

**Imperial College Union
Governance & Membership Committee / 7 September 2022**

Operationalisation of & Improvements to Complaints & Discipline Byelaws

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Action: To approve the proposed role appointments, and to consider the review work

1. Context

Our disciplinary and complaints procedures, set out in the Union's Bye Laws, had not been reviewed for a number of years before a project to do so was undertaken by 2020-21 DPW Shervin Sabeghi. The new procedures, which were approved by Council and Board in Summer 2021, are more detailed and comprehensive than they were previously. However, the committee should consider the outgoing Union President's reflection that "there are [still] serious flaws in the way our internal student disciplinary processes are designed", as shared and discussed at the last Board meeting. As such, a further review is being convened to address this, alongside the current byelaws being followed and operationalised for this year:-

2. Appointments Required

The current byelaws require a number of roles to be appointed in order to operationalise the processes therein: -

Complaints Officer: This is an appointed member of staff who has responsibility for administering the Complaints procedure, including checking that submitted Complaints are eligible to be considered, and also for clerking disciplinary and appeals panels. We recommend that the Governance & Democracy Coordinator be appointed to this role.

Complaint Handlers: These are a pool of appointed staff members or Officer Trustees, from whom a relevant individual will be chosen to deal with a submitted complaint. We recommend that the Senior Management Team and the Union President be appointed to this pool, where in the first instance a Director will be the handler of a complaint relevant to their Directorate.

Complaints Appeal Members: These are designated individuals who may be selected by the Chair of the Governance and Membership Committee to sit on a Complaints Appeal Panel. We recommend that the Senior Management Team and the members of the Governance and Membership Committee be appointed to this pool.

Investigating Officer: The procedures stipulate that in the first instance, all disciplinary cases are led by an Investigating Officer who is a member of the Governance and Membership Committee. No procedure for selecting this person is specified (they are a 'Union nominee'). We recommend that the Union President or their nominee may act as Investigating Officers, supported by a member of union staff, so that the Union President may delegate if needed.

Disciplinary Panel Members: This is a designated list of members of the Board of Trustees who can sit as members of a Union Disciplinary Panel. We recommend that the members of the Governance and Membership Committee be appointed as required.

Disciplinary Appeals Panel Members: This is a designated list of members of the Board of Trustees who can sit as members of an Appeals Panel. We recommend that the members of

the Governance and Membership Committee, and the Chair of the Board of Trustees, be appointed.

3. Interim Arrangements

The Complaints Officer will keep a log of complaints and misconduct allegations, as required by the byelaws. A numerical summary will come to the next Governance & Membership meeting.

4. Future Improvement Plans

A gap analysis will be undertaken this academic year by a project team consisting of the following members:

Nathalie Podder

Hayley Wong

Cat Turhan

Clem Jones

Tom Newman

Christian Oldfield

Rob Scully/Connar Walford (as appropriate)

The team will seek to codify improvements to the processes into the relevant byelaws, and will test the outworking of the proposed process improvements with 'dummy' scenarios. Any proposed changes will require Union Council and Board approval, as well as the creation of training materials for staff, OTs and students who need to navigate the processes.

We hope to conclude this process by the end of the academic year. The reason this work will take some time is that there are a number of independencies to the project. For example, an issue with the current disciplinary byelaw is that refers to a Union Code of Conduct byelaw, which does not exist. At the same time, the College is looking to soon introduce its own Student Code of Conduct (currently being finalised) as part of its Student Disciplinary Procedures Review, and in June 2022 ICU Management Committee agreed in principle to align the Union's procedures with the College's Code of Conduct.