

## **Bye-law 7: Licensed Premises Code of Conduct**

This code of conduct including its disciplinary actions is applicable to all Members of the Union, including Associate Members when using the Union's licensed premises. In addition to this, it will apply equally to members of the public when on licensed premises. In the case of staff members, internal disciplinary procedures may also be applied following consultation with the Human Resources Manager and relevant line manager.

### **1 Entry/Registration Checks**

The Union will be proactive in checking of all customers at the point of entry in line with the entry policy and procedures as well as current legislation and regulations.

- 1.1 Union venues have a finite capacity. Entry checks shall be taken to ensure that management are complying with these figures.
- 1.2 The current capacities of the Union's venues will be as follows:
  - i) Forum Auditorium - 1750 persons
  - ii) Forum Attic - 320 persons
  - iii) Forum Style Bar - 260 persons
  - iv) EleHouse - 275 persons
  - v) Forum Refectory - 440 persons
- 1.3 Entry will only be granted subject to the production of photographic ID as proof of age.
- 1.4 University of Hertfordshire membership cards are classed as acceptable ID.
- 1.5 Entry to the Union's venues may be refused to any Member or member of the public without notice.

### **2 People under the Influence of Alcohol**

The Union is a responsible retailer, therefore persons deemed intoxicated will be refused entry to its venues. The Union will encourage all guests to drink responsibly whilst on its premises.

- 2.1 Any person found to be drunk within the Union's licensed premises will be asked to leave immediately. Failure to comply will result in them being removed by using reasonable force and where necessary the police will be called to assist.
- 2.2 A log of all incidents of this nature will be maintained.
- 2.3 General drunkenness shall not be treated as misconduct, unless behaviour is disorderly.
- 2.4 Any member of staff on duty is permitted to ask the security staff to remove someone they deem intoxicated from the premises.

- 2.5 Any person who has vomited will be refused access to or removed from the premises.

### **3 Smoking**

Since 2007, Smoking within a substantially enclosed work place or public space is prohibited in the United Kingdom as set out in the Health Act 2006. Therefore smoking is totally prohibited within the confines of any of the Union's buildings.

- 3.1 The Union observes the University's Policy in reference to smoking whilst on campus. The Union venues are exempt from this from 20:00 until 06:00 during trading hours.
- 3.2 Any person found smoking within the venues will be asked to extinguish the item and will be asked to leave the premises.
- 3.3 The use of e-cigarettes is not permitted within any of the Union's buildings.
- 3.4 A log of all incidents of this nature will be maintained.

### **4 Drugs**

The Union operates a zero tolerance policy to banned and restricted substances. The security team will perform random searches of members and customers upon entry. Refusal to be searched will result in refused entry to the venues.

- 4.1 Any person found in the possession of banned or restricted substances will be dealt with by:
- i) Personal quantities will be seized and placed in a drug safety bag and stored securely within an SU safe. The police shall be informed and arrangements will be made for them to collect.
  - ii) Non-personal quantities will result in the customer(s) being detained. University Security and the police will be informed of the situation.
- 4.2 Action taken by the Union will be in addition to any action taken by the University or the Police.
- 4.3 A log of all incidents of this nature will be maintained.

### **5 Weapons**

The Union operates a zero tolerance policy on any form of potential weapon. The security team will perform random searches of members and customers upon entry. Refusal to be searched will result in refused entry to the venues.

- 5.1 Any person found in possession of a potential weapon shall have the article removed and will be detained. The University security and police will be informed.
- 5.2 Action taken by the Union will be in addition to any action taken by the University or the police.
- 5.3 A log of all incidents of this nature will be maintained.

## 6 Violence, Harassment, Discrimination, Abuse or Vandalism

The Union operates a zero tolerance policy on any form of Violence, Harassment, Discrimination, Abuse or Vandalism towards staff, members or the public.

- 6.1 Any person who is deemed to be acting in a way described above will be asked to leave the premises. Failure to comply will result in reasonable force being used.
- 6.2 A log of all incidents of this nature will be maintained.

## 7 Exclusion periods and other disciplinary actions

In addition to the action described in other areas of this bye-law, the following sanctions will be applied automatically.

Misconduct	Member Disciplinary Action	Non-Member Disciplinary Action
Drunk/disorderly	Warning	Warning
Vomiting	Warning	Warning
Smoking	Warning	Warning
Repeated breach of smoking policy	1 month exclusion	1 month exclusion
Verbal abuse to staff	1 month exclusion & apology	3 month exclusion & apology
Minor vandalism	Payment for damage and excluded until paid	Payment for damage and excluded until paid
Theft (unauthorised Entry to premises)	3 > 6 month exclusion	6 month exclusion
Theft (obtaining drinks/self service)	3 > 6 month exclusion	6 month exclusion
Fighting	3 Month > lifetime exclusion	6 Month > lifetime exclusion
Major vandalism	6 month exclusion and payment of damage	6 > 12 month exclusion and payment of damage
Harassment/discrimination	3 > 6 month exclusion & apology	6 month exclusion & apology
Threatening behaviour	3 > 6 month exclusion	3 > 6 month exclusion
Drug possession – personal use	Class C – 1 month ban Class B – 1 > 6 month ban Class A – lifetime ban	Class C – 3 month ban Class B – 6 month ban Class A – lifetime ban
Drug possession – non-personal use	Lifetime ban	Lifetime ban
Assault	12 month > lifetime ban	12 month > lifetime ban
Violent assault	Lifetime ban	Lifetime ban
Possession of illegal and offensive weapons	Lifetime ban	Lifetime ban

- 7.1 Where an instance is directed towards a member of the Union's staff or contractor the disciplinary action will be automatically doubled.

- 7.2 For the avoidance of doubt, the term 'assault' will be defined as 'an unprovoked attack by party(s) resulting in the physical harm of the victim'
- 7.3 Exclusions cover all trading hours.
- 7.4 The use of the Union's other services will be made on a case by case basis.
- 7.5 Repeat offences or breaches of exclusions will result in the sanctions being doubled.

## **8 Incident reports and other documentation**

The Union will maintain a central record of all incidents that occur within its venues.

- 8.1 Incident reports should include witness statements and details as well as the details of everyone involved, where possible.
- 8.2 Where appropriate and at the discretion of the Union's Senior Management Team, incident reports will be shared with the University and/or Hertfordshire Constabulary.
- 8.3 Incident reports are confidential documents and will be stored securely.

## **9 Disciplinary Committee**

Any person subject to disciplinary action and/or and exclusion, has the right of appeal.

- 9.1 All disciplinary action is reviewed by the Disciplinary Committee comprising of the Vice President Democracy and Services and Licensed Trade Manager (or equivalent).
- 9.2 The Disciplinary Committee has the right to amend/remove or increase a disciplinary action that has been applied.

## **10 Disciplinary Appeals**

- 10.1 A request for an appeal should be made in writing to the President within 7 days of the notification of the disciplinary action.
- 10.2 An Appeals Panel will be formed consisting of the following:
  - i) President (or nominee)
  - ii) A Full Time Elected Officer
  - iii) Chief Executive (or nominee)
- 10.3 The Disciplinary Appeals panel will normally hear an appeal within 7 days of request.
- 10.4 The Disciplinary Appeals Panel will review the incident and make one of the following decisions:
  - i) Uphold the action
  - ii) Remove/Reduce the action

iii) Increase the action

9.6 The decision of the Disciplinary appeals panel will be final.

## **10 Third Party Involvement**

At no time should any third party become involved during in or immediately after an incident. This includes a member of staff of the Union or University, Member of the Executive Committee, Members or members of the public.

10.1 If anyone wishes to report or make suggestions regarding a disciplinary procedure, this should be made in writing to the President who review this with the Chief Executive

## **11 University Support**

The Union will always seek the support of the University in the application of this bye-law. This can include referring an incident to their disciplinary procedures.