Clubs & Societies

Common Constitution for University of Limerick Clubs & Societies

Passed on the 24th Febrary 2018 by UL Clubs and Societies Council

UL Esports Club

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The Constitution of Esports Club

1. Constitution

The Constitution is ratified by Esports Club and replaces any previous constitution of the Club.

The Constitution is available to all members of the Club.

2. General Provisions

2.1 Title

The title of the Club shall be the University of Limerick Esports Club.

2.2 Affiliation

2.3 Aims & Objectives

The aims & objectives of the Club are as follows:

- The aim and objective of this proposed club is to provide a platform for UL students to participate in casual gaming as well as compete in tournaments.
- To introduce students who aren't in the competitive space the opportunity to compete nationally against other universities.

3. Membership

3.1 Types of Membership

The membership of the Club shall consist of Full Members, Associate Members and Honorary Members who have paid their Membership Fee.

3.1.1 Full Members

a) 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 Club. Attending a course for the purpose of the Constitution means pursuing any degree (undergraduate or postgraduate), full-time or part-time and includes time spent on teaching practice, co-operative education, Erasmus and link-in modules.

b) Students at Mary Immaculate College, Limerick are not eligible to be Full Members of the Club.

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

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

3.1.2 Associate Members

a) A member of the public who is aged eighteen years or over is eligible to be an Associate Member of the Club.

b) Associate Members shall have no voting rights at any meeting of the Club and may not hold a Core Committee Position in the Club.

c) Associate Members shall be entitled to hold other committee positions in accordance with the provisions of section 4.2 or may be requested by the Club to serve in an advisory position to a committee.

3.1.3 Honorary Members

a) The Committee of the Club may, subject to prior consultation with and approval of the Clubs & Societies Executive, invite any person who they deem to have done great service for the Club to be an Honorary Member in perpetuity of the Club.

b) Honorary Members shall have the same rights as Associate Members, unless they fulfil the criteria for full membership in which case they shall have the same rights as a Full Member

c) Notwithstanding clause 3.2.1 below, Honorary Members shall be exempt from paying any Membership Fee.

Current students should account for at least 75% of the listed membership of the Club.

3.2 Membership Fees and Term

Every member of the Club must pay an annual membership fee in order to be eligible to be a current member of the Club, as well as completing the form in the membership books or Electronic Membership Form.

There are three categories of Membership Fees as follows:

a. Student €5

b. Alumni & Staff of UL €5

c. Associates €5

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

3.3 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.

4. The Committee

The Committee shall manage the business and affairs of the Club.

4.1 Composition

The Committee shall be elected solely from the membership of the Club

The Committee shall be composed of the following officers:

i. Chairperson
ii. Secretary/Co-Chairperson
iii. Treasurer
iv. Safety Officer
v. Events Coordinator
vi. Public Relations Officer
vii. Other Officers (OCM)

of whom the Chairperson, the Secretary and the Treasurer are Core Committee Positions *In the case of Esports Club, the Safety Officer and Public Relations Officer may be defined as a core Committee member as well* and two of the officers holding a Core Committee Position shall be the Club's representatives on the Clubs' and Societies' Council ("**CSC**").

4.1.1 The Chairperson

The Chairperson's duties shall include the day-to-day management of the Club. The Chairperson shall be the public head of the Club. The Chairperson shall chair all club meetings including those to organise events of the A.G.M. The Chairperson shall engage speakers for Club events. The Chairperson shall represent the Club on representative bodies in the University, when needed.

4.1.2 The Secretary

The Secretary's duties shall include the maintenance of all necessary documentation including the Minutes of all general meetings and committee meetings, and will be responsible for the Handover Documents for the incoming Committee.

4.1.3 The Treasurer

The Treasurer's duties shall include the maintenance of the Club's accounts and the Club's budget submission.

4.1.4 The Safety Officer

The Safety Officer's duties shall be to ensure that the Club's Safety Statement is relevant and achievable, that the Club ensures good safety records are kept and that the Club complies with its Safety Statement.

4.1.5 The Events Coordinator

The Events Manager oversees the organisation and running of all Club events and in house tournaments. The Events manager shall act as Event Coordinator for all events and will be the primary decision-maker for these events. The Events Manager is also responsible for the publication of an events list and liaising with the PRO to promote these events.

4.1.6 The Public Relations Officer

The Public Relations Officer oversees publicity relating to the Club, such as posters, leaflets and other mediums used to advertise the Club's activities. The PRO will produce these in consultation with the Committee. The PRO will also be responsible for all publicity outside of the University in relation to the Club's activities, contacting members of the media and other people deemed appropriate by the Committee. The PRO is also responsible for managing and posting on the club's website and other online social media networks in use by the club.

4.1.7 Other Officers

The Club may appoint other officers at the discretion of the Committee. Any such additional officers are not permanent officials of the Committee and need not be appointed every year, nor replaced if the position should become vacant for any reason.

Other officers in the past have held positions such as:

- First Year Representative
- PC Officer
- Game representative

4.2 Election of Officers

Subject to section 4.5, officers shall be elected at the relevant AGM (Annual General Meeting) in accordance with the provisions of section 5.2.

4.3 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 Chairperson.

4.4 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 section 5.2.

4.5 Vacancies on the Committee

In the case of a vacancy on the Committee due to resignation or expulsion as per section 7 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 appointed in accordance with section 5.2.

4.6 Sub-Committees

The Committee may appoint and dismiss sub-committees from the Club membership and prescribe rules for those sub-committees as appropriate. Sub-committees will retire annually on the date of the relevant AGM, or when their function is complete, whichever is the sooner.

4.7 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 Club in order to assist the incoming officers with their development of the Club.

5. Meetings

5.1 General Meetings

(Annual General Meeting (AGM) & Extraordinary General Meetings (EGM))

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.

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

5.1.2 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.

5.1.3 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

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 show of hands 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 Seconder from the membership. Any Member may nominate themselves at the meeting for election as an officer of the Club Committee. 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 Chairperson 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 Chairperson, they must vacate the Chair and another Chairperson 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 to the meeting the financial accounts of the Club for the year ending at that AGM.

5.3 Quorum at Meetings

5.3.1 The quorum shall be fifteen (15) Full Members, excluding Core Committee Members, up to a 100 person membership. If the membership of the Club 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.

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 Club 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 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 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 Club will at all times do their utmost to comply with the Health & Safety Statement of the Club 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 Club 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.

6.2.2 The Health & Safety statement must be reviewed annually by the Committee to ensure it remains relevant to the Club'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 Club business, they must inform the Clubs and Societies Development Officer (CSDO) and the UL Sports Administrator with regard to a Club 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:

(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 Head of student Engagement and Sports Administrator at least a week in advance of the planned trip.

6.3.3 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

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

7. Disciplinary Rules & Procedures

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

8. Financial Matters

8.1.1 Funds

8.1.2 All funds raised by the Club 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.

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

8.2 Bank Accounts

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

8.2.2 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 Club's accounts, and at least two (2) officers, of which one must be the Treasurer, is required sign off on all transactions.

9. Equipment

9.1 Equipment Policy

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

9.1.2 If the Club 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 Club is re-started or a similar interest club 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.

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

9.1.4 The Committee of the Club is responsible for keeping a record of all assets controlled by the Club 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.

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

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

10. Legal Protocol

The Club 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.

11. Interpretation

11.1.1 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 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.

(Copy of Schedules attached)

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 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. 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 Club member with a grievance will attempt to resolve it informally by speaking with the individual(s) concerned 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. 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 Club 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 Club 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. Handwritten 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 Club.

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 Club will treat each other with respect and dignity at all times. All members are expected to always conduct themselves in an appropriate manner 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 club/society/University contact to which a member might reasonably expect to come

into contact within the course of their club 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 Club.

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 Club.

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 Club 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 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.

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 Club's 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 Club committee may take the decision to exclude/suspend the alleged perpetrator from any Club 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 Club 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 timeframe 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. . Handwritten notes should be taken at the meeting. At the end of the meeting the handwritten 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 Club committee will instigate the Clubs and Societies Disciplinary Procedures. Actions taken can include expulsion from the Club.

Action where the Complaint is not upheld

- If the complaint is not well found, both parties should be brought together by the Club 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 Club's 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 Club into disrepute.
- Acting against the aims and/or objectives of the Club
- Misappropriation of any funding relating to the Club
- 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 club, another member, or a third party;
- Destruction/sabotage of club property, or any property on the premises;
- Interference with or misuse of any equipment for use by relevant 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 Club 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 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 to the Clubs & Societies Executive prior to any legal advice being sought. The formal request will be in written form outlining in detail the timeline 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 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 Club 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. 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.