

# ***Executive Discipline Procedure***

Category: Executive

Version 3

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## **1. Purpose**

- 1.1. This policy outlines a procedure to appropriately address breaches of the Executive Code of Conduct, Accountability Policy or any other disciplinary issues of the OUSA Executive that is deemed contradictory to OUSA Policy.

## **2. Procedure**

- 2.1. Where any alleged misconduct or serious misconduct by an Executive Member has occurred or is believed to have occurred, the President shall immediately be informed.
  - 2.1.1. In cases of alleged misconduct or serious misconduct by the President, the Administrative Vice-President and Finance and Strategy Officer shall be informed and act as the President within this procedure.
- 2.2. If appropriate, the President shall seek guidance and/or support from relevant parties, including requesting legal advice and support from the advisory board.
- 2.3. Where appropriate, the President shall investigate the alleged misconduct, to collect all relevant information and evidence.
- 2.4. In the case of serious misconduct, relevant and legitimate external parties shall be notified and requested to investigate by the President.
- 2.5. If the Executive Officer is to be interviewed by the President about the alleged misconduct, they shall:
  - 2.5.1. Be advised via email and a phone call of the time, location and day of the meeting;
  - 2.5.2. Be made aware of their right to have a support person present and encouraged to seek legal counsel depending on the nature of the complaint.
- 2.6. If the President wishes, they shall also be permitted to have a support person present however, the Executive Officer must be notified of this prior to the interview.
  - 2.6.1. The nature of the support person shall be disclosed at the beginning of the meeting.
- 2.7. The interview shall be:
  - 2.7.1. Conducted in good faith and be impartial; and;
  - 2.7.2. To ascertain the facts of the misconduct.
- 2.8. The details of misconduct may be summarised by the President with any recommendations, in Strict or Confidential Committee at the next available Executive Meeting:
  - 2.8.1. The recommendation shall include any potential disciplinary actions, under the circumstances;
  - 2.8.2. The Executive shall subsequently consider the recommendation.
  - 2.8.3. In cases where no action is recommended to be taken, the Executive will be notified that the President and Executive Member met to discuss the alleged breach.
- 2.9. Disciplinary actions shall be passed at an Executive meeting and may include the following:
  - 2.9.1. No action;
  - 2.9.2. A written warning;
  - 2.9.3. A motion to request resignation following the procedure as outlined in section (4); or;

2.9.4. A motion of no confidence following the procedure as outlined in the OUSA Constitution. This policy is compliant with the OUSA Constitution.

### **3. Motion to Request Resignation**

- 3.1. The Motion to Request Resignation shall be by Special Resolution of the Executive.
- 3.2. A Motion to Request Resignation can be put forward by an Executive member at any meeting of the Executive.
- 3.3. The Motion to Request Resignation shall normally be discussed by the Executive in Confidential Committee.
- 3.4. The Officer in question shall always have the right of reply.
- 3.5. The Officer in question must also have the right to speak last, before the motion is voted upon.
- 3.6. The discussion shall not include:
  - 3.6.1. OUSA staffing issues,
  - 3.6.2. Personal issues unless expressly permitted by the Executive member in question; and;
  - 3.6.3. Issues or work unrelated to OUSA or done outside of the reporting period.
- 3.7. In moving this motion, only the Executive Officers' conduct or work quality and quantity shall be considered.
- 3.8. Upon a successful motion, the Executive Officer shall be given two weeks' notice in writing from the President to resign.
- 3.9. In cases of a successful motion against the President, they will be given two weeks' notice in writing from the Administrative Vice-President and Finance and Strategy Officer.
- 3.10. The notice of writing will outline:
  - 3.10.1. The date of when the two-week period will cease; and;
  - 3.10.2. Any other conditions or requirements at the discretion of the President.
- 3.11. In the case where the Executive Officer does not resign, the Executive may decide to call a Student General Meeting for a motion of no confidence in accordance with the Constitution.
- 3.12. Upon the result of a motion, the Executive may decide whether the Executive officer:
  - 3.12.1. Continues operating as an Executive Officer; or;
  - 3.12.2. The Executive Officer continues in a Supervision period in accordance with the Accountability Policy
- 3.13. The only way for an Executive term of office to cease is via:
  - 3.13.1. Expiry of the term;
  - 3.13.2. Resignation; or;
  - 3.13.3. Successful motion of no confidence at a Student General meeting, following the procedure as outlined in the Constitution.