accounts and the Society's budget submission as well as the continuous updating of the online and hardcopy budget throughout the year.

The Treasurer is to advocate financial concerns at meetings.

#### **5.1.4. Secretary**

The Secretary shall be responsible for the management of all records of the Society. This includes the maintenance of all necessary documentation including the minutes of all General Meetings of the Society and Committee meetings. The Secretary shall organise room booking and manage committee business with the President.

Furthermore, the Secretary shall be the registrar of the Society. The said officer is responsible for collecting membership and maintaining the UL Wolves Clubs & Societies website page.

#### **5.1.5. Public Relations Officer**

The Public Relations Officer's shall be responsible for ensuring that the all Society events and activities are well advertised across the various different mediums including via email and social media.

The Public Relations Officer is to issue weekly newsletters detailing the Society's activities for the week ahead. This email is to be circulated by the School of Law.

The Public Relations Officer is responsible for the external presentation of the Society and to advertise opportunities to members on social media.



#### **5.1.6. Academic & Careers Officer**

The Academic and Careers Officer shall be responsible for organising all academic and careers events, including the annual Careers Networking Evening as well as a number of academic workshops throughout the year. The Academic Officer will be required to co-ordinate with the Academic Director appointed by the School of Law.

Furthermore, the Academic Officer is responsible for all activities outlined in Article 3.1 above.

#### **5.1.7. Conference Convenor**

The Conference Convenor shall be responsible for the organising of conferences and seminars. Their duties shall include booking venues and speakers for such events.

The Conference Convenor must organise events which are of topical interest to members as outlined in Article 3.4 above.

#### **5.1.8. Mooting Convenor**

The Mooting Officer shall be responsible for organising all moot court activities. They shall organise the annual internal competition as well as arrange for competitors to travel to external events. The Mooting Officer shall also run a series of mooting workshops each academic year. The Mooting Officer will be required to co-ordinate with the Mooting Director appointed by the School of Law.

#### **5.1.9. Sponsorship Co-ordinator**

The Sponsorship Co-ordinator shall be responsible for seeking sponsorship for Society activities.

This role shall include drafting partnership proposals to law firms. The Sponsorship Coordinator has exclusive authority with the President over liaising with firms. The Sponsorship Co-ordinator must be available to carry out their duties during the summer months. This is a subcommittee role.

#### **5.1.10. Trips & Social Events Officer**

The Trips & Socials Officer shall be responsible for organising all Society outings both international and domestic.

Moreover, the Trips & Socials Officer has exclusive responsibility for organising all social events with the exception of the Annual Law Ball, which shall be organised by the Committee.

#### **5.1.11. First Year Representatives**

The First Year Representatives shall be elected by an Extraordinary General Meeting in September of every academic year.

They have the duty of promoting Society events amongst their classmates.

Moreover, they shall assist the Society committee with its objectives upon direction of the President.

#### **5.2. Resignation of Officers**

Officers may resign by giving one week's written notice to the Secretary, or in the case of the Secretary, to the President.

#### **5.3. Impeachment of Officers**

Officers may be impeached on the grounds of gross misconduct, incompetency or for bringing the Society's name into disrepute.

Officers may be impeached by a two-thirds majority of the Committee.

In the case of the President, impeachment can be proposed to a General Meeting by a two thirds majority of the Committee.

#### **5.4. Retirement of Officers**

All officers shall retire at the AGM immediately prior to the election of the new Committee and that Committee for the following year shall be elected in accordance with the provisions of Article 6.1 of the Constitution.

#### **5.5. Vacancies on the Committee**

In the case of a vacancy on the Committee due to resignation or impeachment of an officer or for any other reason, the Committee shall have the power to co-opt any Member to the Committee until the next general meeting (be it an EGM or an AGM), at which a new officer will be elected.

## **5.6. Handover Documents**

Each outgoing officer of the Committee must present Handover Documents at the end of their term detailing the specific roles and responsibilities and the person(s) with whom they conducted the business of the Society in order to assist the incoming officers with their development of the Society.

## **5.7. Subcommittees**

Where the President deems necessary, they may establish a sub-committee for a particular purpose or for the assistance in organising one of the Society's constituent activities.

The relevant officer organising these activities shall chair the subcommittee.

The President and Treasurer are de facto members of all sub committees.

The membership of each subcommittee shall be appointed by the Committee.

## **5.8. Council of Class Representatives**

The Council of Class Representatives serve as an advisory board to the Committee.

This membership of this council is reserved to class representatives of Law Plus, Law & Accounting and Criminal Justice courses whom are elected to UL Student Life by their classmates.

The Law Faculty Representative to the UL Student Life Student Council may also sit on the council.

The council is to assist the committee in the promotion of their events.

The Council is chaired by the President or an officer which he/she/they may deputise.

## **6. Standing Orders of Meetings**

The Standing Orders of Meetings are regulations which must be abided by at any Committee, General or Subcommittee meeting.

Lack of compliance with standing orders may result in suspension of meetings or suspension of members from their roles.

## **6.1. General Meeting of the Society**

General Meetings for the purposes of this Constitution shall mean an Annual General Meeting (AGM) & Extraordinary General Meetings (EGM).

An EGM must be convened at the request of fifteen (15) or more Full Members in writing to the Chairperson clearly stating the purpose for that meeting. The EGM will be held no later than fourteen (14) days of receipt of the written request. The Clubs & Societies Executive (CSE) must also be made aware of this request by a member of the core committee.

The CSE should be made aware of General Meetings.

### **6.1.1. Quorum**

The quorum shall be fifteen (15) Full Members, excluding Core Committee Members, up to a 100-person membership. If the membership of the Society shall exceed 100, then the quorum shall be five (5) additional members and an additional five (5) per 100 increases in membership thereafter, up to a maximum membership of 500.

If the quorum is not reached at a general meeting the meeting cannot proceed but must be reconvened within one week.

If the Society fails to reach quorum at the reconvened general meeting, it will be put forward for de-recognition at the next CSC.

### **6.1.2. Notice**

The Committee shall give fourteen (14) days' notice of any general meeting to all members along with a call for any submissions and motions to be submitted to the Committee in writing six (6) days in advance of the general meeting.

Members shall be notified of general meetings in writing through at least two mediums (text, email, and/or posters).

The agenda for the general meeting including submissions and motions is to be circulated to Full Members five (5) days in advance of the meeting.

### **6.1.3. Voting at Meetings**

Voting shall be by secret ballot.

Each Full Member shall have one vote at any general meeting.

Motions and resolutions must be passed by a simple majority of those Full Members present at the meeting.

Elections to the roles of officers of the Committee shall be by simple majority vote of those Full Members present at the meeting.

All nominations for each committee position require a Proposer and separate Secunder from the membership. Any Member may nominate themselves at the meeting for election as an officer of the Club/Society Committee.

In the event of an equality of votes, the President shall have a second casting vote in addition to the vote to which he or she may in any case be entitled.

In the event of a conflict of interest for the President, they must vacate their position and another President must be appointed by a vote of the members present for the duration that the conflict persists.

At an AGM, the outgoing committee shall present for approval to the meeting the financial accounts of the Society for the year ending at that AGM.

### **6.1.4. Issue of Job Specifications**

Issue of Job Specifications shall be circulated within five days of the Annual General Meeting. These specifications should include the duties of the role and whether the role can be divided between no more than two people.

### **6.1.5. Manifesto of Candidates for President**

All candidates for President shall submit their manifestos for the year ahead to the Society within two days of a general meeting. These manifestos shall detail their vision for the Society and their objectives for the year ahead.

## **6.2. Committee Meetings**

The Committee shall meet at least six (6) times per academic year with least two (2) meetings being held in each semester. Subject to the rules of this Constitution, the Committee shall determine its own quorum on election, and shall regulate its own procedures.

The President shall have the deciding vote at Committee Meetings.

If an officer misses three meetings in a semester, they automatically tender their resignation to the President.

## **7. Health & Safety**

The Committee and the members of the Society will at all times do their utmost to comply with the Health & Safety Statement of the Society to ensure any planned activities are safe to participate in and that members do not engage in behaviour likely to cause harm.

### **7.1. Health & Safety Statement**

The Society must have a Health & Safety Statement. This must follow the template provided by the Health & Safety Consultants for Clubs & Societies. This will be available on the Clubs and Societies website.

The Health & Safety statement must be reviewed annually by the Committee to ensure it remains relevant to the Society's activities and is compliant with any legislative changes or directives issued by a governing body.

The Committee will inform its members of their obligations under the terms of the Health & Safety Statement. This should be undertaken at a general meeting and per event/trip briefing.

### **7.2. Foreign Trips**

If any member intends to make a foreign trip on Society business, they must inform the Clubs and Societies Development Officer (**CSDO**)

An itinerary must be furnished to in advance of all trips outside of the island of Ireland. The itinerary must include: (i) Flight/Ferry information, and accommodation phone numbers and a daily schedule of the planned activities. (ii) The contact details of the event coordinators while

abroad and the person/people designated to be responsible for First Aid (where possible). (iii) In Case of Emergency (ICE) contact details must be provided by every participant to the event co-ordinators and provided to the CSDO at least a week in advance of the planned trip.

The member must take the Clubs & Societies Travel Insurance Policy Number on any trip, which is available from CSDO or ULSU Secretary General in advance of the trip.

In accordance with the Health & Safety Statement, the contact details for the Clubs and Societies Development Officer, General Manager, UL Student Life President and the be provided to the event co-ordinators.

## **8. Disciplinary Action**

The Committee and members of the Society shall comply with the disciplinary, grievance, bullying and harassment procedures of the Clubs & Societies Executive as may be amended from time to time.

## **9. Financial Matters**

### **9.1. Funds**

All funds raised by the Society must be used for the express purpose of the promotion and development of Clubs & Societies activities under the auspices of the Students Union except in the case of funds raised by a charity event.

In the event of de-recognition of the Society, any funds remaining shall revert to the Clubs & Societies to be administered by the CSE.

### **9.2. Bank Accounts**

All accounts operated by the Society must be made known to the CSE in the annual budget.

The President and the Treasurer shall be nominated as signatories on the Bank Mandate for the Society's accounts. They shall be required to sign off on all transactions.

## **10. Equipment Policy**

Equipment owned by the Society shall be used solely for the purposes of the Society in accordance with this constitution and shall be held and dealt with by the officers and members of the Society accordingly

In the event that the Society is de-recognised the ownership of all equipment/inventory shall be transferred back to the Clubs and Societies of the University of Limerick Students Union under the management of CSE. This equipment will be held in trust until the Society is restarted or a similar interest club/society that may benefit from the use of such equipment (as decided by the CSE). In the alternative, it may be decided by the CSE to sell off all such assets and return all proceeds to the Special Events Fund or Annual Budget of Clubs and Societies as appropriate.

In the event of de-recognition, all officers of the Committee of the Society must ensure that all equipment is returned to the CSE without delay complete with keys for storage and location where necessary.

The Committee of the Society is responsible for keeping a record of all assets controlled by the Society and for the storage and maintenance of any equipment and for keeping records of the maintenance, which shall be available to the Clubs and Societies Executive committee on request.

The Committee is charged with the welfare and transfer of all such equipment.

The CSE shall be the arbitrators of all aspects of the Clubs & Societies Equipment Policy.

## **11. Legal Protocol**

The Society shall comply with the Clubs and Societies Executive Club and Society Protocol in Legal Proceedings, a copy of which is attached as a schedule to this Constitution.



## **12. Interpretation of the Constitution**

Where a dispute arises as to the meaning of this Constitution or a dispute as to a conflict between this Constitution and the Constitution of the University of Limerick Students' Union, then the dispute shall be referred to an arbitrator to be appointed by the President of the University of Limerick Students' Union and the arbitrator's decision is final.

## **13. Initiation of Disciplinary Action**

See Schedule 1 attached.

## **SCHEDULE 1**

**THIS DOCUMENT IS ANCILLARY TO THE UNIVERSITY OF LIMERICK LAW SOCIETY CONSTITUTION AND HAS BEEN DRAFTED BY UL STUDENT LIFE CLUBS AND SOCIETIES EXECUTIVE AND THEIR ATTORNEY.**

**The following constitute breaches of discipline:**

(i) Serious or persistent breach of Health and Safety. (ii) Bringing the name of the Society into disrepute. (iii) Acting against the aims and/or objectives of the Society (iv) Misappropriation of any funding relating to the Society (v) Discrimination & Harassment as defined in the Equal Status Act 2000 (vi) Gross misconduct by any member.

1. All complaints relating to alleged breaches of discipline shall be made in writing (including email) to a member of the Core Committee and to the CSE in reasonable proximity to the date of the matter giving rise to the complaint. The member of the Core Committee shall submit that written complaint to the Committee, whose decision, subject to the provisions of this rule, shall be final and binding.
2. On being advised of a complaint of an alleged breach of discipline and being of the opinion that the matter is of a sufficiently serious nature, the Committee, acting with all reasonable haste, shall appoint a sub-committee (as per section 3.1), comprising of five full members to deal with and adjudicate upon the complaint. (For the purposes of this section 7, the subcommittee dealing with the complaint is hereinafter termed "the Discipline Committee".)
3. A written notice of a date, time and place of the meeting of the Discipline Committee at which such matters are to be considered and the nature of the complaints shall be given to the member concerned at least fourteen (14) days prior to the meeting.
4. The member shall be entitled to attend at such meeting and shall be afforded the opportunity to respond to the complaints
5. The quorum for a meeting of the Discipline Committee shall be three (3). Voting shall be by secret ballot, and the elected Chairperson of the Discipline Committee shall be entitled to vote and not have a casting vote. A majority of those present and voting shall be required to find a member in breach of discipline. The Discipline Committee shall have power to

caution, discipline, and sanction such member in such manner as it considers appropriate, or to suspend the member's membership for such period as it considers appropriate, or to expel the member from membership of the Society or of any committee thereof, or to impose such condition on members continued membership as the Discipline Committee considers appropriate.

6. During a period of suspension, a member shall be denied all rights and privileges of membership. In the event of suspension or expulsion the member shall not be entitled to a refund of the whole or any part of the Membership Fee for the year/s in which a suspension or expulsion occurs, and any Membership Fee falling due within the period of suspension shall remain due and payable.
7. A member desiring to appeal against the finding of the Discipline Committee and/or against the sanction imposed may within fourteen (14) days of the decision request the CSE to consider the appeal. Such request must be made in writing. Upon the receipt of such an appeal the CSE shall appoint one of its members to hear the appeal, who will request written submissions from both the Discipline Committee and the member lodging the appeal and shall make their decisions based on those written submissions. In exceptional circumstances the CSE appointee may (at his or her sole discretion) convene a meeting with either or both of the Discipline Committee and/or the appellant, either alone or together.
8. In the event that a finding by the Discipline Committee of a breach of discipline is upheld, or in the event of an appeal against severity of sanction only, the CSE shall, inter alia, have power to reduce or increase the sanction.
9. Pending the decision of the CSE, the sanction imposed by the Discipline Committee shall not take effect.
10. The decision of the CSE shall be final and binding.

### **Grievance Procedure**

The Clubs and Societies are voluntary social, recreational and leisure clubs who run activities for students and staff of the University of Limerick to enjoy in their leisure time. In this regard, we would hope that Club & Society members will get along with each other without any

grievances arising. However, we do understand that from time to time, grievances caused by misunderstanding, disagreement or general dissatisfaction may occur among Club members. Full recognition is given to the significance of personal grievances and it is our policy that all grievances will be dealt without undue delay and resolved at the earliest possible stage.

1. In the first instance, it is expected that any Club member with a grievance will attempt to resolve it informally by speaking with the individual(s) concerned in an attempt to resolve the issue amicably. If a resolution is agreed at this stage, both members involved should agree to put the issue behind them for the good of the Club/Society.

2. If the member experiencing the grievance does not feel confident in approaching the individual(s) concerned, they should speak to a member of the Club/Society committee and explain their grievance to them. The committee member should facilitate a meeting between the member and the individual concerned with a view to resolving the grievance as quickly and amicably as possible. This meeting should take place within five days of the member raising the grievance.

3. If there is no agreement at this stage, the member experiencing the grievance should submit their grievance in writing to the Club committee. The committee should appoint two members of the committee to investigate the grievance within five days of receiving the grievance. The investigation should be done through meeting both parties involved in the grievance and any other person who the two members consider appropriate. Minutes should be taken at the meeting and a report of the findings prepared. A decision should be made by the two members as to what the outcome of the grievance is. This information should then be presented to both parties of the grievance. Those investigating the grievance should aim to resolve the grievance within ten days of receiving the grievance.

4. If either party is unhappy with the outcome of the investigation into the grievance, they should appeal the decision to the Clubs and Societies Executive Committee outlining the reasons for the appeal within seven working days of receiving the outcome of the grievance. The Clubs and Societies Executive Committee should appoint two members to hear the appeal meeting within five days of receiving the appeal. An investigatory meeting should take place if necessary and a decision made within ten days of receiving the appeal.

5. It is expected that at any stage at which resolution is achieved that the members will agree to work together in harmony for the sake of the other members of the Club.

## **Bullying and Harassment Procedures:**

There is both an informal and formal procedure to deal with the issue of bullying/harassment within the clubs. It is our aim that any investigation that takes place will be completed as quickly as possible.

### **Informal Procedure:**

It is often preferable for all concerned that complaints of bullying or harassment are dealt with informally whenever possible. While in no way diminishing the issue or the effects on individuals, an informal approach can often resolve matters more effectively. As a general rule therefore, an attempt should be made to address an allegation of bullying/harassment as informally as possible by means of an agreed informal procedure. The objective of this approach is to resolve the difficulty quickly and effectively, with the minimum of conflict and stress for the individuals. Any member who believes he or she is being bullied/harassed should explain clearly to the alleged perpetrator(s) that the behaviour in question is unacceptable. In circumstances where the member finds it difficult to approach the alleged perpetrator(s) directly, he or she should seek help and advice, on a strictly confidential basis, from a fellow member of the Club. The fellow club member can be a support for the complainant in approaching the alleged perpetrator to explain the reasons they feel they are being bullied or harassed.

It is recognised that it may not always be practical to use the informal procedure, particularly where the harassment / bullying is of a very serious nature.

**Formal Procedure:** If an informal approach is inappropriate or if, after the informal stage, the bullying/harassment persists, the following formal procedures should be invoked: -

1. The complainant should make a formal complaint, in writing, to the Club committee detailing precise details of actual incidents of bullying/harassment; for example, state the name of the alleged perpetrator, the nature of the complaint, dates and times of when the incidents occurred, witnesses, and any action that the complainant may already have taken, if any.

2. The alleged perpetrator(s) should be notified in writing that an allegation of bullying has been made against them. They should be given a copy of the complainant's statement as soon as is practicable and advised that they shall be afforded a fair opportunity to respond to the allegation(s), within specified time limits. No outcome regarding the complaint will be made until a full and fair investigation has taken place.
3. Before commencing an investigation, the Club committee may take the decision to exclude the alleged perpetrator from any Club activities while the investigation is ongoing if it is deemed appropriate. This in no way implies any wrong doing on the part of the perpetrator but will be taken as a cautionary measure to prevent exacerbating the situation between the complainant and the alleged perpetrator.
4. The Club/Society committee will appoint two members of the committee who will be tasked with investigating the complaint. They will prepare clear terms of reference which outline the background to the complaint, who should be interviewed through the course of the investigation and the timeline in which to resolve the complaint.
5. Meetings will be arranged with the complainant, the alleged perpetrator and any other person who the two members consider appropriate. All will be asked to respond to the complaint and detail their version of events. Both parties and witnesses have the right to be accompanied by a representative at all meetings. Meeting notes will be taken and once committed to type must be signed by the relevant person who was interviewed as a true and accurate reflection of the discussion.
6. Those investigating will prepare a report of their findings and submit it to the
7. Clubs/Societies committee for a final decision. The two committee members who have taken part in the investigation should not make a decision regarding the outcome.
8. Once a decision has been made, the complainant and the alleged perpetrator must be informed as soon as is practicable.
9. If the complaint is upheld, the Club/Society committee will instigate the Clubs and Societies Disciplinary Procedures. Actions taken can include expulsion from the Club/Society.
10. If the complaint is not well found, both parties should be brought together by the

11. Club/Society committee and a mediation process should be implemented to ascertain whether both members can move on and continue to partake in the club/societies activities.
12. If the complaint is discovered to be malicious or vexatious, the Club/Society
13. Committee may instigate the Clubs and Societies disciplinary procedures against the complainant.
14. Retaliation of any kind against the member for complaining may also constitute
15. Bullying/harassment and is a serious disciplinary offence.

Appeals Process If either party is unhappy with the outcome of the investigation, both parties have the right to appeal to the Clubs and Societies Executive Committee within 5 working days of the findings being issued. A party, who wishes to appeal the outcome, should put the reason for the appeal in writing and address it to the Student's Union President.

Upon receiving the appeal letter, the Clubs and Societies Executive Committee will appoint two members of the Committee to hear the appeal. They may choose to conduct further investigations or implement a new investigation. A decision regarding the outcome should be taken within ten working days of receiving the appeal. Confidentiality: All individuals involved in the procedures referred to above should maintain strict confidentiality on the subject. All involved will be reminded of this throughout the investigation process.

## **CLUBS & SOCIETY PROTOCOL ON LEGAL PROCEEDINGS**

[Passed 24/02/09]

### **STEP 1**

A formal request must be made from a Club or Society to the Clubs & Societies Executive prior to any legal advises being sought to the Clubs & Societies Executive. The formal request will be in written form outlining in detail the time line of alleged grievance and how it affects the clubs activities or good name. Full disclosure of all documents and correspondences (email, phone calls, text, web) must be made available to the Clubs & Societies Executive. The written request must be accompanied by a signed declaration by the committee that the information contained within is truthful and an accurate account of the issue in question.

### **STEP 2**

The Clubs & Societies Executive will convene and the issue will form part of their weekly meetings on the official agenda. Clubs & Society Executive members with membership of the club or society in dispute must declare all affiliations and vacate the meeting where conflict of interest arises.

The Clubs & Societies Executive shall request the signatories of the initial formal request to attend a meeting in person of the Clubs & Societies Executive prior to a decision being made to grant or reject the request for referral to the ULSU solicitor

A majority decision is required from the Clubs voting members of the C&S Executive and a majority of the Society voting members of C&S Executive in order to grant permission for the issue to be referred for legal advice to the ULSU solicitor by the applicant club/society. In the event of conflicts of interest it will be a majority of the remaining voting members of the Clubs & Societies Executive

#### STEP 3

When a legal opinion has been offered, it must be disclosed in full to the Clubs & Societies Executive. Each subsequent request to proceed from one legal action/proceeding to another will be subject to approval by the Clubs & Societies Executive on the basis of legal opinion and the “majority decision basis”.

#### STEP 4

Clubs & Societies Executive retain the right to sanction or reject the initiation of any legal action or proceeding subject to the legal advises at any time. This shall be on the grounds that no one club or society may unnecessarily expose the level of risk to the overall integrity of the University of Limerick’s Clubs and Societies.

### **Guarantors**

---

**Head of the School of Law**

---

**President of UL Student Life**

---

**President of the UL Law Society**