



# Clubs & Societies

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## Common Constitution for University of Limerick Clubs & Societies

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Passed on the 6<sup>th</sup> November 2018 by UL  
Clubs and Societies Council

## UL Economics & Investments Society

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Adopted with additions on the 7<sup>th</sup> of February  
2022

## Contents

Contents .....	2
1. Constitution .....	5
2. General Provisions .....	5
2.1 Title .....	5
2.2 Affiliation .....	5
2.3 Aims & Objectives .....	5
3. Membership .....	6
3.1 Types of Membership.....	6
3.1.1 Full Members .....	6
3.1.2 Associate Members .....	7
3.1.3 Honorary Members .....	7
3.2 Membership Fees and Term .....	8
3.3 Resignation of Members .....	8
4. The Committee.....	9
4.1 Composition .....	9
4.2 The Roles of the Society’s Officers: Core Officers.....	9
4.2.1 The President....	9
4.2.2 The Secretary .....	10
4.2.3 The Treasurer .....	10

4.2.4 The Health and Safety Officer .....	10
4.2.5 The Public Relations Officer .....	11
4.2.6 The Vice-President .....	11
4.3 The Roles of the Society’s Officers: Permanent, Non-Core Officers.....	11
4.3.1 Investments Officer .....	11
4.3.2 First-Year Representative .....	12
4.4 The Roles of the Society’s Officers: Non-Permanent, Non- Core Officers.....	12
4.4.1 Events Officer .....	12
4.4.2 Partnerships Officer .....	12
4.4.3 Ordinary Committee Members .....	13
4.4.4 Committee Advisors .....	13
4.5 Election of Officers .....	13
4.6 Resignation of Officers .....	13
4.7 Retirement of Officers .....	14
4.8 Vacancies on the Committee .....	14
4.9 Sub-Committees .....	14
4.10 Handover Documents .....	15
5. Meetings .....	15
5.1 General Meetings .....	15
5.2 Voting at General Meetings .....	16

5.3 Quorum at Meetings .....	17
5.4 Committee Meetings .....	17
6. Health and Safety .....	18
6.1 Health & Safety .....	18
6.2 Health & Safety Statement .....	18
6.3 Foreign Trips .....	18
7. Communications .....	19
7.1 Communications Policy .....	19
8. Disciplinary Action .....	20
9. Financial Matters .....	20
9.1 Funds .....	20
9.2 Bank Accounts .....	20
10. Equipment .....	21
10.1 Equipment Policy .....	21
11. Legal Protocol .....	22
12. Interpretation .....	22
12.1 Interpretation of the Constitution .....	22
Attached Schedules .....	23

# The Constitution of UL Economics and Investments Society

## **1. Constitution**

This Constitution is ratified by the UL Economics and Investments Society and replaces any previous constitution of the Society.

The Constitution is available to all members of the Society.

## **2. General Provisions**

### **2.1 Title**

The formal title of the Society shall be the University of Limerick Economics and Investments Society.

### **2.2 Affiliation**

### **2.3 Aims & Objectives**

The objective of the Society is to create an open, vibrant and welcoming environment where all students of the University of Limerick can engage with, learn about, develop an understanding of, and expand their knowledge of the subjects of Economics and Investments, in equal measure.

The aim of the Society is to achieve this through members sharing their knowledge on these subjects, members learning from each other, and every member bringing something different to the table.

The Society, through its activities, shall endeavour to give members opportunities to develop their professional skills, engage with academia and industry experts, and to gain relevant knowledge and experience useful for careers in Economics & Investments. To this end, the Society will make provision for, and support, the creation of a Student-Managed Investment Fund, as a part of the Society.

### **3. Membership**

#### **3.1 Types of Membership**

The membership of the Society shall consist of Full Members, Associate Members and Honorary Members, who have paid their annual Membership Fee in full.

##### **3.1.1 Full Members**

- a) All students currently undertaking a course at the University of Limerick, all current staff (permanent and part-time) and all alumni of the University of Limerick are eligible to be Full Members of the Society.
- b) Anyone who is a Full Member of the Society shall be entitled to be nominated to the Society Committee.
- c) Full Members and Full Members only, shall have voting rights at any General Meeting of the Society.

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

### **3.1.2 Associate Members**

- a) A member of the public aged eighteen years or over is eligible to become an Associate Member of the Society.
- b) Associate Members shall have no voting rights at any General Meeting of the Society and may not hold a Core Committee Position in the Society.
- c) Associate Members shall be entitled to hold other Committee positions in accordance with the provisions of Sections 4.3 and 4.4 of this Constitution, and may be nominated by the Committee to serve as Advisors to the Committee.

### **3.1.3 Honorary Members**

- a) The Committee of the Society may, subject to prior consultation with, and the approval of, the Club & Societies Executive, nominate any person who they deem to have done great service for the Society to be an Honorary Member of the Society in perpetuity.
- b) Once nominated by the Committee, a majority vote at a General Meeting of the Society is required to formally confer the status of Honorary Member.
- c) Honorary Members shall, unless they fulfil the criteria for Full Membership, have the same rights as Associate Members of the Society.
- d) Honorary Members shall be exempt from paying any Membership Fee in perpetuity.

Current students shall account for at least 75% of the listed membership of the Society, calculated on an end-of-semester basis.

### **3.2 Membership Fees and Term**

Every member of the Society must pay an annual Membership Fee, in full, in order to be a listed member of the Society, as well as submitting a complete membership form, on paper or in electronic format.

There are three categories of Membership Fees of the Society, as follows:

- a) Student Membership
- b) Alumni & Staff Membership
- c) Associate Membership

The Membership Fee for each category shall be determined by the UL Economics and Investments Society Committee on an annual basis.

The term of membership shall be from the date the member's application shall be accepted until the Friday prior to the beginning of the Autumn semester of the following academic year.

### **3.3 Resignation of Members**

Any member who wishes to resign must do so by giving the Secretary at least seven (7) days written notice (which includes notice by email) of their intention to do so.



## **4. The Committee**

The Committee shall manage the business and affairs of UL Economics and Investments Society. It is the duty of the Committee to act in the best interest of the Society and its members in the conduct of its business.

### **4.1 Composition of the Committee**

The Committee shall be elected solely from the membership of the Society and be composed of the following officers:

- a) President
- b) Secretary
- c) Treasurer
- d) Health and Safety Officer
- e) Public Relations Officer
- f) Other Officers

Of whom the President, the Secretary, the Treasurer, the Health and Safety Officer, and Public Relations Officer, are Core Committee Positions.

### **4.2 The Roles of the Society's Officers: Core Officers**

#### **4.2.1 The President**

The President is the Chairperson of the Society Committee and most senior member of the Society. It is the duty of the President to lead and guide the Society forwards, and to do so in the best interest of the Society and its members. Any person seeking

election to the role of President shall have previously served 2 semesters in another position on the Society Committee.

#### **4.2.2 The Secretary**

The Secretary is the chief administrator of the Society. The Secretary is responsible for all administrative functions in the Society, including all record keeping, correspondence and communications. The Secretary, in cooperation with the Treasurer, is responsible for preparing the Society's Annual Budget.

#### **4.2.3 The Treasurer**

The Treasurer is responsible for all financial affairs of the Society. This includes keeping the financial records of the Society, overseeing the Society's bank accounts and keeping the Committee up to date on the Society's financial position. The Treasurer, in cooperation with the Secretary, is responsible for preparing the Society's Annual Budget.

#### **4.2.4 The Health and Safety Officer**

The Health and Safety Officer is responsible for the health, safety, welfare and well-being of all Society members while they are engaged in Society activities, in accordance with all relevant rules and regulations set down by UL Student Life Clubs & Societies.

#### **4.2.5 The Public Relations Officer**

The Public Relations Officer is responsible for all of the Society's marketing, branding and public relations activities. These responsibilities include running and maintaining all of the Society's social media accounts.

#### **4.2.6 The Vice-President**

- a) As a matter of priority at the first meeting of the Society Committee convened after the Annual General Meeting, the Committee shall appoint the Vice-President of the Society. A candidate for the role of Vice-President shall be nominated from among the elected Committee by the President, and be appointed upon approval by a majority of the Committee. The Vice-President shall discharge their responsibilities in addition to the role they were elected to on the Society Committee.
- b) It is the duty of the Vice-President to support the President in their role, and fulfil the duties of the role of President in the event the President is absent or unable to fulfil their duties. The President may also devolve certain responsibilities to the Vice-President, in consultation with the Committee.

### **4.3 The Roles of the Society's Officers: Permanent, Non-Core Officers**

#### **4.3.1 Investments Officer**

The Investments Officer is responsible for overseeing the Student-Managed Investment Fund.

#### **4.3.2 First-Year Representative**

The First Year Representative is responsible for specifically representing First-Year Undergraduate students on the Society Committee, and must themselves be a current First-Year Undergraduate member of the Society.

#### **4.4 The Roles of the Society's Officers: Non-Permanent, Non-Core Officers**

The Society may, at the discretion of the Committee, create roles for other officers on the Committee. Any such additional roles are not permanent and need not be appointed every year, nor replaced if the position should become vacant for any reason. These officers may include, but are not limited to the following.

##### **4.4.1 Events Officer**

The Events Officer is responsible for organising and managing specific Society activities, as designated by the Committee. This may include regular and one-off Society events, collaborative events with other Societies, and Foreign Trips.

##### **4.4.2 Partnerships Officer**

The Partnerships Officer is responsible for engaging and managing relations with all Sponsors and Partner Organisations of the Society.

#### **4.4.3 Ordinary Committee Members**

Up to two (2) positions for Ordinary Committee Members may be created on the Committee. Ordinary Committee Members shall hold no direct responsibilities upon election, but may have responsibilities delegated to them by the President.

#### **4.4.4 Committee Advisors**

- a) The Committee may nominate, and with the approval of a majority of members present at a Society General Meeting, appoint a maximum of two (2) Advisors to the Committee.
- b) Any member of the Society is eligible to be nominated as an Advisor by the Committee.
- c) Advisors shall hold no voting rights whatsoever on the Committee.

#### **4.5 Election of Officers**

Subject to Section 4.8, officers shall be elected at the relevant AGM (Annual General Meeting), EGM (Extraordinary General Meeting) or UGM (Urgent General Meeting) in accordance with the provisions of Section 5.2.

#### **4.6 Resignation of Officers**

Officers may resign by giving one (1) week's written notice to the President.

#### **4.7 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 Section 5.2.

#### **4.8 Vacancies on the Committee**

In the case of a vacancy on the Committee, due to the resignation, or expulsion as per Section 8, of an officer, the Committee shall have the power to co-opt any eligible member of the Society to the vacant role on the Committee until the next General Meeting, at which a new officer will be appointed in accordance with Section 5.2.

#### **4.9 Subcommittees**

- a) The Committee may convene subcommittees from the Society membership.
- b) A subcommittee shall have a defined mandate set down by the Society Committee, with a Chairperson selected from among the sitting member the Society Committee, by the Society Committee.
- c) Subcommittees shall immediately retire prior to the Annual General Meeting, or when their mandated function is complete, whichever is the sooner.
- d) Membership of a subcommittee does not equate to membership of the Society Committee.

- e) Where a vacancy on a subcommittee arises, the Chairperson of the subcommittee may nominate, and subject to the agreement of the President, appoint a replacement.

#### **4.10 Handover Documents**

Each outgoing officer of the Committee is obliged to present an accurate and up-to-date Handover Document at the end of their term, detailing the specific responsibilities of their role and any information which may be useful to their incoming successor.

### **5. Meetings**

#### **5.1 General Meetings**

There are three forms of General Meeting: Annual General Meeting (AGM), Extraordinary General Meeting (EGM) and Urgent General Meeting (UGM).

The Committee shall give fourteen (14) days' notice of any General Meeting to all members, along with a call for any submissions and motions by members, to be submitted to the Committee in writing at least seven (7) days in advance of the General Meeting.

- 5.1.1** Members shall be notified of General Meetings in writing through at least two different mediums of communication.

- 5.1.2** The agenda for the General Meeting, including submissions and motions, shall be circulated to all members at least five (5) days in advance of the meeting.

**5.1.3** An EGM must be convened at the request of fifteen (15) or more Full Members in writing to the President 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 Club & Societies Executive (CSE) must also be made aware of this request by a member of the Core Committee.

**5.1.4** The CSE must be notified of all General Meetings by a member of the Core Committee.

## **5.2 Voting at General Meetings**

**5.2.1** Voting shall be by secret ballot, unless otherwise determined in a vote of the meeting.

**5.2.2** Each Full Member shall have one vote at any General Meeting.

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

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

**5.2.5** 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 Society. Officers who have immediately prior resigned pursuant to Clause 4.4 are eligible for re-election (unless they have become ineligible for any other reason).

**5.2.6** 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.



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

**5.2.8** At an AGM, the outgoing Committee shall present for approval the financial accounts of the Society for the year ending at that AGM.

### **5.3 Quorum at General Meetings**

**5.3.1** The quorum shall be fifteen (15) Full Members, up to a 100-person membership. If the membership of the Society exceeds 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 of 500.

**5.3.2** If the quorum is not reached at a General Meeting, the meeting cannot proceed, but must be reconvened within one week.

**5.3.3** If the Society fails to reach quorum at the reconvened General Meeting, it will be put forward for de-recognition at the next CSC.

### **5.4 Committee Meetings**

The Committee shall meet at least eight (8) times per semester. Subject to the rules of this Constitution, the Committee shall determine its own quorum on election, and shall regulate its own procedures. The Secretary shall give at least four (4) days' written notice of any Committee meetings.

## **6. Health and Safety**

### **6.1 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.

### **6.2 Health & Safety Statement**

**6.2.1** The Society must have a Health & Safety Statement. This must follow the template provided by the Health & Safety Consultants for UL Club & Societies.

**6.2.2** 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.

**6.2.3** 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.

### **6.3 Foreign Trips**

**6.3.1** If any member intends to make a foreign trip on Society business, they must inform the Club and Societies Development Officer (CSDO) and the UL Sports Administrator with regard to a Society trip.

**6.3.2** An itinerary must be furnished to [the parties in 6.3.1] in advance of all trips outside of the island of Ireland. The itinerary must include:

- a) Flight/Ferry information, and accommodation phone numbers and a daily schedule of the planned activities.
- b) The contact details of the event coordinators while abroad and the person/people designated to be responsible for First Aid (where possible).
- c) In Case of Emergency (ICE) contact details must be provided by every participant to the event co-ordinators, and provided to the Head of Student Engagement and Sports Administrator at least one (1) week in advance of the planned trip.

**6.3.3** The member must take the Club & Societies Travel Insurance Policy Number on any trip, which is available from CSDO or ULSL Secretary General in advance of the trip

**6.3.4** In accordance with the Health & Safety Statement, the contact details for the Club and Societies Development Officer, General Manager, ULSL President and the UL Sports Administrator must be provided to the event co-ordinators

## **7. Communications**

### **7.1 Communications Policy**

- a) The Society must have a Communications Policy, governing the use of the Society's group chats, forums and all other communications platforms used by the Society.
- b) The Communications Policy shall clearly define the standards and etiquette expected of members in their use of the Society's communications platforms.
- c) Given just cause, the Society Committee shall have the power to suspend members' access to the Society's communications platforms, should they fail to adhere to the expected standards.

## **8. Disciplinary Action**

The Committee and members of UL Economics and Investments Society shall comply with the disciplinary, grievance, bullying and harassment procedures of the Club & Societies Executive as may be amended from time to time. It is for the President to decide how each case should be handled and the UL C&S Executive should be informed as soon as is possible to the incident occurring and should be consulted on how to proceed.

## **9. Financial Matters**

### **9.1 Funds**

- 9.1.1** All funds raised by UL Economics and Investments Society must be used for the express purpose of the direct financing, promotion and development of the Society's activities, except in the case of funds raised by a charity event for charitable purposes.
- 9.1.2** In the event of de-recognition of the Society, any funds remaining shall revert to the Club & Societies Office to be administered by the CSE.

### **9.2 Bank Accounts**

- 9.2.1** All accounts operated by UL Economics and Investments Society must be made known to the CSE in the Annual Budget.
- 9.2.2** At least three (3) officers of the Committee, of which one must be the Treasurer, shall be nominated as signatories on the Bank Mandate for the Society's accounts, and at least two (2) officers, of which one must be the Treasurer, is required sign off on all transactions.

## **10. Equipment**

### **10.1 Equipment Policy**

**10.1.1** Equipment owned by the Society shall be used solely for the purposes of UL

Economics and Investments Society in accordance with this Constitution and shall be held and dealt with by the officers and members of the Society accordingly

**10.1.2** In the event that the Society is de-recognised the ownership of all

equipment/inventory shall be transferred back to the Club and Societies Office of the University of Limerick Student Life under the management of CSE. This equipment will be held in trust until the Society is re-started or a similar interest 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 Club and Societies as appropriate.

**10.1.3** 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.

**10.1.4** The Committee of the Society is responsible for keeping an accurate and up-to-date

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

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

**10.1.6** The CSE shall be the arbitrators of all aspects of the Club & Societies Equipment Policy.

## **11. Legal Protocol**

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

## **12. Interpretation**

### **12.1 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 University of Limerick Student Life, the dispute shall be referred to an arbitrator to be appointed by the President of University of Limerick Student Life and the arbitrator's decision is final.

## Attached Schedules

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 Society members. Full recognition is given to the significance of personal grievances and it is our policy that all grievances will be dealt with without undue delay and resolved at the earliest possible stage. Please note that due to the academic commitments, timeframes and demands on occasion the times set up below may need to be altered.

1. In the first instance, it is expected that any Society 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 Society. Both parties can contract in writing with each other in how to go forward thus ensuring issues are resolved and do not reoccur.
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 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 Society committee. The Society Committee will appoint a Subcommittee consisting of two members for the purposes of investigating the grievance. The grievance committee will investigate the grievance within five days of receiving the grievance. The committee will establish the terms of reference of the grievance(s) with the complainant. The investigation should be done through meeting both parties involved in the grievance and any other person who the two members consider appropriate. Hand written notes should be taken at the meeting and a report of the findings prepared. At the end of the meeting the hand-written minutes will be read out by the person who took the notes and all parties will sign off in agreement. 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 Society.

### **Clubs & Society's Bullying & Harassment Policy & Procedures:-**

The Clubs and Societies are voluntary social, recreational and leisure clubs that run activities for students and staff of the University of Limerick and other member categories to enjoy in their leisure time. We envisage that those in the Society will treat each other with respect and dignity at all times. All members are expected to conduct themselves in an appropriate manner at all times and must not engage in any form of bullying or harassment.

All members of the University of Limerick Clubs and Societies must comply with this policy and appropriate measures will be taken against members who disregard this policy and act in an inappropriate manner. Appropriate disciplinary action, up to and including termination of membership, will be taken against any member who violates this policy.

The policy applies to all members of clubs and societies, members of the Students Union and any other parties involved in the clubs/societies whether in the University of Limerick or off site whilst engaged in the activities of Clubs & Societies. The policy applies to harassment not only by fellow members but also by any other Society/University contact to which a member might reasonably expect to come into contact within the course of their Society membership. Bullying / harassment within the clubs and societies will not be tolerated by the University of Limerick Students Union under any circumstances. This policy provides for prompt, fair, confidential and effective redress for targets of bullying/harassment.

### **Definitions:**

#### **Harassment**

Harassment is defined as any act of conduct, which is unwelcome and offensive, humiliating or intimidating on a discriminatory ground including spoken words, gestures, or the production, display or circulation of written material or pictures. Harassment in relation to the nine discriminatory grounds (race, religious belief, age, sexual orientation, disability, marital status, membership of the Traveling community, gender and family status), is prohibited within the Clubs and Societies. The Clubs and Societies Executive will not condone harassment of any



kind. Any members who are found to have engaged in harassment on any of the grounds will face disciplinary action up to and including expulsion from the Society.

### **Sexual Harassment**

Sexual Harassment is defined as all unwelcome and sexually, or otherwise on the gender ground, offensive, humiliating or intimidating actions involving acts of physical intimacy, spoken words, gestures or the production, display or circulation of written material or pictures, or requests for sexual favours. The Clubs and Societies Executive prohibit sexual harassment. Any members who are found to have engaged in sexual harassment will face disciplinary actions up to and including expulsion from the Society.

### **Bullying**

Bullying is repeated inappropriate behaviour, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the Society and/or in the course of club activities, which could reasonably be regarded as undermining the individual's right to dignity. An isolated incident of the behaviour described in this definition may be an affront to someone's dignity but, as a once off incident, is not considered to be bullying. Bullying can include conduct offensive to a reasonable person, e.g. oral or written slurs, physical contact, gestures, jokes, displaying pictures, flags/emblems, graffiti or other material which state/imply prejudicial attitudes which are offensive to fellow members.

### **Procedures:**

There is both an informal and formal procedure including mediation to deal with the issue of bullying/harassment within the clubs and societies. 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 Society. 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.

## **Resolution**

When resolution is found through the informal procedure, both parties will be given support or periodical reviews, as appropriate. These may include counselling or other appropriate interventions. Where a complaint is found not to have been made in good faith, the complainant will be the subject of disciplinary action.

## **Resolving the Problem by Mediation**

1. Mediation is an alternative method of resolving issues relating to bullying and harassment. Mediation involves the parties seeking to arrive at a solution through mutual agreement, rather than through an investigation and formal decision.
2. Mediation provides a confidential opportunity for the person who feels that he/she has been bullied or harassed, and the person accused of carrying out this inappropriate behaviour, to discuss the matter and to reach an agreement on their continuing working relationship.
3. Mediation is conducted in private, and is directly between the parties concerned and will be done individually & then collectively where appropriate in agreement, with the support of a mediator, who will act as an independent facilitator. Either party may withdraw from the process at any time by notifying the mediator, in writing, that they wish to do so.
4. If both parties agree to resolve the issue by mediation, the Manager who will be either Head of Student Engagement or if required in the absence of the Head of Student Engagement the General Manager (GM) will arrange the mediation process. An

appropriate person, acceptable to both parties, from within or outside the Student Union will be assigned as mediator.

5. If the mediation process results in an agreement acceptable to both parties, the mediator will draw up a written record of the terms of the settlement for signature by both parties.
6. If the matter is resolved by mediation, no disciplinary action will be taken.
7. If mediation breaks down or fails to achieve its goal, the only other option is to have the matter resolved by investigation. The appointed mediator involved in the mediation process will not be involved in the investigation process. Resolving the matter by investigation may also be considered if the member (the complainant) concerned feels that it is inappropriate to resolve the matter by mediation.

### **Formal Procedure:**

#### *Procedure which will be followed*

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

1. The complainant should make a formal complaint, in writing, to the Society committee detailing precise details of actual incidents of bullying/harassment; for example, state the name of the alleged perpetrator/harasser, 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 Society committee may take the decision to exclude/suspend the alleged perpetrator from any Society activities while the investigation is ongoing if it is deemed appropriate. This in no way implies any wrongdoing on the part of the alleged perpetrator but will be taken as a cautionary measure to prevent exacerbating the situation between the complainant and the alleged perpetrator.
4. The Society committee will appoint two members from either the existing committee or former committee members 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. The investigation will be governed by the terms of reference which will include the following provisions:
  - A provision to the effect that the investigation will be conducted in accordance with this policy
  - An indicative time-frame for the completion of the investigation. (*We will take into account the academic calendar and exam times as this will affect the time frame for the procedure to be carried out.*)
  - Provisions relating to the scope of the investigation, indicating that the investigator will consider whether the complaint falls within the definition of bullying or harassment at work and whether the complaint has been upheld
  
6. Meetings will be arranged with the complainant, the alleged perpetrator and any named witnesses. 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. The representative's role is to support and to take notes but not to partake in the meeting. . Hand written notes should be taken at the meeting. At the end of the meeting the hand written notes will be read out by the person who took the notes and all parties will sign off in agreement as a true and accurate reflection of the discussion.
  
7. Those investigating will prepare a report of their findings and submit it to the Clubs/Societies disciplinary committee for a final decision. The two committee members who have taken part in the investigation should not make a decision regarding the outcome.

### ***Conclusion of Investigation***

Once a decision has been made, the complainant and the alleged perpetrator must be informed as soon as is practicable.

### ***Action where the Complaint is upheld***

If the complaint is upheld, the Society committee will instigate the Clubs and Societies Disciplinary Procedures. Actions taken can include expulsion from the Society.

### ***Action where the Complaint is not upheld***

- If the complaint is not well found, both parties should be brought together by the 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.

- If the complaint is discovered to be malicious or vexatious, the Society committee may instigate the Clubs and Societies disciplinary procedures against the complainant.
- Retaliation of any kind against the member for complaining or by complainant may also constitute 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 21 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 emailed to the Head of Student Engagement or GM where appropriate.

Upon receiving the appeal letter, the Clubs and Societies Executive Committee will appoint two members of their 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.

## **DISCIPLINARY RULES & DISCIPLINARY PROCEDURE**

### **Introduction**

The rules set standards of performance and behaviour whilst the procedures are designed to help promote fairness and order in the treatment of individuals. It is our aim that the rules and procedures should emphasize and encourage improvement in the conduct of individuals, where they are failing to meet the required standards, and not be a means of punishment. Every effort will be made to ensure that any action taken under this procedure is fair, with all members being given the opportunity to state their case and appeal against any decision that they consider to be unjust.

The following rules and procedures should ensure that:-

- the correct procedure is used when inviting a member to a disciplinary hearing
- The committee is fully aware of the correct procedure, the standards action and behaviour required.
- disciplinary action, where necessary, is taken speedily and in a fair, uniform and consistent manner
- Member(s) will only be disciplined after careful investigation of the facts and the opportunity to present their side of the case. On some occasions temporary suspension may be necessary in order that an uninterrupted investigation can take place. This must not be regarded as disciplinary action or a penalty of any kind

- other than for an "off the record" informal reprimand, all members have the right to be accompanied by a fellow member, who may act as a witness at all stages of the formal disciplinary process
- if a member is disciplined, they will receive an explanation of the penalty imposed and will have the right to appeal against the finding and the penalty.

#### **Examples of breaches:-**

- Serious or persistent breach of Health and Safety.
- Bringing the name of the Society into disrepute.
- Acting against the aims and/or objectives of the Society
- Misappropriation of any funding relating to the Society
- Discrimination & Harassment as defined in the Equal Status Act 2000
- Gross misconduct by any member.
- Bullying & Harassment as defined in Safety, Health & Welfare Act 2005
- Grossly indecent or immoral behaviour
- Dangerous behaviour, fighting or physical assault;
- Possession, supply or use of illicit drugs;
- Theft or unauthorised possession of money or property, whether belonging to the Society, another member, or a third party;
- Destruction/sabotage of Society property, or any property on the premises;
- Interference with or misuse of any equipment for use by relevant club or society that may cause harm;
- Gross insubordination and/or continuing refusal to carry out legitimate instructions; i.e. trip leader event/organiser.
- Not having the correct and/or required qualification to carry out activities

Please note this is not an exhaustive list

#### **Initiation of Disciplinary Action**

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 sub-committee 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 twentyone (21) days prior to the meeting.

4. The member shall be entitled to attend any such meeting and shall be afforded the opportunity to respond to the complaints
5. The Discipline Committee shall consist of 3 people. The Discipline Committee shall have power to caution, discipline, and sanction in such a manner as it considers appropriate. They may 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 twenty-one (21) 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.

## CLUBS & SOCIETY PROTOCOL ON LEGAL PROCEEDINGS

### STEP 1

A formal request must be made from a Club or Society to the Clubs & Societies Executive prior to any legal advices being sought. The formal request will be in written form outlining in detail the time line of alleged issue 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 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 obtained, 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 advices 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.