



**Guild of  
Students**

# **Guild Officer Discipline & Appeals Policy**

Manager Responsible for Review: **People & Administration Manager**

Method of Approval: **HR Committee**

Date Approved: **April 2023**

Next scheduled Review Date: **April 2024**

## **1. Statement**

In being an elected Guild Officer, there is an inherent obligation to conduct yourself in a highly responsible and professional manner, and in accordance with the law, which includes for these purposes, charity law, company law, the Education Act 1994, University legislation and any other relevant legislation or regulations that impact on any aspect as a Full Time Officer.

In addition, Officers should be familiar with and act in accordance with the governing documents of the Guild of Students. The governing documents include for these purposes the Articles of Association, Bye-Laws, guidance & strategy documents, and relevant policies and procedures.

This policy should be read together with the Guild Officer Code of Conduct (covering all Guild Officers, full-time & part-time), and Byelaw 10, 'Trustee Board Appeals Committee' (covering the removal of any Trustee, including Trustees which are not Officers).

The Guild Officer Discipline & Appeals Policy is intended to be used as guidance and does not form part of your contract of employment.

## **2. Purpose and Scope**

2.1 Every Full Time Officer is expected to carry out their duties to the best of their ability and to always take into consideration the best interests of the Guild of Students. As employees of the Guild there is an expectation that all paid elected Officers meet the same high standards of behaviour as other employees and act in accordance with the Guilds' values at all times.

2.2 This policy applies to all Full Time Officers, who for the avoidance of doubt, are also Trustees of the Guild of Students.

The purpose of the policy is to:

- a. Promote high standards of behaviour in the treatment of individuals and in the conduct of Officer relations;
- b. Assist the Guild of Students to operate effectively;
- c. Set standards of conduct and performance for the Full Time Officers;
- d. Provide a fair method of dealing with alleged failures to maintain those standards.

2.3 This policy is intended to be corrective rather than punitive. Where performance or conduct falls short of an acceptable standard, then this policy will ensure that there is an opportunity to make improvements and achieve the levels required. However, in some cases serious action may result in removal from office.

## **3. Making a Complaint**

3.1 Any person may make a complaint about alleged unsatisfactory performance or misconduct of a Full Time Officer.

3.2 The complaint should be made in writing to the Appointed Person, which is one of the following:

3.2.1 The Chief Executive or a nominated Trustee (normally an External Trustee); or

3.2.2 The Chair of the Trustee Board (where the complaint is received from a member of Guild staff or is regarding the entire of the Full Time Officer Group).

3.3 The complaint will be sent c/o the People & Administration Manager by email to hrteam@guild.bham.ac.uk

3.4 The complaint should give details of the name(s) of the person(s) involved, together with details of alleged poor performance or misconduct (including the date and place at which the alleged misconduct took place), and be delivered as soon as possible after the events complained of (and ideally within 14 working days of the occurrence). Complaints received more than 14 days after the event takes place may not be considered, unless there are exceptional circumstances which resulted in the delay, and at the discretion of the Appointed Person.

3.4.1 The People & Administration team will acknowledge receipt of the complaint.

3.4.2 The Appointed Person will determine whether the nature of the complaint is that of minor misconduct, and thus handled by the procedure outlined below (section 4), or if the complaint is sufficiently serious to be handled under section 5.

#### **4. Informal Action**

4.1 Minor misconduct and unsatisfactory performance will be dealt with informally, usually by the Appointed Person discussing the concerns with the Full Time Officer. In the case of a complaint of minor misconduct or unsatisfactory performance against the President, the Chair of Trustee Board or nominee, will normally discuss the concerns directly with the President.

4.2 The Appointed Person will determine what, if any, further action to take in relation to the complaint, including no further action. Feedback should be constructive, with the emphasis being on finding ways for the Full Time Officer to improve and for the improvement to be sustained. Consideration should be given at this stage to supportive action to assist the Student Officer in improving their conduct. This may include an improvement plan with regular reviews and / or support by a key staff member. The Appointed Person will inform the Full Time Officer of any agreed action. This may include further training and personal development. The Complainant may be informed as appropriate and in line with Data Protection regulations.

4.3 The Full Time Officer will be advised of the standard required to improve conduct or behaviour and the timescale within which the Full Time Officer should improve.

4.4 The Full Time Officer will receive written notification at this informal stage. A note of the discussion will be kept on their confidential HR file and will be used as the basis for monitoring conduct going forward linked to any improvement plan in place.

4.5 Where there is a more serious case of unsatisfactory performance or misconduct, or in situations following an informal approach where the Full Time Officer fails to improve and maintain that improvement, formal action may be instigated by the Appointed Person and the Investigation procedure outlined below in Section 5 below may be invoked.

## **5. Investigation Procedure**

5.1 As a consequence of a case of poor performance or misconduct against a Full Time Officer, or if the Full Time Officer fails to improve and maintain an agreed improvement plan, a disciplinary investigation should be invoked. The Appointed Person may convene an Investigation as required. In the case of a vote of no confidence passed by the Members Democratic Process, under normal circumstances, no investigation will be convened (see Section 8).

5.2 The Investigation. The Appointed Person may request the investigation is conducted by an external party where there is possible conflict of interest or other reasons. The Investigation will normally be supported by a member of the People & Administration team who will be in attendance to act as an advisor and as note taker.

5.3 The Investigator shall be appointed by the Appointed Person normally based on the criteria below:

- a. The experience of the person concerned in dealing with investigating disciplinary matters.
- b. Whether the person will have any conflict of interest in the matter
- c. That the person has no prior knowledge or involvement in the allegations
- d. availability of the person (to ensure that timescales are not unnecessarily protracted).
- e. The diversity of the Investigator (where possible)

5.4 The Full Time Officer of which the complaint or poor performance affects will be written to and advised of the allegations against them and provided with a copy of this policy.

5.5 The matter will then normally be investigated.

5.6 The purpose of the investigation is to establish a fair and balanced view of the facts relating to the allegations against the Full Time Officer. The Investigator may obtain statements from witnesses whose evidence is relevant, and consider additional allegations. The Investigator will deal with the investigation as quickly as is practicable.

5.7 Following the investigation, the Investigator will make one of the following recommendations to the Appointed Person who requested the Investigation:

- a. to take no further action;
- b. referral to a Disciplinary Committee to hold a disciplinary hearing; or
- c. to inform the University authorities so that action may be pursued either under the University Disciplinary Procedures, by the Police or under the disciplinary procedures of a body that is deemed appropriate.

5.8 Where a complaint results in an investigation by the Police or the University of Birmingham, the Guild will not carry out an investigation, or make decisions regarding the complaint, until this has concluded.

5.9 It is recognised that being the subject of investigation can be difficult, and the Guild will therefore endeavour to undertake an investigation with appropriate discretion, care and consideration. No Full Time Officer or staff member shall comment publicly on any investigation or disciplinary (apart from to confirm at what stage the process is at).

## **6. Suspension**

6.1 At any stage of the disciplinary process, it may be necessary to suspend the Full Time Officer from work on full pay until such time as an investigation and/or the disciplinary procedure is complete. Alternative options, for example working in a different location, restricted duties and increased supervision may be considered.

6.2 Most disciplinary situations will not require suspension. It should only be considered exceptionally if there is a serious allegation of misconduct and:

- There are reasonable grounds to believe that the Officer being investigated might seek to tamper with or destroy evidence, influence witnesses and/or sway an investigation into the disciplinary allegation;
- If working relationships are severely broken down to the point that there is a genuine risk to other Officers, Guild staff, members, stakeholders, suppliers or Guild operations if the Officer remains in the workplace;
- The Officer is subject to criminal proceedings which may affect whether they can do their role.

6.3 A suspension will be without prejudice, will not constitute disciplinary action and will be reviewed to ensure it is not unnecessarily protracted.

6.4 Suspension itself is a neutral act in that it does not constitute a disciplinary sanction and does not indicate any assumption of guilt or pre-determination of the issues being investigated.

6.5 During any period of suspension, the Full Time Officer must not (without the express consent of the Appointed Person or nominee) attend work or contact any Guild Officers, Guild employees or members of the Guild, except for arranging representation.

6.6 Any suspension will be reported to the Chair of the Trustee Board and a suspension decision may be overturned by the Chair of the Trustee Board.

6.7 The Full Time Officer Group may allocate the duties of a suspended Officer as appropriate.

## **7. Grounds for invoking the Disciplinary Procedure**

7.1 The disciplinary procedure will normally be invoked when all informal procedures have been exhausted or if the complaint is of a serious nature.

7.2 It is impossible to specify all the circumstances that would warrant invoking the formal disciplinary procedure, but typical cases would be where the Full Time Officer's standard of performance and/or general conduct falls below the standard required by the Guild of Students, including that set out in the Full Time Officer Code of Conduct.

7.3 The disciplinary procedure will be invoked where the alleged complaint or unsatisfactory performance constitutes misconduct.

The disciplinary procedure may be taken in respect of any breach of discipline:

- a. Whilst on Guild premises.
- b. Whilst using Guild facilities or at a Guild event.
- c. In the use of public or private social media channels.
- d. Whilst representing or acting on behalf of the Guild at any event of whatever kind and wherever held.
- e. In relation to actions or incidents with Guild Officers, Staff, volunteers, members and stakeholders where the Officer is participating in a Guild activity (including online).

7.4 The following is a non-exhaustive list of examples that the Guild regards as misconduct:

- a. Failure to work in accordance with Guild policies & procedures.
- b. Lateness and/or poor timekeeping.
- c. Absence from work, including going absent during work without a valid reason, notification or authorisation.
- d. Wasting Guild resources.
- e. Refusal to comply with reasonable management instructions.
- f. Not performing duties in a satisfactory manner.
- g. Poor attitude demonstrated towards work or colleagues.
- h. Carelessness with Guild or other people's property.
- i. Potentially dangerous pranks.
- j. Unacceptable standards of dress or personal hygiene.

7.5 It is not practical to compile an exhaustive list of what will constitute gross misconduct, but the following are some important examples:

- a. Disruption of, or improper interference with, the administrative, social or other activities of the Guild of Students, whether on the Guild of Students' premises or elsewhere.
- b. Obstruction of, or improper interference with, the functions, duties or activities of any student, member of staff or other employee of the Guild of Students or any authorised visitor to the Guild of Students.
- c. Violent, indecent, disorderly, threatening, or offensive behaviour or language whilst on the Guild of Students' premises or engaged in any Guild of Students activity.
- d. Any form of theft, fraud, deceit or dishonesty in relation to the Guild of Students or its staff or in connection with the holding of any office in the Guild of Students or in relation to being a member of the Guild of Students.
- e. Action likely to cause injury or impair safety on the Guild of Students' premises, including wilful disregard of health and safety rules.
- f. Harassment of any kind of any student, member of staff or other employee or any visitor of the Guild of Students.

- g. Conscious unlawful acts of discrimination, including discrimination by age, disability, sex, sexual orientation, religion or belief, race, marriage and civil partnership, gender reassignment, pregnancy and maternity, or harassment against Officers, staff or job applicants.
- h. Malicious damage to, or defacement of, the Guild of Students' property, the property of other members of the Guild of Students' community or property available for the use by its members.
- i. Unauthorised possession or misuse use of the Guild of Students' premises or items of property.
- j. Behaviour which is likely to bring the Guild of Students or any constituent part of the Guild of Students into disrepute.
- k. Alcohol, drug or substance abuse in the course of work, within working hours or on the Guild of Students' premises.
- l. Gross carelessness resulting in damage, injury or other unacceptable loss.
- m. Conduct which, if proved in a court of law, would constitute a criminal offence and affected other members of the Guild of Students.
- n. Serious and substantial breach of the Full Time Officer Group Code of Conduct.
- o. A serious breach of confidential information.

7.6 Concerns regarding the political performance in the role as a Full Time Officer will be dealt with through the Members Democratic Process (as outlined in Bye-Law 6) (See Section 8).

## **8. Members Democratic Process**

8.1 Concerns regarding political performance in the role as a Guild Officer will be dealt with normally through' the Members Democratic Process.

8.2 The Members Democratic Process will have the power to pass a 'vote of no confidence' (VONC) in an individual Guild Officer on the basis of political leadership or performance. This decision will be taken via a Referendum of full members, as outlined in Article 20 of the Articles of Association.

8.3 A 'vote of no confidence' Referendum may be triggered by:

- The resolution of a quorate All Student Meeting. The motion for a vote of no confidence may be submitted to All Student Meeting by a Full Member, using the process outlined in Byelaw 5, or by the Scrutiny Panel.
- The receipt of a petition of no confidence, signed by at least 3% of the full membership as outlined by Article 20.

8.3 In circumstances when the publishing of the motion of no confidence could lead to serious reputational, financial or legal issues for the Guild, the Appointed Person will decide whether the matter can be debated through the Members Democratic Process or should be dealt with by the employee disciplinary procedure (see Section 9) (For Full-Time Officers Only).

8.4 When the vote of no confidence is triggered by the All-Student Meeting or by a petition of full members, a Referendum will be arranged of all Full Members as soon as possible

8.5 The Guild Officer will be given at least 14 days to prepare a written response to the alleged unsatisfactory political performance. This information will be made available via the Guild website, as will any associated information put forward by the initiator of the Referendum, at least 5 working days in advance of the vote.

8.6 The vote of no confidence shall require a simple majority vote of a quorate Referendum to pass.

8.7 If the vote of no confidence in the Guild Officer is passed by the Members Democratic Process a formal recommendation will be made to the Appointed Person for the removal of the Guild Officer from their elected office, pending a meeting of the Disciplinary Committee.

8.8 A Disciplinary Committee meeting will be organised as quickly as possible after the passing of a vote of no confidence. If the Guild Officer is a Full-Time Officer, in the period between the vote of no confidence passing and the date of the disciplinary hearing, the Officer will take leave with full pay.

8.9 The Disciplinary Committee for the meeting will consist of;

- a. A Full Time Officer;
- b. Two Trustees (at least one of which shall be a Student Trustee) appointed by the Chair of the Trustee Board;
- c. The Chair of the All-Student Meeting;
- d. A Guild Officer.

Where possible, the diversity of the Disciplinary Committee will be considered.

8.10 A member of the People & Administration team will be in attendance to act as an advisor to the Disciplinary Committee and as the note taker and administrator.

8.11 The quorum of the Disciplinary Committee shall be three and the Chair shall be elected from the Committee.

8.12 Following the passing of a Vote of No Confidence Referendum, the Disciplinary Committee will meet, with the Guild Officer present, to receive a report on the vote, and consider if the referendum (as outlined in Article 20 of the Articles of Association) of full members was passed in free and fair manner.

8.13 If the vote is determined to have been held in a free and fair manner, the Disciplinary Committee will conclude that the Guild Officer is no longer able to undertake the duties required of them as an Officer, and if a Full-Time Officer, as an employee of the Guild of Students.

8.14 In the case of a Full-Time Officer, the position of the Officer as a Guild Officer and employee will be deemed to be untenable and grounds for immediate termination.

8.15 Following the Disciplinary Committee meeting, the successful vote of no confidence shall also serve as a request to the Trustee Board to remove a Full Time Officer as a Trustee by the process outlined in Article 22 of the Articles of Association.



## **9. Disciplinary Committee**

9.1 The Disciplinary Committee shall be convened as soon as is practicable, to hear allegations of poor performance, alleged misconduct or alleged gross misconduct. This stage shall not normally apply to proceedings arising solely from a vote of no confidence via the Members Democratic Process (see section 8).

9.2 The Disciplinary Committee shall be comprised of the following, and will not include anyone who has substantive prior knowledge of the matter, nor who has been substantially involved in the investigation:

- a. A Full Time Officer;
- b. Two Trustees (at least one of which shall be a Student Trustee) appointed by the Chair of the Trustee Board;
- c. The Chair of the All-Student Meeting.
- d. A Guild Officer

Where possible, the diversity of the Disciplinary Committee will be considered.

9.3 A member of the People & Administration team will be in attendance to act as an advisor to the Disciplinary Committee and as the note taker and administrator.

9.4 The quorum of the Disciplinary Committee shall be three and the Chair shall be elected from the Committee.

9.5 The Chair shall give the Full Time Officer reasonable notice (normally 7 working days) of the date and time of the Disciplinary Committee meeting.

9.6 The Full Time Officer has the right to attend the meeting and be accompanied and/or represented by a Trade Union representative or work colleague from the Guild of Students.

9.7 The Disciplinary Committee shall endeavour to provide the Full Time Officer with a copy of the allegation against them and any written evidence to be presented to the Disciplinary Committee at least 5 working days before the date of the meeting. These papers shall be deemed confidential by all parties.

9.8 If the Full Time Officer is unable to attend the disciplinary meeting for good reason, they must inform the Disciplinary Committee via the People & Administration team, as soon as reasonably practicable.

9.9 If the Full Time Officer is persistently unable or unwilling to attend a disciplinary meeting without good cause, the meeting will proceed in their absence and a decision will be made based on the evidence available. For this purpose, "persistently unable or unwilling" normally means on two or more occasions.

9.10 The Disciplinary Committee may inform the Full Time Officer Group about the investigation and any subsequent disciplinary proceedings. This information will remain confidential and will be given as appropriate and in line with Data Protection.

## **10. Disciplinary Hearing Procedure**

10.1 The Chair will ensure that copies of the allegation and of all written evidence, and the names of any witnesses to be called, are distributed to the members of the Disciplinary Committee, who will be given time to read the material carefully.

10.2 The Full Time Officer may be accompanied at the hearing by a Trade Union representative or work colleague from the Guild of Students.

10.3 The findings of the investigation shall be presented by the Investigator.

10.4 The findings and conclusions of the Investigation shall be presented first.

10.5 The Committee and Full Time Officer may ask questions of the Investigator.

10.6 The Full Time Officer will be asked whether they admit or deny the allegation in full or in part.

10.7 If the Full Time Officer admits the allegation in full, the Chair may proceed as in section 10.14 below. If the Committee requires further information they may still pose questions and call witnesses, as below, at the discretion of the Chair.

10.8 If the Full Time Officer denies the allegation either in full or in part, the Full Time Officer or their representative shall then be able to present their defence. Either side may present witnesses to support their case.

10.9 Either party may ask questions of witnesses, as may the members of the Disciplinary Committee.

10.10 The Disciplinary Committee may invite such other witnesses as it thinks fit to be summoned, or such other evidence as it considers relevant to be produced.

10.11 The Chair or Full Time Officer may ask for a short adjournment at any time for consideration of information, points of procedure or emotional distress.

10.12 The Chair may also consider adjourning the hearing, particularly if the meeting is protracted. The meeting should be reconvened as soon as is possible, and normally within 14 days.

10.13 The ruling of the Chair as to whether any question or evidence is or is not admissible shall be final.

10.14 The Full Time Officer may make a final statement, which may include mitigation for their actions.

- a. If the Full Time Officer admits the allegation(s) in full, the Committee may still pose questions and call witnesses as above in advance of the Full Time Officer's final statement, at the discretion of the Chair.

10.15 The Committee shall then withdraw to consider its decision.

10.16 The Committee should attempt to reach a unanimous decision but if a vote is required then a simple majority will be deemed sufficient.

10.17 If the Committee finds that the allegation has not been upheld, the hearing will end but official notes shall be retained and placed on the Officer's confidential HR file, and the Full Time Officer will be informed in writing.

10.18 If the Committee finds that on the balance of reasonable probability, the allegation has been proved, the Committee shall consider the appropriate sanction and their reasons for making such a sanction. The Committee may consider any mitigation that the Full Time Officer has made.

10.19 The Chair shall endeavour to communicate the decision to the Full Time Officer within 5 working days of the hearing. The Chair may also communicate the decision to relevant parties as appropriate and in line with Data Protection principles. The disciplinary actions that may be taken are set out in section 11 below. The written outcome will advise the Full Time Officer of their right of appeal as set out in section 12 below.

## **11. Disciplinary Action**

11.1 Following an investigation and the outcome of a Disciplinary Committee, disciplinary action may be implemented at any stage of the procedure below if the Full Time Officer's alleged misconduct or poor performance warrants such action. If the offence is of a serious nature, then it may be necessary to begin the procedure at a later stage in the process depending on the circumstances.

11.2 Normally, any formal warnings will expire six months after issue, unless specifically indicated to the contrary by the Disciplinary Committee.

### *Formal Verbal Warning*

11.3 If conduct or performance does not meet the required standard, the Full Time Officer will normally be given a formal verbal warning. They will be advised of the reason for the warning, the improvement required, and the timescale, along with the right to appeal.

11.4 The Full Time Officer will be told of the likely consequences should the failure be repeated, should there be a further incidence of unacceptable conduct or performance, or should the required improvement not be made within the specified time period and then maintained. A record detailing the reasons for the warning will be given to the Full Time Officer and a copy kept on their confidential HR file. The Full Time Officer will also be informed of the right to appeal.

### *First Written Warning*

11.5 If the required improvement does not take place, or if the offence is of a serious nature, a first written warning will be given to the Full Time Officer. This will give details of the disciplinary issue, the improvement required and the timescale. It will warn that if there is no satisfactory improvement, or there is further unsatisfactory conduct or performance then it may be necessary to move to the next stage of the procedure. A copy of the written warning will be given to the Full Time Officer and one will be kept on their confidential HR file. The Full Time Officer will also be informed of the right to appeal.

### *Final Written Warning*

11.6 If there is still a failure to improve conduct, or performance is still unsatisfactory, a final written warning will be given to the Full Time Officer. If the misconduct is sufficiently serious to warrant only one written warning, but insufficiently serious to justify a referral to the Trustee Board (in line with Article 20 of the Articles of Association), a first and final written warning will be issued.

11.7 The warning will give details of the complaint and will advise the Full Time Officer that removal from Office and as a Guild employee may result if there is no satisfactory improvement, or there is further unsatisfactory conduct or performance. The Full Time Officer will also be told of the right to appeal. A copy of the warning will be given to the Full Time Officer and a copy kept on their confidential HR file.

### *Gross Misconduct*

11.8 If, after investigation, it is confirmed by the Disciplinary Committee that the Full Time Officer has committed an offence deemed gross misconduct, (See Section 7), the normal consequences will be dismissal without notice or payment in lieu of notice from the fixed term Full Time Officer contract. The Full Time Officer will be removed as an employee and as an Officer. The Full Time Officer will also be informed of the right to appeal.

11.9 In the case of a Full Time Officer who is also a Trustee of the Guild of Students, The Trustee Board will remove the Full Time Officer as a Trustee of the Guild of Students in accordance with Article 22 of the Articles of Association of the Guild of Students.

11.10 The Disciplinary Committee reserves the right to refer the matter to the University Authorities.

## **12. Appeals**

12.1 The Full Time Officer may appeal against the Disciplinary Committee's decision to the Chair of the Trustee Board (and copied to the HR team), in writing, within 7 working days of the receipt of the Disciplinary Committee's decision.

12.2 The Guild Officer may not appeal a removal from Office, suspension or termination if this decision was made solely and directly on the basis of a vote of no confidence passed via the Members Democratic Processes.

12.3 Appeals will be heard for the following reasons:

- If there is new evidence that was not available at the time of the original hearing.
- If any part of the disciplinary process was not followed correctly.
- Any other substantial reason that is accepted by the Chair of the Trustee Board.

12.4 In the event of an appeal, the Chair of the Trustee Board shall convene a meeting of the Appeal Committee.

12.5 The Appeal Committee shall be convened as soon as possible (normally within 14 days working days) within receipt of an appeal.

12.6 The Appeal Committee shall be comprised of:

- a. The Chair of the Trustee Board or nominee;
- b. A Guild Officer who has not previously been involved;
- c. A Student Trustee, appointed by the Trustee Board, who has not previously been involved.

12.7 Each member of the Appeal Committee shall be independent and shall not have had any substantive involvement in the matter under appeal. A member of the People & Administration team will be in attendance to act as an advisor to the Disciplinary Committee and as the note taker and administrator.

12.8 The quorum of the Committee shall be three and the Chair shall be the Chair of the Trustee Board or nominee.

12.9 The Full Time Officer will be notified of the date and time of the Appeal Committee meeting.

12.10 The Full Time Officer shall have the right to attend the meeting and be accompanied by a Trade Union representative or work colleague from the Guild of Students. The Chair will, at the same time, instruct the Full Time Officer to submit in writing as soon as possible, and in any event not later than 5 working days before the hearing a detailed statement why the Full Time Officer is appealing and on what basis. (see 12.3).

12.11 The Chair, on receipt of the information above, will then confirm the date, time and place of the hearing with all involved.

### **13. Appeal Hearing Procedure**

13.1 The Chair will distribute copies of the original allegation and all original written evidence, and the written confirmation of the Disciplinary Committee's decisions and reasons for them, along with the letter of appeal. The members of the Appeal Committee will be given time to read the material carefully.

13.2 The Chair will then invite the Full Time Officer into the meeting who will be asked to make a statement as to their reason for appeal.

13.3 The Appeal Committee may ask the Full Time Officer any questions it thinks fit.

13.4 When the Chair is satisfied that the Appeal Committee has enough information on which to base a decision, the Full Time Officer will be asked if they wish to make a final statement.

13.5 The Appeal Committee will consider, in private, whether the appeal should be upheld.

13.6 The Appeal Committee may alter the decision of the Disciplinary Committee, if the appeal is upheld.

13.7 The Appeal Committee should attempt to reach a unanimous decision, but if a vote is required then a simple majority will be deemed sufficient.

13.8 The Chair will inform the Full Time Officer of the Appeal Committee's decision in the most appropriate way it thinks relevant. The Chair will endeavour, within 5 working days of the hearing, to send the Full Time Officer written confirmation of the Appeal Committee's decisions. The Chair may also communicate the decision to relevant parties, as appropriate and in line with Data Protection.

13.9 The decision of the Appeal Committee will be final and will represent the decision of the Guild.

## **14. Processes**

14.1 For the avoidance of doubt, there are three distinct processes which may result in the removal of a Guild Officer from post (and by extension if applicable, as a Trustee of the Guild of Students):

- 1) For all Guild Officers, a Vote of Confidence Referendum of all Full Members (see Section 8), in line with Article 20 of the Articles of Association.
- 2) For Full-Time Officers, an Employee Disciplinary process via the above complaints process related to conduct as an employee of the Guild of Student (See Sections 3 – 12 above).
- 3) For Full-Time Officers, removal as a Trustee (only) via a vote of no confidence at the Trustee Board (via Articles 22 or 23 of the Articles of Association).

14.2 For more information, please see the associated flow diagram Appendix 1.

**Guild Officer Discipline & Appeals Policy – Flow Diagram**

