



# Code of Conduct and Disciplinary Procedures of the Oxford Hayek Society

a home for classical liberals and libertarians in Oxford

*This Version dated 11 August 2019*

The Code of Conduct and Disciplinary Procedures are Schedules of the  
Constitution of the Oxford Hayek Society.



## Schedule I Schedule of The Code of Conduct



- 1.1 The Society does not tolerate any form of harassment.
- 1.2 All members of the Society are expected to read and agree to act in accordance with this Code of Conduct and the University's *Policy and Procedure on Harassment*. Membership may be removed or suspended for failing to do so under the procedure expounded in [Schedule II](#).
- 1.3 All members of the Society are expected to:
- (a) treat other members with dignity and respect;
  - (b) discourage any form of harassment by making it clear that such behaviour is unacceptable;
  - (c) support other members who feel that they have been subject to harassment.
- 1.4 'Harassment' includes the following conduct, however carried out (including online):
- (a) verbal or physical bullying or threats;
  - (b) sexual harassment including unwanted physical conduct, sexually explicit remarks or sexual assault;
  - (c) racist behaviour or comments;
  - (d) homophobic behaviour or comments;
  - (e) victimisation;
  - (f) religiously motivated abuse.



## Schedule II Schedule for the Disciplinary Procedure



### Section I: Definitions

- 2.1.1 In this Schedule, the 'Complainant' is any member of the Society that feels that another member of the Society has committed any of the offences defined in [Schedule II Section II Clause 1](#).
- 2.1.2 In this Schedule, the 'Respondent' is anyone that has been felt to have committed any of the offences defined in [Schedule II Section II Clause 1](#).
- 2.1.3 If the Respondent(s) is one or more member(s) of the Committee, then references to the 'Committee' in this Schedule are to members of the Committee excluding the Respondent(s), and references to 'sitting members of the Committee' in this Schedule are to members of the Committee including the Respondent(s).
- 2.1.4 In this Schedule, the 'Complaint' is a formal, written claim from the Complainant, referred to the Committee, that the Respondent has committed any of the offences defined in [Schedule II Section II Clause 1](#).
- 2.1.5 Time limits in this Schedule may only be extended by the Committee where it is necessary to do so in order to ensure a fair outcome (for example, where more time is needed because of a party's illness, the timing of examinations or during the holidays).

## Section II: Referring a Complaint

- 2.1.1 A Complaint may be made for any of the following offences:
- (a) wilfully or recklessly bringing the Society into disrepute;
  - (b) failure to act in accordance with Schedule I or the *University Policy and Procedure on Harassment* at or in the immediate vicinity of any activities organised by the Society;
  - (c) failure to act in accordance with the Society's Constitution;
  - (d) electoral malpractice under Article VI Section V Clause 10 of the Society's Constitution;
  - (e) theft or deliberate damage to the property of the Society;
  - (f) making a Complaint under this Schedule that is frivolous or vexatious or malicious or unfounded;
  - (g) giving false evidence during the investigation of any Complaint;
  - (h) acting disruptively at any activity organised by the Society, including General Meetings;
  - (i) holding a role in the Society and circulating or discussing sensitive personal information, disciplinary proceedings or sensitive financial contracts to an unauthorised person.
- 2.1.2 Prior to referring a Complaint, where possible, the Complainant should take steps to resolve the matter informally, such as, but not limited to, discussing the matter with the Respondent or seeking advice from members of the Committee.
- 2.1.3 If the identity of the Respondent(s) is such that it is impossible for the Committee to consider the Complaint, the Complaint should be referred for consideration to the President.
- 2.1.4 Complaints must be dealt with confidentially by all parties involved, except where it is necessary to disclose information to carry out a fair investigation (e.g. the identity of the Complainant will usually be disclosed to the Respondent(s)).
- 2.1.5 A Complaint can be made to the Committee by being given to any member of the Committee. The Complaint should be in writing and should include:
- (a) the offence(s) that it is claimed the Respondent committed, with reference to [Schedule II Section II Clause 1](#);
  - (b) a detailed description of the event(s) complained of;
  - (c) statements by any people who witnessed the event(s) or were affected by them; and
  - (d) any other documents or evidence relied upon in support of the Complaint.
- 2.1.6 If the Complaint includes an anonymous statement from a witness or refers to an individual without disclosing their identity, it must include the reasons why anonymity is requested in each case.
- 2.1.7 The Committee may decline to consider malicious, vexatious or frivolous complaints.

## Section III: Investigation of a Complaint

- 2.3.1 If it is necessary to do so to protect the Complainant and/or the Respondent and/or other members of the Society from a risk of harm and/or distress, by majority vote, the Committee may suspend the Respondent's membership of the Society and/or access to Society's activities until the Complaint is closed.
- 2.3.2 If the Complaint concerns conduct that may contradict practices of the University or the law of England and Wales, the Committee is required to pass the relevant information on, subject to the consent of the Complainant, to the University, while maintaining the anonymity, as much as possible, of the individuals involved outside of this action.

- 2.3.3 Within seven days of receipt of the Complaint, the Committee must write to the Respondent attaching the Complaint, all of the accompanying evidence and a copy of this Schedule and stating that the Respondent has ten days to provide written representations and any evidence in response to the Complaint (hereafter referred to as the 'Response').
- 2.3.4 If the Response includes an anonymous statement from a witness or refers to an individual without disclosing their identity, it must include the reasons why anonymity is requested in each case.
- 2.3.5 Upon receipt of the Response, in their investigation of the Complaint, the Committee may make any further enquiries of any party that they consider necessary or desirable.
- 2.3.6 In their investigation of the Complaint, the Committee may consider any past Complaints against the Respondent that have resulted in a 'guilty' verdict.

#### **Section IV: Decisions**

- 2.4.1 Following an investigation of a Complaint, the Committee must deliver a verdict of 'guilty' or 'not guilty' on whether the Respondent has committed any of the offences claimed by the Complainant.
- 2.4.2 The Committee shall record its decision and the reasons for it in writing and shall send a copy of the reasoned decision to the Complainant, the Respondent and the Secretary within ten days of the deadline for the Response.
- 2.4.3 If the Committee's verdict is 'guilty' and the Respondent is a sitting member of the Committee, the Committee may decide that it is appropriate to remove the Respondent from office. If they do so, they must:
- (a) set out their recommendations and reasons in writing (hereafter referred to as the 'Recommendations') and shall send a copy of the Recommendations to the parties within five days of the deadline for the Response;
  - (b) invite the parties to submit comments on the Recommendations within five days;
  - (c) convene a General Meeting under Article IV Section II Clause 5 of the Society's Constitution to be held within fourteen days of the deadline for comments on the Recommendations;
  - (d) submit the Complaint, the Response, the Recommendations and any comments on the Recommendations for consideration by the General Meeting, which shall then hold a vote on whether or not it is appropriate to remove the Respondent from Office.
- 2.4.4 If the Committee's verdict is 'guilty', the Committee can impose the following sanctions on the Respondent:
- (a) A verbal or written warning;
  - (b) Suspension of access to the Society's activities for a fixed period;
  - (c) Suspension of membership of the Society for a fixed period;
  - (d) Removal of membership of the Society;
  - (e) A ban on the Respondent nominating themselves for the Committee in future elections for a fixed period;
  - (f) A fine of not more than £50 to be paid into the funds of the Society;
  - (g) Any combination of the above.
- 2.4.5 If the Committee's verdict is 'guilty' in the case of electoral malpractice, the Committee can annul any relevant election results and/or disqualify the Respondent from an election.