

Leeds University Union Hiking Club Equality Plan

2023/2024

Introduction

Equality means that everyone is regarded as equals, regardless of the individual's gender, nationality, ethnicity, language, religion, health, sexual orientation, or anything else related to the person. If a person has been treated differently or worse compared to someone else in a particular situation, this is viewed as discrimination. Leeds University Union Hiking Club (Henceforth LUUHC) always takes equality into account and strives to prevent discrimination in all its activities. LUUHC strives to identify and remove any structures and actions that increase inequality.

This Equality Plan is designed to be an easy-to-read document that documents and presents our principles of inclusion and defines what behaviour isn't acceptable at club events. It also provides information on how to report inappropriate behaviour.

This equality plan will be distributed on the website and any other social media platforms. LUUHC's equality plan is always in effect at every event and at LUUHC's premises, such as the gear store. The Principles of a Safer Space always apply at the gear store and at any booked venues.

LUUHC adheres to the Equality, Diversity and Inclusion Policy of Leeds University Union (LUU), which can be found here:

<https://www.luu.org.uk/wp-content/uploads/2020/05/Equality-diversity-and-inclusion-policy.pdf>

Equality at LUUHC

Members make up the basis for LUUHC's activities. Full Membership is available to all students at the University of Leeds, as well as members that have participatory status at Leeds University Union. All members have the right to vote and present their opinions at the Annual General Meeting. New members can join LUUHC at any point in the year.

Every member of LUUHC must follow the club's code of conduct and equality plan **at all times**. During some events, some members may be allowed to bring external participants, these external participants are the responsibility of the members who brought them, and those participants must also adhere to the LUUHC code of conduct and Equality Plan.

Respecting diversity in any form is essential for a respectful environment, making it possible for everyone to attend and enjoy events. The organisation accepts different opinions, but demeaning and

discriminatory attitudes and conversations are prohibited, and the organisation expects its members to respect each other, be friendly and behave appropriately.

LUUHC strives to ensure individuals are not discriminated against on any of the following grounds; age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, gender and sexual orientation. This list is not however exhaustive and LUUHC will take appropriate actions to address any claims of discrimination, even if they regard factors not listed above.

The club operates entirely using the English language, However, English is not the first language of many members, and as such, the club is constantly searching for solutions to create a more welcoming environment for multilingualism and support those who struggle with understanding English. Students should feel comfortable asking for repeated instructions or for further explanation or clarification in any context.

LUUHC Events

The principles set in this document will be followed at all events. It is crucial that new members feel welcome at LUUHC.

LUUHC's activities and events are kept as open as possible, so that regardless of their age or progress in studies, members can feel welcome at LUUHC events

Alongside pub socials and parties where alcohol is available, LUUHC hosts non-alcoholic events as well and has possibilities for other casual activities, like park hangouts and sports. There must always be non-alcoholic drink options available if the club was to provide refreshment.

No one should be forced to drink alcohol, and participants, who do not consume alcohol, must always feel welcome and have equal possibilities to attend events. Committee members who organise events are always required to take equality into account.

If a member attending a LUUHC event has passed out from consuming too much alcohol, the committee members **must** take appropriate care of the participant. If the person passes out on multiple occasions, their behaviour must be revised and additional punishments/guidance given, if applicable.

When preparing meals for trips, all dietary requirements and allergies must be considered.

A list of Unacceptable behaviours (as provided by LUU)

- Organising and carrying out any initiation
- Discriminating against an individual or group based on one or more of their protected characteristics
- Urinating, defecating or vomiting in public or anywhere other than a toilet
- Public nudity
- Property damage and/or misuse
- Any form of sexual harassment
- Bringing the reputation of the University of Leeds, LUU or your Club or Society into disrepute

LUUHC has a zero tolerance policy towards sexual harassment. Sexual harassment is defined as:

- Any form of unwanted verbal behaviour. This includes sexual comments, unwanted questions & derogatory sexual remarks. These can be both explicit and implicit; communicated through tone of voice, using generic obscenities or euphemisms.
- Any form of unwanted non-verbal behaviour; an example of this type of improper personal behaviour is wolf whistling.

Any form of physical conduct of a sexual nature which creates an intimidating, hostile, or offensive environment. Examples of this include groping, pinching & lifting up a skirt.

To make a report of any kind, please contact any committee member, email the welfare secretary or fill in our anonymous reporting form: (Link to be added)

Gender-related traditions and practices

At LUUHC gender-based discrimination is not tolerated in any form. No one is favoured or discriminated based on their gender, and sexual harassment is not accepted. Diversity of genders must be considered on a wider scale and integrity must be provided for everyone. Every person must be able to express their gender and sexuality without being questioned.

Event description must include information that events are always open for everyone. Names of events can be reconsidered, and if ever needed, LUUHC will revise any gendered terminology used and change the names to a more gender-neutral version.

At some events, e.g. the Annual Christmas party, it may be required to follow a certain dress code (E.G. Formal). However, no one should be restricted from events if the code is not followed. Events can be attended in clothes that suit the participant best, without the fear of discrimination. A member that identifies as a certain gender can attend any event wearing clothing that in the past would have traditionally worn by a different gender.

Whilst driving, for the safety and accountability of both drivers and passengers, seat belts must be worn and no driver or passengers are to consume alcohol. Members are encouraged to speak up if the driver of a vehicle is driving irresponsibly. If members are uncomfortable to drive or be driven at any time, they should feel comfortable that action will be taken to ensure their safety. Driving irresponsibly will be taken extremely seriously by the club and can be grounds for punishment.

This equality plan has been accepted in a committee meeting _____

Leeds University Union Bye-law 8: Complaints, discipline and appeals

The following pages document the process of dealing with any harassment issues or reports of inappropriate behaviour. Whenever required LUUHC will follow the process below, as well as contacting appropriate 3rd party assistance such as mental health support from LUU councillors. LUUHC will also contact the police if a member is seen to be in significant threat.

We appreciate that this is a lengthy document, but providing the whole process means that you should feel comfortable that any and all reports will be dealt with formally and properly.

To make a report of any kind, please contact any committee member, email the welfare secretary or fill in our anonymous reporting form: (Link to be added)

Complaints Process

1. Any current LUU member, or group of current members, dissatisfied with their dealings with LUU has the right to make a complaint. Where a group raises a complaint, an individual will be required to be the named lead for the complaint.
2. University of Leeds students also have the right to make a complaint if they are dissatisfied with LUU, or claim to have been unfairly disadvantaged as a result of not opting into LUU membership.
3. All rules within this Bye-Law are supported by the Complaint Procedure guidance document, setting out matters that can or cannot be investigated under this procedure and the process for investigation, and advice on how other matters can be progressed.

Scope

This procedure covers complaints raised by members of LUU as defined under the Articles of Association, and students at the University of Leeds. Complaints raised by non-members may still be pursued, but the action that LUU can take in respect of complaints from non-members may be limited.

Associate members of clubs and societies are considered members of LUU for the purposes of this procedure.

Any incident raised through this procedure which is outside of the legitimate jurisdiction of LUU will be referred to an appropriate external body for investigation. This may include the University of Leeds or the Police.

Complaints which relate to the conduct of members of LUU staff will be referred to the LUU People Team and managed through employee disciplinary processes.

Complaints relating to elections and democratic campaigning at LUU will be managed using the procedure in the Elections Bye-Law.

Complaints relating to Trustees will be managed using the procedure in the Trustee Code of Conduct.

Definitions

There are four stages of the complaint process, but some matters (at the discretion of the Complaints Officer) will be immediately escalated to the second, formal stage. Where an incident is escalated, the complainant will be informed.

Incidents reported to LUU will be considered confidential. This means that LUU staff, the University of Leeds, and wider support services may be informed only where necessary, and the complainant will be made aware if their complaint is passed on to another party. In some cases, the context of the complaint will mean the complainant is identifiable even if the complaint remains anonymous. Any concerns about anonymity should be raised as early as possible within the process.

Stage 1 - Initial complaint

We hope that most complaints will be resolved through a relatively informal discussion about the matter at the earliest opportunity.

If the complaint is about an area or service of LUU, the matter should be brought to the attention of the Manager of the service, or Officer Trustee responsible for the area in question. This may be orally or in writing, including by electronic format using the LUU website.

If the complaint is about a student activity group, it should be referred to the officers of that group for resolution. Groups can access support in managing complaints from the Student Activities Team.

The recipients of these initial complaints are responsible for responding to them promptly and fairly. This will normally be within seven working days of receiving the complaint. Complainants will be told if the process will take longer, and given an indication of when to expect a response.

If the complaint is not resolved satisfactorily through informal discussion, the complainant can raise the matter as a formal written complaint. This process can be used for complaints may be made about a service, an individual, or a group within the Union.

As noted in clause 10, complaints that are more complex or raise broader issues will – at the discretion of the Complaints Officer - be referred straight to the formal process and will bypass the initial stage.

Stage 2 - Formal written complaint

A formal complaint must be made in writing (letter, email, or complaint form) and directed to the Chief Executive, unless the complaint relates to the Chief Executive, in which case it must be made in writing to the Union Affairs & Communications Officer.

Complaints will be considered eligible for consideration under this procedure if the complainant:

- is eligible to use this procedure as defined in paragraphs 1 and 2
- provides details of their name, address and telephone number
- provides details of the event or occurrence giving rise to the complaint
- raises the complaint within 10 working days of the event or occurrence giving grounds for complaint, unless there are exceptional circumstances
- raises matters that fall within the scope of this process, as set out in paragraphs 3-8.

Eligible complaints will be acknowledged by the Complaints Officer, who will confirm the timeline for investigation and the details of the manager nominated by the Chief Executive to investigate the complaint (the Investigating Manager).

Stage 3 - Investigation

Eligible complaints will, where practicable, be investigated within 15 working days of receipt.

During the investigation stage the complainant and others involved may be asked to provide verbal or written evidence or clarification but no formal hearings will take place.

Stage 4 - Investigation Outcome

The Investigating Manager will determine:

- all findings of fact and
- any mitigating circumstances and
- appropriate further action if any.

Where complaints are not upheld the complainant will be advised within five working days after completion of the investigation and informed of the right to raise the matter with the Independent Complaints Officer of the University of Leeds in accordance with the Education Act 1994 and as outlined in the in the Students Union: Codes and Procedures.

Where complaints are upheld, confirmation of this and any appropriate action to be taken will be confirmed in writing to the complainant.

Any disciplinary action to be taken will be done so according to the relevant LUU procedures which may include:

Bye-Law disciplinary procedure

staff disciplinary procedures

Any procedures set out in a relevant club & society constitution

Vexatious Complaints

LUU will not usually consider the same complaint multiple times, especially where a complaint is not upheld.

Any member or group of members raising the same complaint repeatedly will be considered vexatious, including where the same complaint is raised through multiple channels or to different areas of LUU operations.

Where a complainant becomes vexatious, LUU may take action under the terms of the disciplinary procedure.

Disciplinary Procedure

1. This procedure outlines how LUU may take disciplinary action against individual members and/or Activity Groups.
2. LUU may take disciplinary action against non-members, including imposing bans on entrance to LUU premises and preventing individuals from attending LUU events.
3. LUU has the right to exclude a member or Activity Group from LUU premises, services, or activities, when there is a genuine fear for the safety or wellbeing of staff and/or other members or customers or where there has been an allegation of harassment.
4. If a member is excluded on this basis, the Chief Executive or their nominee must be informed of the incident in writing at the next available opportunity and a decision will be made whether to continue this exclusion whilst the matter is investigated. The Chief Executive can recommend extension of the exclusion to other services and facilities within LUU.

Scope

Action may be taken under this procedure as a result of upheld complaints, or as a result of any other investigation undertaken by LUU resulting in a recommendation of disciplinary action.

Areas which are not covered by this procedure include;

Alleged misconduct by LUU trustees will be dealt with under Articles 37, 38 and 39 of the Articles of Association

Alleged misconduct in relation to elections or referendum will be dealt with under the Elections Bye-Law

Alleged misconduct that is subject to investigation by the Police may not be considered until that process has come to a conclusion

Alleged misconduct by LUU staff will be dealt with under the staff disciplinary procedures

Types of incident falling within this procedure:

Threats of, or actual, physical or verbal abuse or harassment of staff, students, elected officials or members of the public on LUU premises

Damage to LUU property or property of others whilst under LUU control or on its premises

Contravening LUU policy or procedures, or agreed protocols or procedures of the University of Leeds where these relate directly to LUU
Any incident covered under the LUU safeguarding policy
Any other conduct that may be considered detrimental to the interests, operation or reputation of LUU

Where an incident occurs which relates to an LUU-affiliated Student Activity Group, the group will first make use of the disciplinary procedure within their Club or Society Constitution. Any subsequent action taken by LUU under this bye-law will be considered a new process and the full terms of this bye-law will apply.

Stage 1 - Investigation

When a recommendation of disciplinary action has been made as part of an investigation into a Formal Complaint, this will be considered to be a full investigation.

When a recommendation of disciplinary action has been made as part of an investigation into a safeguarding incident, this will be considered to be a full investigation.

Alleged misconduct involving individual members

The Chief Executive will nominate an Investigating Manager, who will initiate an investigation into the matter within ten working days of being notified of an incident. The member concerned will be given an opportunity to put their case to the Investigating Manager.

The Investigating Manager will make a recommendation on the matter to the Union Affairs & Communications Officer as follows:

- To dismiss the case

- To impose a penalty as outlined in clauses 16 to 19 of this Bye-Law

- To report the matter to the University to be dealt with under the University disciplinary procedures

The Union Affairs & Communications Officer will consider the recommendation and come to a decision. The member concerned will be informed of the decision in writing, and this written notification will include details of the opportunity to appeal the disciplinary decision.

Alleged misconduct involving activity groups

The Investigating Manager will initiate an investigation into the matter within ten working days of being notified of an incident and will prepare a case to be heard by the Activities Executive. The Activity Group's committee will be interviewed as part of this process. The Activity Group will be given the opportunity to put their views in writing for the Activities Executive.

The Investigating Manager, or their nominee, will make a recommendation to the Activities Executive as follows:

- To dismiss the case

- To impose a penalty as outlined in clause 19 of this Bye-Law

- To refer individual group members to be considered under clause 16 of this Bye-Law

- To hand the case back to the society committee to take action under their group constitution

- To report the matter to the University to be dealt with under the University disciplinary procedures

The Activities Executive will consider the recommendation at their next scheduled meeting and come to a decision. The Group will be given written notification of this decision by the Chair of the Activities Executive following the meeting. The written notification will include details of the opportunity to appeal.

Stage 2 - Penalties

Individual members

Disciplinary penalties may include (but are not limited to):

- An apology
- Exclusion from use of a service or activity
- Ban from use of a service or activity for a defined period, or for the duration of membership
- A fine to cover additional costs incurred to LUU for example from damage to property
- Expulsion from membership of LUU under Article 13.4 of the Articles of Association.
- Other penalties that are deemed relevant and appropriate to the offence

Disciplinary decisions may also be reported to the University of Leeds, or other partner institution in the case of Associate Members.

When Bye-Law 16.16(v) is being invoked the incident will always be reported to the University of Leeds, or other partner institution in the case of Associate Members, for consideration under the Student Disciplinary Procedure which can ultimately result in exclusion from the University.

Activity Groups

Disciplinary penalties may include (but are not limited to):

- An apology
- Exclusion from (and cancellation of) use of rooms, venues, LUU digital platforms, transport and/or
- Freezing of activity group accounts and/or
- Fines and/or
- In respect of sports groups, match bans and/or
- Other penalties that are deemed relevant and appropriate to the offence

Appeal Procedure

Individual members or Activity Groups who are dissatisfied with action taken under the Disciplinary Procedure have the right to appeal.

Non-members of LUU do not have any right of appeal against decisions taken by LUU.

Student Activity Group members who have been issued with a disciplinary penalty by their Student Activity Group do not have a right of appeal under this Bye-Law. They should appeal the decision using the process detailed in the Club or Society constitution, making their appeal to the Activities Executive.

Appeal Panel

The Appeal Panel is composed of three members. The Wellbeing Officer is the Chair of the panel, and is joined by another Officer Trustee, and a Student Trustee.

If the Wellbeing Officer has a conflict of interest and cannot perform their duty as Chair of this panel, the role of Chair will be delegated to another Officer Trustee.

Stage 1 - Confirmation of Appeal

All requests to appeal a disciplinary decision issued by LUU should be made in writing, and directed to the Chair of the Appeal Panel.

Requests to appeal should be received within five working days of receipt of the disciplinary decision.

An appeal is designed to remedy any defects in the disciplinary process rather than repeat the investigation of the misconduct. Therefore the only grounds that will be considered are:

- unfairness of judgement
- the severity of the penalty having regard to extenuating circumstances
- new evidence coming to light that was not available at the time of the original hearing/investigation
- material procedural irregularities
- bias of panel members
- unfairness of the interview

The Complaints Officer will confirm receipt of a request to appeal, and will detail the expected appeal timeline, including requests for submission of evidence for consideration. The Complaints Officer will also confirm the composition of the Appeal Panel.

At least 10 working days prior to the date of the hearing, the Appellant will confirm:
whether or not they intend to attend the hearing and, if so, the name of any person who will be accompanying or representing them
if they intend to submit any such fresh evidence that they wish to rely upon. This evidence should be submitted at least five working days prior to the date of the hearing.

At least five working days prior to the date of the hearing, the Union will provide the Appellant with the appeal pack. This will include any evidence submitted by the appellant, and any further evidence which LUU wishes to rely upon.

Neither party will rely on any statement or document other than those provided or identified as part of the appeal pack, unless there is specific consent from the other party, or permission from the Appeals Panel.

Stage 2 - Appeal Hearing

The Appeal Hearing should take place at a mutually agreed time, giving sufficient opportunity for necessary evidence to be gathered and distributed to all parties.

Both the appellant and an LUU Representative must be present for the meeting to proceed.

In the absence of either party the meeting shall adjourn and the Chair shall investigate the reasons for absence. The meeting may proceed at the discretion of the Appeal Panel and any of the parties may have the right to appoint another member as their representative.

The appellant, or their representative, will present the case. Legally qualified representatives will not normally be permitted.

All parties have the right to question each other under the direction of the Chair.

The Appeal Panel will consider their decision in camera.

The Appeal Panel must reach its decision by simple majority.

The appellant will be notified of the decision in writing.

Stage 3 - Outcome

The Appeal Panel will consider the evidence and statements provided during the appeal hearing when reaching their decision. The Appeal Panel has the power to:

uphold the original disciplinary decision

overturn the original disciplinary decision

uphold the original decision in part, but recommend changes or caveats

The appellant will be notified in writing of the outcome of their appeal, including any amendments to the original decision.