



Atkinson**HR**

# External Code of Conduct Review at Bristol Students' Union

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## 1. EXECUTIVE SUMMARY

In March 2024, Bristol Students' Union commissioned an external review of its Code of Conduct framework. Atkinson HR were engaged to undertake this work on an independent basis.

This review became an urgent priority following the receipt of a number of complaints from members of the Women's Hockey Club. These complaints related to the Students' Union's handling of a case which was ultimately reported to the University Student Resolution Service (SRS) and involved allegations of sexual misconduct. The complaints raised serious concerns about the effectiveness and appropriateness of the SU Code of Conduct. These concerns included the organisation's approach to accessibility, suspension, communication, training and wellbeing support.

The need to review the Code of Conduct had previously been proposed to, and agreed by, Trustees. Gaps had been identified in a previous investigation, in April 2023, and the Students' Union had also acknowledged that the rapidly changing Higher Education environment meant that a review was required. This work had not been fully actioned and therefore the Code remained unchanged for a year.

This review has engaged with over 60 stakeholders including students, student group leaders, Students' Union staff and University staff. It has also incorporated extensive desk-review of a wide range of documents.

The findings show that there are significant opportunities to improve the Code of Conduct framework and the way it is applied. There are 41 recommendations in total which span the policy framework itself as well as how cases are initiated and managed. They address the culture of student groups and how non-students fit within the framework. Roles, responsibilities, governance, training and the relationship with the University are also addressed within the review.

If the recommendations are agreed and implemented, we believe they will enable the Students' Union to develop a Code of Conduct framework that is fit for the future, robust, effective, professional, accessible, compliant, trauma-informed and human-centred.

Some of our recommendations can be adopted quickly; others will require cultural change over a longer period of time. A suggested roadmap has been appended that gives an indication of the suggested timeline for delivery. The implementation of the full set of recommendations will likely require a significant resource investment and planning.

Once the roadmap is finalised and approved by Trustees, it is recommended that the Code of Conduct Oversight Group is retained to ensure effective governance oversight for implementation over the next 12-18 months.

## 2. SUMMARY OF RECOMMENDATIONS

To achieve a fit for future Code of Conduct framework, this review recommends that the Students' Union should:

- A** Adopt the proposed Code of Conduct as included in [Appendix A](#) and the proposed Member Disciplinary Policy and Procedure as included in [Appendix B](#).
- B** Adopt the new Complaints Policy attached in [Appendix C](#).
- C** Update Byelaw 10 to reflect the updated approach and content within the Code of Conduct, Member Disciplinary Policy and Procedure and Complaints Policy.
- D** Adopt the proposed Safeguarding Policy – *to be supplied by 26 July*.
- E** Present information regarding how to complain and what to expect in a more accessible and simple way on the Students' Union website.
- F** Review other 'linked' Students' Union policies including Health and Safety, Data Sharing, Wellbeing etc to ensure they are aligned with the new Code of Conduct framework.
- G** Embed the concept of a 'human-centred approach' within the new policy framework and rollout.
- H** Apply greater flexibility and proactivity regarding complaint initiation. Staff members should be empowered to log a concern in appropriate circumstances. It is proposed that, although preferable, a complainant is not automatically required to initiate the risk assessment and/or investigation process.
- I** Update the complaints form to include logic-based fields. The initial question should appropriately categorise the nature of the complaint / feedback / issue and the subsequent questions should gather the appropriate information dependent upon this.
- J** Include in the complaints process an initial assessment of risk for every complaint. This should be used to inform the level of resource and nature of response. Every complaint is important, but the Students' Union should be able to distinguish and escalate when required.
- K** For serious complaints put in place: a named contact for the complainant(s); an assessment of relevant stakeholders and a plan for communication; and an automatic wellbeing referral.
- L** Ensure that the Member Disciplinary Policy and Procedure (and website content) complements, references and signposts to the University complaints process where appropriate.
- M** Adopt a new Risk Assessment Form and process for complaints about students that is closely aligned to the current University approach. The new SU approach should be victim-centred, aligned with the SU's values and promote an environment and culture where victims feel safe to raise complaints / allegations.
- N** Ensure absolute clarity and distinction between situations in which the Students' Union is enforcing or enacting precautionary actions as determined by the University and situations in which the Students' Union is conducting and implementing its own risk assessment process and outcome.
- O** Request that the SRS update their Risk Assessment Form (p.6) to include the option to 'refer to SU'.
- P** Ensure risk assessments and decisions on precautionary measures are undertaken by a small panel.
- Q** Empower Club and Society Captains / Chairs with the authority to apply short, fixed-term suspensions specifically from their student group activities.
- R** Develop and implement a plan to build greater insight and intelligence into the culture of student groups and the experiences of group members.
- S** Continue existing work and dialogue with the University to introduce consent training for all students.
- T** Clearly define the expectations of behaviour from student groups and collective sanctions.
- U** Facilitate a strategic discussion with Trustee Board about the balance between autonomy and control within student groups and the impact of different models on risk and resources.
- V** Conduct a separate review into the associate membership scheme including benefits and risks. This review should consider a range of options including ending the scheme.

- W** Ensure that all relevant training that is planned for Student Opportunities staff in the SU is offered to sports coaches and key staff in SEH on an extended basis.
- X** Nominate a Trustee to act as Supervising Trustee. There should be a specific set of responsibilities assigned to this role including oversight of cases involving precautionary measures and discipline.
- Y** Develop the annual complaints report to include a narrative overview of key issues / development, data around case outcomes and a log of agreed recommendations / actions.
- Z** Update the strategic risk register to reflect the outcomes of this review and give a clearer assessment of the nature of the risk around student conduct.
- AA** Review / develop staff induction and training to ensure it equips all staff with a basic understanding, and relevant staff with an in-depth understanding, of the skills and knowledge required to embed an effective and human-centred approach to conduct, complaints and conflict-resolution.
- AB** Establish the requirement for key training to become fully mandatory for student group committees.
- AC** Review and extend the programme of student group leader training to ensure that it more effectively equips committee members with the knowledge and skills to embed the Code of Conduct framework.
- AD** Systematically review all student group training content over the next 18-months to ensure it is of a consistently high standard and delivers on required learning outcomes.
- AE** Give consideration to the introduction of an extended training offer for student group members that are interested in progressing to be committee members in the future.
- AF** Establish a centralised log of all recommendations made within complaints and Code of Conduct cases.
- AG** Allocate responsibility for oversight of the Code of Conduct and complaints to the new Director People.
- AH** Establish a Complaints and Case Review Group made up of appropriate colleagues within the SU.
- AI** Review resource allocation and headcount in the Student Development team to ensure the ability to implement the recommendations from this review. **Alternatively**, the SU should consider reducing and capping the number of student groups to ensure enable an increased focus on quality.
- AJ** Establish a new Learning and Development function to ensure specialist knowledge and expertise within the organisation around training design, delivery, evaluations and systems.
- AK** Adopt a default approach that staff and student leaders automatically refer students to the Wellbeing Service if they have reason to be concerned about their wellbeing and mental health.
- AL** Review and enhance the wellbeing provision for Students' Union staff that support difficult, complex and/or traumatic cases.
- AM** Make the role function of Wellbeing Officer mandatory within student groups and establish a standard role profile and training programme for postholders.
- AN** Develop and agree a standard operating procedure / service level agreement for key partnerships between the SU and SRS, SU and SEH, and SU and Wellbeing.
- AO** Establish a joint case review group involving the Students' Union and SRS.

### 3. INTRODUCTION AND CONTEXT

In March 2024, Bristol Students' Union commissioned Atkinson HR to undertake an external review of its Code of Conduct framework.

This review became an urgent priority following the receipt of a number of complaints from members of the Women's Hockey Club. These complaints related to the Students' Union's role in a case which was ultimately reported to the University SRS and involved allegations of sexual misconduct. The complaints focused on the Students' Union's approach to suspension, communication and wellbeing as well as the accessibility and effectiveness of the Code of Conduct.

The **Code of Conduct**, in its current form, was drafted and published in 2019. Since then, the only revisions have been minor updating of terminology and the addition of a section on Covid safety.

In early 2023, following a case investigation, a recommendation was made, and accepted, to review and update the Code of Conduct to ensure it was fit for purpose. A proposal and plan was submitted to the Board and agreed. However, it was subsequently recognised that the scope and scale of work required was broader than originally envisaged. Whilst some of the initial analysis was carried out, this review was not completed.

The failure to update the Code, within what was perceived to be a reasonable timeframe, has been a key concern raised by members of the Women's Hockey Club Committee and other stakeholders contributing to this review. It has contributed to some erosion of trust in the Students' Union to follow through on its commitment to revise the Code.

Alongside this, there have been changes in student demographics at the University of Bristol that are likely to impact on the Code of Conduct framework including a growing number of under 18s and increases in the number of adults with vulnerabilities. These changes are impacting on the way that duty of care is perceived within the University community.

In the period since the policy was drafted, some significant risks and sector-wide trends have also emerged, that need full consideration within the review and likely incorporation into the Code of Conduct framework. These include challenges that many Higher Education Institutions (HEIs) and students' unions face in navigating the complexities and changing landscape of updated legislation and/or guidance around online abuse, freedom of speech and sexual violence on-campus.

The aim of the review is to undertake a robust, objective and external assessment and analysis of the current Code of Conduct framework. The review has been carried out independently from the Students' Union and recommendations are presented to the Trustee Board for consideration and decision.

This external review makes 41 recommendations that relate to the Code of Conduct policy framework, case management, student group culture, roles and responsibilities, training, wellbeing and partnership working. It is our belief that, if implemented, these recommendations will ensure the Code of Conduct framework is fit for the future and aligned to the values of Bristol Students' Union and the needs of its members.

In addition to this report, we have appended a proposed new Code of Conduct, Member Disciplinary Policy and Procedure, Complaints Policy and suggested roadmap for implementation.

## 4. METHODOLOGY

In undertaking this review, it has been important to gather a range of information and perspectives to ensure a balanced and evidence-based process. The following methods have been used to gather data and insight:

### 4.1. Review of existing documents and written information in relation to the Students' Union and the Code of Conduct framework:

- [Bristol SU Student Code of Conduct](#)
- Complaints received and logged by the Students' Union over the last 2-years (35 in 2023-2024 and 18 in 2022-2023)
- Complaints, evidence and suggestions submitted by members of the Women's Hockey Club Committee.
- Students' Union Student Complaints Audit – conducted by the Head of Internal Audit (October 2023).
- Complaints Reports for Students' Union Board of Trustees – prepared by Complaints Officer (Nov 2020, Jan 2022, Mar 2023, May 2024)
- Students' Union Officer Code of Conduct
- Students' Union Staff Code of Conduct
- Students' Union Trustee Code of Conduct
- Students' Union Health and Safety Policy
- Students' Union [Safeguarding Policy](#)
- Students' Union [Complaints Policy](#)
- Students' Union [Articles of Association](#)
- Students' Union [Byelaws](#)
- Students' Union Associate Membership [Webpage](#)
- Students' Union Freedom of Speech Audit Action Plan 2023 – 2024
- Students' Union [Complaints Form](#)
- Students' Union Risk Assessment Form
- Students' Union Strategic Risk Register 2023-24
- Bristol SU Code of Conduct Review Report for FARG Committee (May 2023)
- Student Personal Data Sharing Agreement between the Students' Union and University of Bristol
- Job descriptions and application packs for a range of roles within the Student Opportunities team (Intramural Coordinator, Student Development Team Leader, Development Coordinator - Volunteering & Skills, Student Development Coordinator, Student Opportunities Administrator)
- Bristol SU Student group online training and guidance ([Bristol SU Learning Space](#))
- Rate My Group Reports (2023, 2024)
- Expected behaviour [guidance for student group committees](#) (Leading Your Group, Code of Conduct, Group Accreditation, Fixtures and Socials, Safe and Inclusive Social Events)
- Agenda / Brief for Partnership Feedback Meeting between Students' Union and Student Resolution Service (SRS)

### 4.2. Review of documents and information in relation to the University of Bristol and, in particular, its approach to managing student conduct:

- University of Bristol [Sexual Misconduct and Relationships Policy](#)
- University of Bristol [Student Disciplinary Regulations and Procedure](#)
- University of Bristol [Student Agreement](#)
- University of Bristol [Acceptable Behaviour Policy Statement](#)
- University of Bristol [Student Community Induction](#) – including 'Stand Up Speak Out' information
- University of Bristol [Sexual Misconduct Website Content](#) – including reporting form
- University of Bristol [Safeguarding Policy](#)
- University of Bristol Risk Assessment Form for Student Conduct Matters
- University of Bristol Briefing Pack – Wellbeing and Support Project

### 4.3. Review of documents, articles and material relating to sector guidance and best practice:

- Guidance For Higher Education Institutions: How To Handle Alleged Student Misconduct Which May Also Constitute A Criminal Offence (produced by Universities UK (UUK) and Pinsent Masons 2016)
- Updated guidance by UUK, Coventry University and Pinsent Masons on tackling harassment and sexual misconduct on university campuses
- Durham University – policy, procedures and guidance on sexual misconduct and violence
- UUK blog post on: what can universities do to tackle misogyny?
- Nottingham Trent University: consent is everything mandatory workshops – delivered in partnership with Nottingham Trent Students' Union
- Higher Education Policy Institute (HEPI) article on free speech in HE, part 1: We need to talk about objective harassment
- NCVO Guidance on Charities' General Duties of Care

#### 4.4. Meetings with a wide range of stakeholders including:

- Students' Union Lead Trustee for Code of Conduct Review (1-2-1)
- Students' Union Chief Executive Officer (1-2-1)
- Students' Union Director of Impact and Influence (1-2-1)
- Students' Union Director of Community and Opportunity (1-2-1)
- Students' Union Executive and Governance Manager (1-2-1)
- Students' Union Head of Student Opportunities (1-2-1)
- Students' Union Student Opportunities Manager (1-2-1)
- Students' Union Academic Advice Manager (1-2-1)
- University of Bristol Director of Health and Inclusion (1-2-1)
- University of Bristol Deputy Head of Student Wellbeing (1-2-1)
- University of Bristol Head of Student Resolution Service (1-2-1)
- University of Bristol Director of Sport, Exercise and Health (1-2-1)
- Committee members from Women's Hockey Club (group session x2)
- Student Opportunities staff team (group session)
- Student officers (group session)
- 6 x focus groups with a range of student group leaders which included representatives from Classics and Ancient History Society, Cricket, Ultimate Frisbee, Women in STEM, Men's Football, Galenicals, Bristol Doctor Who Society, Women's Football, Volleyball, STAR, Kickboxing, Tennis, LGBTQ+ Society, Men's Hockey, Women's Hockey
- 1-2-1s or small group meetings with 12 individual students that wished to contribute to the review
- Policy Advisor at Universities UK (1-2-1)
- University of Westminster Students' Union Chief Executive Officer (1-2-1)
- University of Exeter Assistant Director Culture and Inclusion (1-2-1)
- Cardiff University Deputy Head of Student Cases (1-2-1)

Where themes, issues and opportunities have been identified from one document, interview or focus group they have then been tested with other stakeholders / data sources to ensure that the ideas and recommendations that are presented within this report are based on reoccurring and robust data.



## 5. A FIT FOR FUTURE CODE OF CONDUCT FRAMEWORK

In undertaking our analysis and making recommendations, it is important to be clear about the aims and objectives of the framework. What does good look like?

From our experience and research, there does not appear to be an agreed sector-wide approach within the Students' Union Movement. There is no national framework or definition of good practice in students' unions. The NUS Charity (the national membership / capacity-building body for students' unions / associations) supports its members with complex and high-risk conduct cases, but does not, to our knowledge, provide a national framework / guidance on how students' unions should approach student conduct and how they should interact with their institutions.

There is clear guidance for universities from UUK on 'how to handle alleged student misconduct'. This gives a useful framework and tools for institutions in managing student disciplinary issues. However, this guidance does not cover the role of, and relationship with, the Students' Union.

Whilst it does provide clarity around the way that universities and their students' union should interact / collaborate over student conduct matters, there are aspects of the UUK guidance that can be applied and adapted to a students' union context.

For the purpose of this review, it is proposed that a fit for future Code of Conduct framework with Bristol Students' Union is:

- 5.1. **Robust** – it should enable the organisation to decisively and fairly address behaviours that fall short of the agreed, published standards that are expected for members and volunteers.
- 5.2. **Accessible** – it should be communicated in a way that students (and other stakeholders) can understand and navigate, for example, including clear examples, flowcharts, case studies and FAQs.
- 5.3. **Compliant** – it should be cognoscente of the regulatory requirements placed on HEIs and students' unions including the Education Act, freedom of speech, charity legislation etc.
- 5.4. **Effective** and **Professional** – it should enable complaints and conduct issues to be managed in a way that is efficient, timely and objective.
- 5.5. **Trauma-informed** – it should enable victims to report and navigate concerns and complaints in a way that mitigates and minimises the negative impact of trauma experiences and that supports the mental and physical health outcomes for those involved.
- 5.6. **Human-centred** – it should place empathy and outcomes at the heart of the process and give full consideration to ways of supporting and empowering those involved.



## CASE STUDY ONE >>>

Westminster Students' Union have an excellent relationship with their University, and they see this as key to the success of their Code of Conduct framework. There is a genuine partnership approach and recognition by both parties that the University has more resources to be able to investigate serious matters.

The Students' Union makes clear that depending on the severity of the alleged incident it may be passed to the University to be dealt with, this includes cases of sexual violence. If a serious case is passed to the University by the Students' Union, whilst the University is investigating the case, the student will automatically be suspended from all Students' Union activities. However, as the University aim to turn around all investigations within 3 weeks, the impact of suspension is minimised.

If a student is being investigated for a serious matter by the University which was not previously known to the Students' Union, the University will notify the Students' Union which will then also trigger suspension of membership. There is a supervising Trustee who oversees the Code of Conduct and makes decisions on precautionary measures and whether something should be referred to the University. The Students' Union consider a good barometer for determining whether something should be dealt with by the University is "if it would be considered gross misconduct under a staffing policy".

The University and Students' Union also work in partnership regarding Sexual Violence Liaison Officers (SVLOs). The University has a number of SVLOs and they fund two to work directly in, and with, the Students' Union meaning the Students' Union is able to offer an excellent level of support.

Westminster SU's Code of Conduct is aimed at all members. However, they helpfully have a separate Code of Conduct specifically for student groups and their members. This means that they can be more specific in that policy about the kind of behaviours which are not acceptable in student groups and the kind of sanctions which may be applied. Most student group issues are resolved through the Student Group Code process first, and in the majority of cases issues are resolved through mediation or informal interventions. For anything more serious, issues can still be referred to the University.

## CASE STUDY TWO >>>

The University of Cardiff and Cardiff Students' Union have been cited by colleagues at Universities UK as a potential example of good practice around their Codes of Conduct. Interestingly, Cardiff was also identified by committee members from Bristol Women's Hockey Club because of its simplicity and accessibility.

Similar to Westminster SU there is a Code of Conduct specifically for student groups (called the Activities Code of Conduct) and sits alongside a full Membership Code of Conduct.

Within the Activities Code of Conduct, there is a helpful traffic light system in terms of behavior which is easy to understand: green meaning behavior is as expected, amber meaning there has been a minor or moderate infringement, and red which means there has been a serious or repeated infringement(s). This traffic light system clearly lays out the type of sanction which could be expected, including suspension. Again, the strength of this policy is in its ease of being understood.

## 6. ANALYSIS

The initial scope for the external review identified a number of different areas for consideration. These included the Code of Conduct itself (policy, procedure, accessibility etc) and extended to a broad range of factors that impact on the overall effectiveness and application of the Code including training, communication, culture and wellbeing support. The analysis and recommendations presented within this report follow these themes and attempt to give a clear overview of the strengths and weaknesses within the Students' Union's approach.

It is important to acknowledge that the development and application of a Code of Conduct framework within a students' union context can be complex. Many other membership charities operate fully independently and are able to regulate the conduct of their members with a degree of autonomy. Students' Unions are governed as independent charities but, in practice, operate as an embedded part of their wider University / College community. Therefore, when considering the regulation of student conduct, it is important to adopt an integrated, whole-campus approach. This also inevitably raises questions about jurisdiction and duplication.

As a result of this complexity, there will be some elements of this analysis and recommendations where 'the devil is in the detail'. It may not be possible to set policy / rules, or give examples, for every eventuality or situation. It will be important to test specific cases to ensure the Code is as robust as possible. But there is also likely to be a need to continually refine and adapt the Students' Union's approach.

### 6.1. The Code of Conduct policy framework – including the expected standards of behaviour and the disciplinary and complaints procedures.

The majority of stakeholders within the review shared some concerns about the substance of the Code of Conduct and the policy framework / approach that accompanies it.

The current **Code of Conduct** document itself includes information about expected behaviours, bullying and harassment, initiations and peer pressure, sanctions and Covid breaches. The document was last fully reviewed in 2019, although an additional Covid safety section was added in 2020/21.

There are two key policies that closely link to, and supplement, the Code of Conduct – the Complaints Policy and Safeguarding Policy. Byelaw 10 of the Students' Union's constitution also makes specific reference to the discipline and appeals process for members. In combination, these documents constitute the 'policy framework' around student conduct and discipline.

We believe that there are a number of weaknesses of the Code of Conduct policy framework in its current form. These are based on our own observations as well as relatively consistent feedback from stakeholders:

- There is insufficient clarity about the inter-relationship with the University policy and approach.
- There could be better alignment and cross-reference to relevant University policies and guidance i.e. the University's Acceptable Behaviour Policy, Student Disciplinary Regulations and Procedure, Student Agreement and Student Community Induction – which govern, and/or relate to, the conduct of students as members of the University community.
- There is a blurring of scope – in particular whether the Code relates to students as students, student groups and/or student leaders. These are distinct areas and should be treated as such.
- The examples of potential misconduct could be more specific. In particular, sexual misconduct and sexual violence should be referenced as a specific type and example of misconduct.
- It does not adequately reflect and incorporate the most recent regulatory requirements placed on Universities and Students' Unions i.e. Freedom of Speech.
- The Code is described by students and student group leaders and being inaccessible and difficult to navigate. There is an opportunity to ensure that key information is presented in an engaging and understandable way for students.

**RECOMMENDATION A:** Adopt the proposed Code of Conduct as included in Appendix A and the proposed Member Disciplinary Policy and Procedure as included in Appendix B. It is proposed that these updated documents address the weaknesses outlined above and meet the objectives set out in [Section 5](#). This approach separates out the expected standards of behaviour from the policy and procedure for raising and handling allegations of misconduct.

The Students' Union **Complaints Policy** is broadly in line with what would be expected. It contains information about how to raise a complaint and the process that will be followed. It gives information about suspensions and appeals. Some student participants in the review state that they feel that the Complaints Policy is not as clear and accessible as they would like.

The main opportunities, in our opinion, to improve this policy are to ensure it is much clearer about the distinction between:

- Giving feedback to the Students' Union;
- Informally raising concerns and issues;
- Making a complaint regarding the Students' Union itself (i.e. an event, service or product);
- Making a complaint regarding a student group;
- Making a complaint regarding an individual or individuals i.e. a Sabbatical Officer, student group leader, volunteer or student.

Each of these things should have a clearer, and better defined, pathway for raising, managing and resolving the issue(s). The complaints form should be developed to capture the information relevant depending on the type of concern being raised. The complaints database will also need to be updated to enable effective categorisation, sorting and reporting based on the nature of the issue raised.

**RECOMMENDATION B:** Adopt the new Complaints Policy attached in Appendix C.

**RECOMMENDATION C:** Update Byelaw 10 to reflect the updated approach and content within the Code of Conduct, Member Disciplinary Policy and Procedure and Complaints Policy.

The current **Safeguarding Policy** is a short (2.5 page) document that sets out the key statutory responsibilities around safeguarding. The Students' Union has been criticised because the policy has not been reviewed in line with the agreed schedule. It was due to be reviewed in June 2023.

It is also our view that the policy could more effectively set out:

- How volunteers, officers or staff can respond if responding to a disclosure;
- How the Students' Union creates an environment that is safe and where people are protected from harm and abuse.
- How the Students' Union adopts an approach that goes beyond compliance and is aligned with its values.

The policy could also be much clearer in specifying how it complements and is aligned to the University **Safeguarding Policy**. This **example** from Sussex Students' Union illustrates how the SU's Safeguarding Policy and approach could be presented in a format more accessible to students.

**RECOMMENDATION D:** Adopt the proposed Safeguarding Policy – *to be supplied by 26 July*.

Accessibility was a key concern amongst most stakeholders within this review. It is important that information is presented in a way that is easy to understand and enables students to assess their options. It is clear that the Students' Union has attempted to do this on its **complaints webpage**. However, the information shared here is largely reproduced from the Complaints Policy and does not focus on key messages presented in a simple and clear format. The Students' Union should not rely on the Code of Conduct policy documents as the primary way for students to access the process.

**RECOMMENDATION E:** Present information regarding how to complain and what to expect in a more accessible and simple way on the Students' Union website. This information (*to be supplied by 26 July*) will complement the policy documents included in recommendations A, B and C and will include:

- Simple text for the website that explains how to make a complaint and what will be involved.
- A flow chart / charts that provide a visual representation of the process.
- Frequently Asked Questions.

- Examples (where useful and appropriate).

**RECOMMENDATION F:** Review other 'linked' Students' Union policies including Health and Safety, Data Sharing, Wellbeing etc to ensure they are aligned with the new Code of Conduct framework.

## 6.2. Case Management – how effectively are complaints and concerns logged, managed, tracked and resolved?

It will be important to improve the content and accessibility of the Code of Conduct policy documents as set out in the above recommendations. However, as with all policy, it is just, if not more, important to consider the practical application and way that these policies are implemented and embedded.

There is a clear view that the approach taken in applying the Code of Conduct policy framework within the SU has sometimes been overly focused on process / procedure and has not been sufficiently 'human-centred'. Some student group leaders and students report instances where they had brought concerns to the Students' Union that were either "dismissed" because they did not fall under the scope of the policy, or where they were handled in a way that was perceived to be too rigid and bureaucratic. We have also reviewed a number of email exchanges relating to student concerns / complaints where responses from SU staff would, in our opinion, be reasonably seen to lack empathy. There also appears to be a tendency to handle potentially sensitive queries via email rather than attempting to arrange face to face / Teams conversations. It will be important that staff are supported to have the confidence and skills to place students, outcomes and resolution at the heart of the updated Code of Conduct framework.

**RECOMMENDATION G:** Embed the concept of a 'human-centred approach' within the new policy framework and rollout. This should be clearly defined and incorporated into training for relevant staff (*see also recommendations AA and AJ*).

At present, a complaint or Code of Conduct case will only be logged / initiated when a complainant formally registers a complaint. Whilst it is always preferable for a complainant to come forward, there may be circumstances when this approach is limiting or brings unnecessary risk to the Students' Union or its members. For example, if a student discloses serious allegations about the conduct of another student but does not wish to make a formal complaint, can the SU honestly claim to have fulfilled its duty of care if it does not undertake any form of risk assessment or investigation?

This is a complex area and there are also risks of adopting a more flexible approach to complaint initiation. The risk to, and wishes of, the victim(s) need to be carefully considered as does the impact on the respondent(s). However, it is our view that a more flexible approach to initiating a risk assessment and/or investigation may be beneficial in ensuring the SU is adopting a more proactive approach.

**RECOMMENDATION H:** Apply greater flexibility and proactivity regarding complaint initiation. Staff members should be empowered with the ability to log a concern in appropriate circumstances. It is proposed that, although preferable, a complainant is not automatically required to initiate the risk assessment and/or investigation process.

Currently, complaints are submitted using the [online reporting form](#) on the SU website. There is a single form that captures the same information irrespective of the nature of the complaint / issue. Complaints are then automatically logged on the complaints database (Airtable). The Complaints Officer (Executive and Governance Manager) has responsibility for the coordination and management of complaints on the database. They will allocate an investigating officer and assign a timeline. They will also monitor complaints and ensure they are being investigated, and responded to, within agreed timelines. All complaints are currently stored in a single database and do not appear to be categorised based on the type, severity or risk profile.

To give some examples, the type of complaints that are held within the database from 2023-24 include:

- An allegation of serious sexual assault regarding a member of a sports club;
- A complaint regarding the SU's decision to not allow a specific group to exhibit at Freshers Fair;
- Broken link on the website preventing a student from buying a ball ticket;
- Price of a bottle of water in the bar;
- A complaint regarding the behaviours and service provided by a specific member of staff;
- Allegations of anti-Semitic behaviour by a student society;

- An allegation (from a Students' Union staff member in the Student Opportunities team) about a student group not following initiation rules.

There appears to be some inconsistency in the use of the complaints process / database. For example, a staff member used the form to log behaviour concerns about a student group, when it might normally be expected for this kind of issue to be raised and addressed through development meetings with student group committees. It is important that staff concerns about student groups are logged and monitored – ideally in a separate database. Also, as set out in recommendation G, it is recommended that staff should be able to log 'third party' concerns about student conduct based on disclosures. However, this should be used in a way that is consistent and within carefully considered guidance.

It would not be accurate or fair to say that the Students' Union does not distinguish or apply different processes depending on the severity and nature of the complaint / issue. For example, the response from the Complaints Officer is tailored to the complaint. The person assigned to oversee an investigation will also vary to meet the needs and circumstances of a case.

However, in our opinion, it is also reasonable to state that the case management approach does not adequately acknowledge the varying degrees of complexity, nuance and risk that will be associated with different types of complaints. The gaps and potential weaknesses in the current approach are:

- The complaints form has the same questions and fields regardless of whether someone is complaining about the price of water or raising an allegation of sexual assault.
- There is no formal initial assessment of risk.
- There is no clarity within the Complaints Policy around the different pathways or processes for different types of complaint.

It is vital, especially in a complex political organisation, that the Students' Union has the right capacity and skills to fully understand when complaints need to be managed in different ways to ensure risk is managed and there is a focus on outcomes.

**RECOMMENDATION I:** Update the complaints form to include logic-based fields. The initial question should appropriately categorise the nature of the complaint / feedback / issue and the subsequent questions should gather the appropriate information dependent upon this.

**RECOMMENDATION J:** Include in the complaints process an initial assessment of risk for every complaint. This should be used to inform the level of resource and nature of response. Every complaint is important, but the Students' Union should be able to distinguish and escalate when required. The initial assessment will be made by the Complaints Officer in consultation with the Director of People where required.

**RECOMMENDATION K:** For serious complaints (or complaints where it's determined to be appropriate), put in place the following measures:

- A named contact for the complainant(s) to act as a point of contact.
- Arranging a meeting or call to discuss the complaint as soon as possible (rather than email being the default).
- Assessment of relevant stakeholders and a plan for communication.
- An automatic wellbeing referral (for the victim / complainant and other key parties).
- Proactive referral to the Students' Union Advice Service, where there may be an impact on study.

These measures should also be considered in cases which are being investigated by the University Student Resolution Service, but where there is an element of Students' Union involvement. Care will need to be taken to work closely with the SRS to ensure that activity is not duplicated. This could be discussed, for example, at the proposed Joint Case Review Group ([see recommendation AO](#)).

### 6.3. Jurisdiction and primacy – what cases should the Students' Union investigate (and not investigate)?

As outlined in the introduction to [Section 6](#), one of the complex and challenging aspects within this review is around the issue of 'jurisdiction' and 'primacy'.

The Students' Union is an independent, registered charity. As a legal entity in its own right, it has a set of legal requirements including a duty of care towards its members, volunteers and employees. It operates and manages its own spaces and activities. These bring Health and Safety obligations and a requirement to be responsible for the environment and conduct of individuals within those spaces and activities. It would reasonably be argued that the Students' Union has some degree of responsibility for things that happen:

- In the buildings and spaces it manages;
- As part of student group activities – whether on- or off-campus and whether core or peripheral activities;
- That involve people in positions of responsibility / authority within the Students' Union including volunteers, staff, student officers etc;
- Under the brand of the Students' Union – for example outsourced events / activities.

Therefore, it is clear that the Students' Union must have some control, authority and policy to regulate activities and behaviours that take place within these contexts. This would seem to be a logical requirement in order to be able to fulfil its legal and governance obligations. NCVO has published useful guidance on [charities' general duties of care](#).

It is also important to acknowledge and understand that the Students' Union exists as part of the wider University community and, therefore, its approach to student conduct and behaviour must co-exist within, and ideally complement, the wider University framework and approach.

Students that join the University of Bristol are expected to “be aware of their own behaviour, and how it impacts on others. All are expected to conduct themselves in a reasonable and acceptable manner” ([Acceptable Behaviour Policy Statement](#)). The University defines unacceptable behaviour as “words, actions or practices that are experienced as inappropriate, unreasonable or offensive”.

The University currently articulates and regulates the conduct and behaviour of students primarily through the following policies / documents:

- [Student Agreement](#)
- [Acceptable Behaviour Policy Statement](#)
- [Student Disciplinary Regulations and Procedure](#)
- [Student Community Induction](#)

The Student Disciplinary Regulations and Procedure sets out in Annex 1 the types of behaviour it considers to constitute misconduct. It also sets out a definition of Sexual Misconduct.

The Student Resolution Service (SRS) is a University Department set up specifically to manage complaints about student conduct (although some complaints and conduct issues will be managed in different parts of the University i.e. the Residence Life team for issues in halls or the Community Liaison Office for community-based complaints).

The SRS oversee the risk assessment, investigation and disciplinary processes. The Students' Union is normally invited to IRAG (Initial Risk Assessment Group) meetings when there is a case that may relate to SU roles, activities and/or premises. This is a key relationship for the Students' Union and is considered further in [Section 6.11](#).

It is preferable that the University (continue to) have ‘primacy’ on all complaints and allegations regarding students that involve serious misconduct (including sexual misconduct) and that could affect [students as students](#) i.e. that impact on their fitness remain a member of the University community.

We believe that this is important and logical for several reasons:

- The University is the parent institution and has the ability to enforce more significant sanctions (up to and including permanent expulsion from the University);
- It has an established ‘contract’ with students that includes expectations of student behaviour and conduct;
- Although the Students' Union operates activities and spaces independently and autonomously, it can only do this because of the existence of the University and University community;



- The University has access to the scale of resources, skills and expertise to manage issues around misconduct effectively, including potentially sensitive, high-risk complaints.

However, the Students' Union's approach and policy should retain the ability (and supporting guidance) that enables it to investigate cases where the allegations / concerns relate to the conduct or behaviour of a student group leader / volunteer / officer specifically in relation to their role.

It is proposed that the Code of Conduct also gives the Students' Union some limited flexibility to carry out investigations in exceptional circumstances when:

- The context of the allegations and incident is Students' Union specific and/or does not necessarily have a wider bearing on the fitness of the respondent(s) to be part of the University community, for example minor misconduct that can be addressed at a local level.
- The complainant / victim is unable or does not wish to raise their concerns with the University.
- It is appropriate to do so, for another suitable and significant reason.

There will be clear guidance, criteria and parameters that help inform decisions about when the Students' Union would (or wouldn't) undertake its own investigation into matters relating to student misconduct and this should be seen as the 'exception to the norm'.

Also, vitally, the Students' Union would also reserve the flexibility to conduct its own risk assessment regarding precautionary measures (*see Section 6.4*).

**RECOMMENDATION L:** Ensure that the Member Disciplinary Policy and Procedure (and website content):

- Complements, references and signposts to the University complaints process where appropriate;
- Is clear about what wouldn't and wouldn't be considered by the Students' Union;
- Gives examples that help students understand the partnership approach with the University.

#### 6.4. The framework for suspension / precautionary measures

There has been a loose framework in place for considering the suspension of respondents in complaints. Responsibility for suspension decisions within the Code of Conduct currently rests with the Director of Student Opportunities and Community.

This is a complex and potentially controversial area with the need to acknowledge the potential for harm (to victims and respondents), consider the rights of the respondent and create an environment where victims are believed and can have trust to bring forward complaints and concerns.

There is a reasonably strong perception amongst students and student group leaders, that contributed to this review, that the Students' Union has not always achieved what they see as the correct balance.

Following receipt of a complaint, the SRS will coordinate a risk assessment process that will consider the risks associated with the case and any necessary precautionary measures, for example a non-contact order, suspension, restriction of access to University premises and/or reporting to the police or safeguarding agencies. The IRAG Risk Assessment Form contains a comprehensive breakdown of risk factors to guide the risk assessor and also clear guidance around the categories of risk that help the risk assessor define the risk level as low, moderate, high or urgent.

Whilst, in our opinion, there should be greater alignment with the University risk assessment process, it is crucial that the Students' Union retains flexibility to conduct its own assessments where appropriate – including the ability to apply its own precautionary measures.

There are certain examples within the University where a two-stage risk assessment process is required and already applied because of differing thresholds / risk levels. The most notable example being fitness to practise cases on certain academic programmes. It is suggested that it would be logical and appropriate for the SU to align itself with this model.



**RECOMMENDATION M:** Adopt a new Risk Assessment Form and process for complaints about students that is closely aligned to the current University approach. The new SU approach should be victim-centred, aligned with the SU's values and promote an environment and culture where victims feel safe and supported to raise complaints and allegations. It is suggested that this can be achieved whilst also offering wellbeing support to, and respecting the rights of, respondents.

**RECOMMENDATION N:** Ensure absolute clarity and distinction between situations in which the Students' Union is enforcing or enacting precautionary actions as determined by the University and situations in which the Students' Union is conducting and implementing its own risk assessment process and outcome.

**RECOMMENDATION O:** Request that the SRS update their Risk Assessment Form (p.6) to include the option to 'refer to Students' Union'. There may be a requirement for a two-stage process i.e. if the respondent is in a position of responsibility or presents a specific risk to students through SU activities.

**RECOMMENDATION P:** Ensure risk assessments and decisions on precautionary measures are undertaken by a small panel rather than an individual post-holder. It is recommended that a group of senior staff and officers be trained to form a pool of people that could sit on this panel. There would be set criteria regarding the makeup of panels. The panel would be empowered to take legal advice when appropriate. The Supervising Trustee ([see recommendation X](#)) will have oversight of all precautionary measures.

A concern has been raised by students and student group leaders about the ability of the Students' Union to respond quickly to complaints with an appropriate risk assessment and precautionary measures. This has also been acknowledged, within the review, by some Students' Union staff.

It is important that the Students' Union builds the capacity to handle cases in a timely, professional and effective way. However, it is also important to be realistic that the organisation does not have the resources to have a function / team dedicated to handling complaints about members. Therefore, the SU should consider other options that empower student group leaders to take time-limited, precautionary measures for their clubs or societies.

**RECOMMENDATION Q:** Club and Society Captains / Chairs to be empowered with the authority to apply short, fixed-term suspensions specifically from their student group activities. These should be used where the primary purpose is safety and limited to a maximum of 2-weeks. This approach will need to be accompanied by clear guidance and parameters for Captains / Chairs.

This measure should only be used either:

- As a timebound precautionary (non-disciplinary) measure to enable serious incidents or allegations to be reported to the SRS or Students' Union and enable sufficient time for a risk assessment to be conducted; *or*
- To respond to, and diffuse, low-risk tensions or misconduct specifically contained within the student group – for example two members arguing in club training.

## 6.5. Culture – does the culture of student groups enable the effective application of the Code of Conduct?

The recent complaint from members of the Women's Hockey Club and subsequent open letter has (rightly) shone a spotlight on the culture and 'norms' within student groups. Concerns around sports and societies culture are not unique to the University of Bristol. A number of universities and students' unions across the Higher Education sector would share similar concerns and a desire to support students in creating environments and activities that are inclusive, welcoming and safe.

Several different stakeholders within this review (students, staff and University colleagues) cited concerns about the culture, attitudes and behaviours within some student groups. These concerns relate to a number of different aspects. Examples included:

- Inappropriate and unacceptable sexual behaviours and misogynistic attitudes;
- Classist and elitist attitudes;
- Lack of tolerance and understanding of others;
- Initiation ceremonies.

To fully influence and redefine the culture of student groups is likely to take time and resource from the Students' Union over a sustained period. It is also likely to require higher levels of mutual trust and a shift where student group leaders and members perceive the Students' Union as more of an 'enabler' for their activities.

The 2024 'Rate My Group' survey reveals some interesting results about the experiences and perceptions of both committee members and student group members. It was completed this year by 770 student group committee members and 2420 student group members. 8% of student group committee members report that "group cohesion and coherence" was their biggest challenge during the year. The survey asks if they are satisfied with different aspects of the support they receive and generally the satisfaction levels would be considered low (57% satisfied with email enquiries, 40% satisfied with reception, 28% satisfied with webpage, 43% satisfied with Committee-Fest training). Only 60% of student group leaders agree that the SU has helped them fulfil their role (15% actively disagree).

There are extremely positive results from members about their student groups. 93% believe that their student group has 'created a fair and inclusive environment in which they can participate'. 92% of members believe that 'being part of a student group has helped them to feel part of a student community'. The Students' Union should be proud of the positive impact that student groups have clearly had on the lives of many students. However, some group leaders reported that students don't always fill the survey in honestly because they perceive it as being linked to the ratification and funding process. It may be worth the Students' Union considering how it makes clear that this survey can be completed honestly and openly with the aim of supporting student group development.

A view was shared by some student group leaders that the Students' Union was not necessarily "in touch" with what goes on within student group activities. This is understandable when there are more than 400 student groups. However, if the SU is going to influence and shape the culture across its student groups it will need to have greater line of sight into the current culture(s) and ways of working. There should be a clear plan to achieve this and some potential opportunities may include:

- Student group meetings, at set times of the year, with Development Coordinators being required rather than optional.
- Fully embed existing developmental processes i.e. EDI plans and risk assessments to ensure they genuinely add value. There is a perception amongst some student group leaders that these are tick box exercises that are not fully reviewed / considered by the SU.
- Could EDI plans and risk assessments be shared with members on their individual student group membership page?
- Further embed sub-groupings or clusters of student groups to enable more effective communication and sharing of challenges / good practice i.e. academic societies, faith groups, water sports etc.
- Review the Rate My Group survey to ensure it is framed in a way that enables student group members to be honest and open about their experiences.
- Review the questions in the Rate My Group survey to ensure they provide insight into the culture within different student groups.
- Carry out focus group panel periodically with student group members (perhaps using an independent partner) to build up regular and consistent insight and intelligence about student group activities and culture.
- Create planned opportunities (perhaps involving Student Officers) for greater presence at student group activities / events / fixtures to show support from the Students' Union and to build a stronger understanding of existing cultures and experiences of students.

**RECOMMENDATION R:** Develop and implement a plan to build greater insight and intelligence into the culture of student groups and the experiences of group members.

**RECOMMENDATION S:** Continue existing work and dialogue with the University to introduce consent training for all UoB students. The SU should champion / encourage this to be launched as soon as possible. The SU and University should strongly consider opportunities to engage student group leaders and/or students in the delivery of content (as is the case for the programme at Nottingham Trent University). Consideration should also be given to making the Bristol Student Community Induction compulsory for all student group members if this is not already the case.

**RECOMMENDATION T:** Clearly define the expectations of behaviour from student groups and collective sanctions for failure to meet these standards (*see also Recommendation A*).

The overarching cultural model currently operated is one based on exceptionally high levels of student activity (400+ groups) and high levels of autonomy for talented student group leaders. It is acknowledged by senior staff within the SU that this model has been adopted through choice because of the desire to empower and trust students.

This approach has many benefits but also some risks. The Students' Union would likely be seen as the corporate body with control of student group activity, and therefore any substantial failure in compliance would likely be seen to be a failure of the charity. The current model is one of the reasons for a 'light touch' approach to regulating student group activity – for example most training, meetings and activities are considered optional (according to the Rate My Group survey only 30% of group committee members attended Committee-Fest and 20% attended pre-Welcome training). If group leaders are able to 'opt-out' this could lead to a potential barrier in driving cultural change within student groups.

It is suggested that the operating model could still be one which is focused on empowering student leaders to run safe, inclusive and fun activities – albeit with a slightly more robust framework for them to operate within.

**RECOMMENDATION U:** There should be a strategic discussion with Trustee Board about the balance between autonomy and control within student groups and the impact of different models on risk and resources.

#### 6.6. Non-students – how does the Students' Union ensure the Code of Conduct is applied appropriately to non-students that engage with student groups?

The Students' Union currently adopts a policy where non-students can participate in student groups by becoming 'associate members'. It is understood that associate members are most likely to be University or SU staff or University alumni. There are a number of cases over the last 3-4 years that have raised questions and concerns about the impact of associate members on student group culture and the ability of the University and Students' Union to regulate their conduct and behaviour. Following a complaint, a recommendation was made, in April 2023, by the former Associate Director of People to "undertake a review of Associate Membership – within the 23/24 academic year". This recommendation was not actioned.

Whilst the appropriateness of the associate membership model is largely beyond the scope of this review, it has been brought into the spotlight because of the complexity of managing the conduct of non-students and the safeguarding risks presented by the scheme. The Students' Union may wish to fully consider the benefits and risks of the current approach as well as alignment with the charitable objectives of the organisation. It should also consider trends and best practice across the Students' Union sector.

**RECOMMENDATION V:** Conduct a separate review into the associate membership scheme including benefits and risks. This review should consider a range of options including ending the scheme.

Additionally, there are a number of other important non-student contacts and colleagues that hold positions of power / authority and work closely with student group leaders. Examples would include club and society coaches and instructors, some who are engaged directly by student groups and some who are employed by the University within the Sports, Exercise and Health (SEH) Department. Coaches and instructors are likely to be in a position where students may disclose sensitive information to them, and they are also likely to hold significant influence over the culture and behaviours within the student group.

**RECOMMENDATION W:** Ensure that all relevant training that is planned for Student Opportunities staff in the SU is offered to club and society coaches, instructors and other non-students that support student groups. This would include Code of Conduct, first disclosure and sexual violence awareness training (*see recommendation AA*).

#### 6.7. Governance – the effective oversight of the Code of Conduct framework

Trustees receive an annual report from the Executive and Governance Manager (Complaints Officer) which shares data and trends around the number and nature of complaints. It also reminds Trustees of the SU approach to handling complaints. It does not presently give:

- A narrative overview of the key issues and opportunities for development of the framework;
- An overview of any recommendations from investigations that relate to the ongoing development of the Code of Conduct and Students' Union's approach;
- Data and insight around case outcomes and resolutions.

The Trustee Board will also be responsible for reviewing and agreeing key policies or procedures including, for example, the Code of Conduct, Complaints Policy and Safeguarding Policy.

There is a strategic risk register that is reviewed in detail by the Finance and Risk Subcommittee and submitted to every Trustee Board meeting. This incorporates two risks (SR17 and SR18) that are related to student group activity / conduct, safeguarding and the associated legal and reputational risk.

It is clear, therefore, that the Trustee Board does have oversight of the Code of Conduct framework and associated high-level risk at a strategic level.

However, it is our opinion that there is an opportunity for the Board to have stronger understanding and oversight of risk at a case management level. For example, it would be relatively common in other students' unions for there to be a 'Supervising Trustee' that has oversight of high-risk cases. The Board may also benefit from clearer reporting about the type of cases and case outcomes.

**RECOMMENDATION X:** The Trustee Board should nominate a Trustee to act as Supervising Trustee. There should be a specific set of responsibilities assigned to this role including oversight of cases / decisions involving precautionary measures and disciplinary sanctions.

**RECOMMENDATION Y:** The annual complaints report should be further developed to include a narrative overview of key issues, data around case outcomes and a log of agreed recommendations / actions.

**RECOMMENDATION Z:** The strategic risk register to be updated to reflect the outcomes of this review and a clearer assessment of the nature of the risk of these areas.

## 6.8. Guidance and training for staff, volunteers and student group members

The provision and quality of training and development has been a key recurring theme throughout conversations with student leaders and other stakeholders.

Broadly, there appears to be a positive culture around Learning and Development within the Students' Union and staff receive training and development in a wide range of areas.

Several staff were trained recently on 'conducting effective investigations' with the intention of building levels of knowledge and competence across a pool of staff. This has been of benefit to colleagues that have been asked to undertake internal complaint investigations.

A number of staff that inputted into the review, however, would still report feeling under-equipped to respond to some of the issues, concerns and complaints that are raised by student group members / leaders. There are reportedly anecdotal increases in both the number and complexity of issues around relationships, behaviours and conflict within student groups. Further staff training is likely to be needed to fully build the expertise and confidence across the staff team that work on a day-to-day basis with students and student groups. Training should ensure that staff are familiar with the process and systems, but more importantly have the confidence and tools to adopt a human-centred approach as described in [Section 6.2](#).

There is an opportunity for the Students' Union to build knowledge across the full staff team by improving its training offer in topics like safeguarding, basic sexual violence awareness, making wellbeing referrals etc.

For staff that work directly with student group leaders and volunteers, and senior leaders / Sabbatical Officers, there should be a more detailed and advanced list of training requirements including, for example, first disclosure training, advanced sexual violence awareness, conflict-resolution and adopting a human-centred approach to processes.

**RECOMMENDATION AA:** Review and develop the staff induction and training programme to ensure it equips all staff with a basic understanding, and relevant staff with an in-depth understanding, of the skills and knowledge required to embed an effective and human-centred approach to conduct, complaints and conflict-resolution.

The Students’ Union designs and delivers a range of training to help equip student group leaders with the knowledge, skills and tools to lead their activities effectively. This includes:

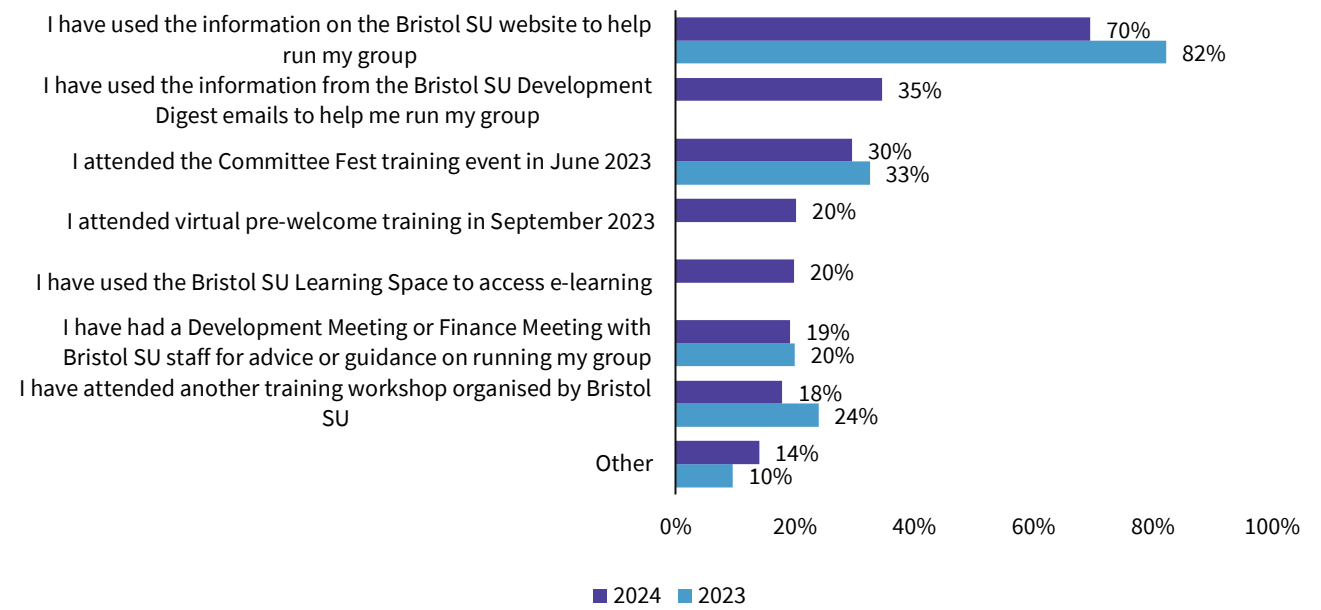
- Committee-Fest
- Pre-Welcome Training
- Bristol SU Learning Space (e-Learning)
- Committee-Quest (new in 2024)

Committee-Fest is a week-long programme of virtual workshops for student group leaders that runs annually in June. This year it incorporated a session on ‘dealing with disclosures’ and has grown in breadth and scale.

It is understood that, historically, most training for student group leaders has been offered on an optional basis (with the exception of finance training). Most student group leaders, spoken to as part of this review, consider there to be significant gaps in the training and development offer from the Students’ Union. They describe the quality as variable.

This is supported by data from the Rate My Union survey which shows that relatively few student group leaders engage with training:

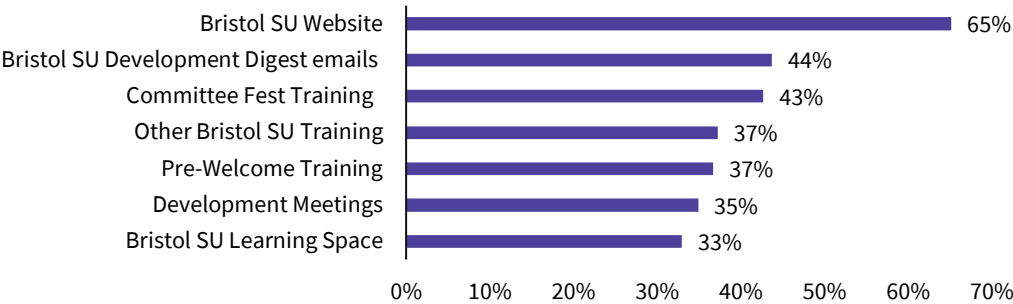
Training and support received



Source = Rate My Union survey report 2024

It also shows that satisfaction levels are low amongst those that did attend / engage in the training. The % of group leaders satisfied with training ranges from 33% to 43%.

Student Group Committee Satisfaction with Resources / Training:



It is important to note that student group leaders spoken to as part of this review will be referring to training undertaken in 2023, so their feedback and input will not take account of any improvements made to the programme in June 2024. This is also applicable to the Rate My Union survey data.

It is clear that attempts have been made to broaden and improve the training offer to student group leaders this year. It is not yet known what the impact will be of those changes. The programme now includes first disclosure training and guidance. However, there still appear to be gaps in the offer around ‘understanding the Code of Conduct and how to use it’, ‘leading an inclusive culture in your student group’, ‘sexual violence awareness’, ‘introduction to safeguarding’ and ‘managing and diffusing conflict’.

It is also clear that there is significant work required to establish the reach and quality of training to fully ensure that student group leaders are equipped with the knowledge, skills and tools to lead their groups in a way that is aligned with the SU’s values and expectations.

The organisation should consider (in line with [Recommendation U](#)) whether it has taken all reasonable steps to ensure it has mitigated the potential risks (conduct, health and safety and safeguarding) associated with student group activity. It is not clear that the current (partially optional) approach to training meets that test, and it is our view that this gap represents an area of potential risk for the Students’ Union.

**RECOMMENDATION AB:** Establish the requirement for key training to become fully mandatory for student group committees. This should not solely focus around the practical functioning of student groups (finance and processes) but also the creation and development of inclusive and safe environments. Tracking should be undertaken using the SU Learning Space and failure to meet the training requirements should impact on group registration and funding.

**RECOMMENDATION AC:** Review and extend the programme of student group leader training to ensure that it more effectively equips committee members with the knowledge and skills to embed inclusive practices and the Code of Conduct within their activities.

**RECOMMENDATION AD:** Systematically review all student group training content over the next 18-months to ensure it is of a consistently high standard and delivers on required learning outcomes. All training should be backed up with accessible guidance and should include clear examples that help embed learning and understanding. [See also recommendation AJ.](#)

**RECOMMENDATION AE:** Give consideration to the introduction of an extended training offer for student group members that are interested in progressing to be committee members in the future. This could help to build a pipeline for student group committees and, especially on topics around Code of Conduct and inclusive leadership, could also help to deepen knowledge and understanding within student groups.

6.9. Staff roles, responsibilities, capacity and accountability

Key roles, at present, in relation to the Code of Conduct are:

- The Executive and Governance Manager (Complaints Officer), who is responsible for operational oversight and processing of complaints;



- The Director of Student Opportunities and Community, who makes decisions around suspensions and oversees complaints related to student groups;
- Head of Student Opportunities (and team members), who will manage some cases, act as the first point of contact for students and undertake investigations.

It has been acknowledged, by several stakeholders in the review, that limited staff capacity and resource has been a significant barrier in both the application, and the development, of the Code of Conduct framework. This is within the context of one of the largest student opportunities offerings in any UK students' union.

Whilst individual complaints have largely been managed in a way which is aligned to the Students' Union policy and framework, there appears to have been limited leadership and oversight of the overarching Code of Conduct framework and to critically evaluate whether the Students' Union is genuinely meeting students' needs and expectations within conduct cases and complaints. There also appears to have been a lack of ability and/or capacity to identify and anticipate key areas of risk.

Historically, there appears to have been no central record of recommendations from different cases, little accountability for implementing agreed actions and no formal structures or channels to support cross-Department involvement in, or communication around, conduct cases.

It is likely that additional resource will be required within the Student Development team to ensure capacity to implement the recommendations from within this review, including:

- Making development review meetings and development plans a requirement rather than optional;
- Building greater insight and intelligence around the activities and culture of student groups;
- Being more proactive in supporting student groups handle low-risk complaints, tension and conflict;
- Embedding existing development processes (risk assessments and EDI plans).

There may also be an opportunity to develop a number of 'specialisms' across the Student Development team, potentially including conduct and culture, health and safety, EDI, finance, safeguarding, freedom of speech etc. As well as supporting their designated groups, Development Coordinators could also be given responsibility for supporting the coordination of these themes across all student groups.

**RECOMMENDATION AF:** Establish a centralised log of all recommendations made within complaints and Code of Conduct cases. The list should be owned by the Director of People, updated by the Complaints Officer, reviewed regularly by the SU Complaints and Case Review Group and reported annually to Trustees.

**RECOMMENDATION AG:** Allocate responsibility for oversight of the Code of Conduct and complaints to the newly appointed Director People. They will be accountable for ensuring that cases are being managed in a consistent, effective, risk-conscious and human-centred way.

**RECOMMENDATION AH:** Establish a Complaints and Case Review Group made up of appropriate colleagues within the Students' Union. This group will meet to review live cases, discuss progress and ensure that the SU is applying good practice, following committed actions and learning continuously from cases and complaints.

**RECOMMENDATION AI:** Review resource allocation and headcount in the Student Development team to ensure the ability to implement the recommendations from this review. **Alternatively**, the SU should consider reducing and capping the number of student groups to ensure enable an increased focus on quality.

**RECOMMENDATION AJ:** Establish a new Learning and Development function to ensure specialist knowledge and expertise within the organisation around training design, delivery, evaluations and systems. The initial focus of this team would be further developing the systems, content and delivery of training for student group leaders. Individual Coordinators and other team members would still develop and deliver certain content, but the L&D team would have responsibility for Quality Assurance and improving the systems and methodology around training. Consideration should be given to basing this function within the People Directorate to give it a cross-organisation presence.

#### 6.10. Wellbeing provision and referrals for all parties involved in Code of Conduct cases



The Wellbeing Service in the University offer a range of specialist support services for students including:

- Wellbeing guidance and advice;
- Counselling;
- Disability support services;
- Mental health advice;
- Residential life support;
- Sexual violence liaison services.

These support services are available for self-referral and also offer a provision where any colleague can make a referral on behalf of a student if they have concerns about their wellbeing and mental health. This is a proactive service and one that many stakeholders in this review described as being an asset to the University and very valuable (as well as under-utilised by colleagues in the Students' Union).

There is evidence that colleagues in the Students' Union have attempted to offer wellbeing support to participants in Code of Conduct cases and are often thoughtful and considerate about the wellbeing needs of students. However, it is also acknowledged that there could be more consistency and proactivity around referrals into the Wellbeing Service. There are a number of examples of cases where wellbeing proactive referrals would likely have been helpful to those involved in cases. This does not only apply to the complainant / victim and respondent but also others involved in certain cases.

**RECOMMENDATION AK:** Adopt a default approach that staff and student leaders automatically refer students to the Wellbeing Service if they have reason to be concerned about their wellbeing and mental health. This should apply, for example, where students have dealt with potentially traumatising incidents or issues. Staff and student leaders should be trained on this approach.

**RECOMMENDATION AL:** Review and enhance the wellbeing provision for Students' Union staff that support difficult, complex and/or traumatic cases. There is already an arrangement in place to provide clinical supervision support for student advisors which could potentially be extended where appropriate.

The provision exists for student group committees to include the role of Wellbeing Officer. This is an optional position for student groups that choose to adopt it. If the role is seen as important, there is a strong argument that it should be made a requirement for all student groups, whether stand-alone in larger groups or combined with other roles in smaller groups.

The role is described as being "poorly defined" by some stakeholders within the review. It is seen to work well within some student groups, but there are examples where the lack of role definition and training has caused concern, for example, the Wellbeing Officer overstepping boundaries and/or failing to make early referrals. Wellbeing Officers should not be expected to act as counsellors for their members but should be expected to promote a healthy culture, signpost and to encourage group members to support each other.

**RECOMMENDATION AM:** Make the role function of Wellbeing Officer mandatory within student groups and establish a standard role profile and training programme for postholders.

#### 6.11. The relationship and cooperation with the University Student Resolution Service (SRS) and other key University services

Colleagues in both the University and Students' Union described the relationship between the SU and institution in broadly professional and constructive terms. Those interviewed, as part of this review, described an overarching desire to collaborate and gave examples of partnership working.

In relation to the Code of Conduct specifically, the relationship between the SU and SRS is a critical one. Data and relevant information appears to be shared appropriately between the two parties. The Students' Union is invited to contribute to the University risk assessment process when a case may have an impact on, or be relevant to, the Students'

Union. There are some examples of occasions when this hasn't happened, in practice, but there appears to be a shared desire to work together with a clearer understanding of mutual responsibilities and boundaries.

There were also some frustrations shared by some stakeholders (student group leaders and Students' Union staff) about their perceptions of the length of time taken to investigate serious complaints. This appeared to be specifically focused around cases involving sexual assault, which are outsourced to an external partner (Intersol) for investigation. The Students' Union should use its channels of communication with the SRS to discuss this issue and identify whether perceptions are supported by evidence and whether there are opportunities for the case resolution time to be reduced.

Most colleagues, within the Students' Union and University, acknowledge that joint working and collaboration was overly reliant on individual relationships rather than defined structures. This applies to the relationship between the Students' Union and SRS, SEH and Student Wellbeing. This was also one of the findings in the Students' Union Complaints Internal Audit in October 2023. There is a clear desire on all parts to formalise structures to ensure:

- Partnership is future-proofed and not reliant on individual relationships;
- There are clear mutual expectations;
- Roles, responsibilities and boundaries are well-established and well-understood.

**RECOMMENDATION AN:** Develop and agree a standard operating procedure / service level agreement for key partnerships between the SU and SRS, SU and SEH, and SU and Wellbeing. This should codify and embed partnership working. The documents should also set out mutual expectations and boundaries.

**RECOMMENDATION AO:** Establish a joint case review group involving the Students' Union and SRS. The purpose would be to conduct joint reviews of cases where there is mutual interest i.e. student group leaders / members that are participants in live cases. It should help ensure continuous progress and that any precautionary measures are reviewed at appropriate intervals.

## 7. SUMMARY AND CONCLUSION

It has been publicly acknowledged by the Trustees and Senior Leaders within the Students' Union that its Code of Conduct framework and approach to handling serious complaints has fallen short of the standards it would expect, and that its members deserve.

The Students' Union commissioned this external review to fully analyse its current approach and to identify a new approach that is fit for the future and in line with good practice in the sector.

This is a complex and challenging area for a number of reasons:

- There is no sector-wide guidance / standard around good practice for students' unions;
- There is a need to ensure alignment and complementary provision with the University in an environment where there may sometimes be nuance around jurisdiction and duty of care;
- There are potentially high levels of risk from a student welfare, legal and reputational perspective;
- There may be tension, in some cases, between the desire to adopt a values-based, progressive approach and legal parameters / risk.

The external review has engaged over 60 key stakeholders and involved reviewing a substantial volume of written policies, complaints and documents. The evidence suggests that there are a wide range of opportunities to improve the Students' Union's approach to managing conduct issues and complaints. These include improvements in the policy framework itself as well as changes in relation to the application of the Code, communication, student group culture, training, wellbeing, roles and responsibilities, governance and partnership with the University.

The report makes 41 recommendations, which if implemented, we believe will ensure the Students' Union develops a Code of Conduct framework that is fit for the future, robust, effective, professional, accessible, compliant, trauma-informed and human-centred.

Some of these recommendations can be adopted quickly; others will require cultural change over a period of time. A suggested roadmap has been appended that gives an indication of suggested timelines for implementation. The implementation of the full set of recommendations will likely require a significant resource investment and allocation.

Once the roadmap is finalised and approved by Trustees, it is recommended that the Code of Conduct Oversight Group is retained to give governance oversight for implementation over the next 12-18 months.

We would like to thank the wide range of stakeholders that have given their time to contribute to this review in an honest, thoughtful and considered way. In particular, we would like to thank members of the Women's Hockey Club Committee for challenging the Students' Union to improve its Code of Conduct and for providing the leadership and determination to ensure this external review has been prioritised.