

**CANBERRA LAW STUDENTS' SOCIETY  
DISCIPLINE POLICY**

Effective as at 17 July 2020

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## **PART 1 – Preliminary**

### **1 Purpose**

1.1. The purpose of the Canberra Law Students' Society Discipline Policy (**the Discipline Policy**) is to provide a mechanism for the resolution of breaches of the Canberra Law Students' Society (**the CLSS**) Constitution, UCX Club Rules, CLSS by-laws or policies, and misbehaviour of CLSS Committee Members.

### **2 Scope**

2.1. This Policy applies to all elected and appointed Committee Members of the Canberra Law Students' Society.

### **3 Policy Statement**

3.1. Through this Policy the Canberra Law Students' Society provides a mechanism for Executive Committee Members to issue strikes, suspensions and dismissals in relation to actions or omissions of the Canberra Law Students' Society's elected and appointed Committee Members.

3.2. This Policy emphasises a collaborative approach to strikes, suspensions and dismissals, and are designed to lead to a timely and efficient resolution of such matters.

### **4 Definitions**

4.1. Wherever a word or phrase has been used in this Policy and is defined in the Constitution, the word or phrase shall adopt the meaning of that definition in the Constitution, even if a contrary intention is expressed in this Policy.

4.2. The following terms shall have the meaning set out below wherever they are used in this Policy:

**Committee Member X** means the Committee Member whose actions are in question

**Supervisor** means a higher-up Committee Member to which Committee Member X is accountable to. This includes but is not limited to

- (a) Portfolio Director
- (b) Portfolio Manager
- (c) Senior Executive Manager

**Collaborator** means the Committee Member with whom Committee Member X is collaborating with on a CLSS

- (a) Project
- (b) Task
- (c) Matter



## PART 2 - Strikes

### 5 General Strikes

#### 5.1. Failure to complete a task (S1)

5.1.1. When Committee Member X does not complete a task

#### 5.2. Completing tasks after the due date or after the due time (when time is of the essence) (S2)

5.2.1. When Committee Member X does complete a task, but it is after the required date or time (when time is of the essence)

#### 5.3. Failure to Communicate (S3)

5.3.1. When Committee Member X does not

5.3.1.1. Respond to their Supervisor within 24 hours

5.3.1.2. Respond to their Collaborator within 24 hours

#### 5.4. Improper delegation of workload (S4)

5.4.1. Where Committee Member X has the responsibility of delegating work to other Committee Members and does so in an improper way, including but not limited to

5.4.1.1. Burning out Committee Members

5.4.1.2. Setting unreasonable timelines

5.4.1.3. Setting unreasonable tasks

#### 5.5. Ignoring the Supervisor's instructions (S5)

5.5.1. When Committee Member X ignores the instructions of a Supervisor

**Table 1: CLSS General Strike List**

Strike Number	Strike Name	Strike Description
S1	Failure to complete a task	When Committee Member X does not complete a task
S2	Completing tasks after the due date or after the due time (when time is of the essence)	When Committee Member X does complete a task, but it is after the required date or time (when time is of the essence)
S3	Failure to communicate	When Committee Member X does not a) respond to their Supervisor within 24 hours b) respond to their Collaborator within 24 hours
S4	Improper delegation of workload	Where Committee Member X has the responsibility of delegating work to other Committee Members and does so in an improper way, including but not limited to a) burning out Committee Members b) setting unreasonable timelines c) setting unreasonable tasks
S5	Ignoring the Supervisor's instructions	When Committee Member X ignores the instructions of a Supervisor



## 6 Internal Policies Strikes

### Note:

- (a) Internal Policies have various guidelines which must be adhered to. Because the CLSS has various Internal Policies coupled with their own unique guidelines, those guidelines cannot be treated as one and the same.
- (b) Therefore, certain guidelines require either an action/inaction to occur **once** for Committee Member X to incur a **strike**.
- (c) Whereas, other guidelines require either an action/inaction to occur **three times** for Committee Member X to incur a **strike**.

### 6.1. Failure to adhere to ‘Committee Engagement Policy’ (S6)

6.1.1. Committee Member X does not ‘like’ all content shared on social media (s 5.1)

6.1.1.1. Strike is incurred when done **three times**

6.1.2. Committee Member X does not invite a minimum of ten (10) people to all CLSS hosted or co-hosted events on the relevant Facebook event page (s 5.2)

6.1.2.1. Strike is incurred when done **three times**

6.1.3. Committee Member X does not attend all events they are in charge of (s 6.1)

6.1.3.1. Strike is incurred when done **once**

6.1.4. Committee Member X does not attend at least five (5) events that are developed by other portfolios (s 6.2)

6.1.4.1. Strike is incurred when it is found that Committee Member X did not attend the required number of events

6.1.5. Committee Member X does not attend sponsored event (s 6.3)

6.1.5.1. Strike is incurred when done **once**

6.1.6. Committee Member does not attend whole-of-Committee events (s 6.4)

6.1.6.1. Strike is incurred when done **once**

### 6.2. Failure to adhere to ‘Events Policy’ (S7)

6.2.1. Committee Member X creates an event without filling out an ‘Event Request Form’ (s 5.1)

6.2.1.1. Strike is incurred when done **once**

6.2.2. Committee Member X creates an event without Senior Executive approval (s 5.2)

6.2.2.1. Strike is incurred when done **once**

6.2.3. Committee Member X incurs financial liability on an event which funding was denied by the Treasurer (s 5.4)

6.2.3.1. Strike is incurred when done **once**



### 6.3. Failure to adhere to ‘Internal Administration Policy’ (S8)

6.3.1. Committee Member X does not submit an agenda (s 5.1)

6.3.1.1.Strike is incurred when done **three times**

6.3.2.Committee Member X submits an agenda within 48 hours of the meeting (s 5.1)

6.3.2.1.Strike is incurred when done **three times**

6.3.3. Committee Member X finalises meeting minutes without signatures of two Executive Committee Members (s 6.1)

6.3.3.1.Strike is incurred when done **once**

6.3.4. Committee Member X fails to record the requisite information in the meeting minutes (s 6.2)

6.3.4.1.Strike is incurred when done **three times**

6.3.5. Committee Member X fails to appoint a proxy when they are unavailable to attend a Committee Meeting (s 7.1)

6.3.5.1. Strike is incurred when done **three times**

6.3.6. Committee Member X fails to call at least three (3) Portfolio Meetings per year (s 9.2)

6.3.6.1.Strike is incurred when done **once**

6.3.7. Committee Member X makes a purchase for or on behalf of the CLSS without prior approval by the Treasurer (14.2)

6.3.7.1.Strike is incurred when done **once**

6.3.8.Committee Members X fails to Bcc in the Executive Committee the Executive Committee into an email with an external stakeholder

6.3.8.1. Strike is incurred when done **once**

**Table 2: Internal Policies Strike List**

Strike Number	Strike Name	Strike Description
S6	Failure to adhere to ‘Committee Engagement Policy’	Section 5.1 Committee Member X does not ‘like’ all content shared on social media three times <b>Strike = when done three times</b>
		Section 5.2 Committee Member X does not invite a minimum of ten (10) people to all CLSS hosted or co-hosted events on the relevant Facebook event page <b>Strike = when done three times</b>



		<p>Section 6.1 Committee Member X does not attend all events they are in charge of <b>Strike = when done once</b></p>
		<p>Section 6.2 Committee Member X does not attend at least five (5) events that are developed by other portfolios <b>Strike = when it is found that Committee Member X did not attend the required number of events</b></p>
		<p>Section 6.3 Committee Member X does not attend sponsored event <b>Strike = when done once</b></p>
		<p>Section 6.4 Committee Member does not attend whole of Committee events <b>Strike = when done once</b></p>
S7	Failure to adhere to 'Events Policy'	<p>Section 5.1 Committee Member X creates an event without filling out an 'Event Request Form' <b>Strike = when done once</b></p>
		<p>Section 5.2 Committee Member X creates an event without Senior Executive approval <b>Strike = when done once</b></p>
		<p>Section 5.4 Committee Member X incurs financial liability on an event which funding was denied by the Treasurer <b>Strike = when done once</b></p>
S8	Failure to adhere to 'Internal Administration Policy'	<p>Section 5.1 Committee Member X does not submit an agenda <b>Strike = when done three times</b></p>
		<p>Section 5.1 Committee Member X submits an agenda within 48 hours of the meeting <b>Strike = when done three times</b></p>
		<p>Section 6.1 Committee Member X finalises meeting minutes without signatures of two Executive Committee Members <b>Strike = when done once</b></p>



	<p>Section 6.2</p> <p>Committee Member X fails to record the requisite information in the meeting minutes</p> <p><b>Strike = when done three times</b></p>
	<p>Section 7.1</p> <p>Committee Member X fails to appoint a proxy when they are unavailable to attend a Committee Meeting</p> <p><b>Strike = when done three times</b></p>
	<p>Section 9.2</p> <p>Committee Member X fails to call at least three (3) Portfolio Meetings per year</p> <p><b>Strike = when done once</b></p>
	<p>Section 14.2</p> <p>Committee Member X makes a purchase for or on behalf of the CLSS without prior approval by the Treasurer</p> <p><b>Strike = when done once</b></p>
	<p>Section 16.1</p> <p>Committee Member fails to Bcc in the Executive Committee into an email with an external stakeholder</p> <p><b>Strike = when done once</b></p>

## 7 Refusal of a reasonable excuse

7.1. A reasonable excuse in refuting a strike will be refused unless:

7.1.1. Committee Member X knows of the situation and raises it at least 48 hours before the situation; or

7.1.2. The situation is unexpected to Committee Member X and they provide a reasonable excuse no later than 48 hours after the situation

## 8 Reasonable excuses in refuting a strike

8.1. Physical illness

8.2. Physical injury

8.3. Mental illness

8.4. Family emergency

8.5. Friend emergency

8.6. Grievance of a family member, friend or pet

8.7. Being a carer for someone

8.8. Birthdays or special occasions

8.9. Travel for work or emergency travel



- 8.10. Appointments
- 8.11. Financial hardship
- 8.12. Reliance on another Committee Member, Collaborator or Supervisor to complete task
- 8.13. Expectation and/or timeliness of task were not given by a Supervisor
- 8.14. Breakdown of technical capability e.g. broken computer
- 8.15. University work
- 8.16. Work
- 8.17. Extracurricular activities

## **9 Non-excuses in refuting a strike**

- 9.1. Taking a break from social media
- 9.2. Not being on your phone
- 9.3. Didn't know how to do the work
- 9.4. Claiming it wasn't your job to do it
- 9.5. Forgetting to complete task
- 9.6. Not feeling in the mood to complete task

## **10 Strike Process**

- 10.1. The strike is upheld up until the Refutation process is successful
- 10.2. Once Committee Member X receives three strikes, the Executive Committee can dismiss Committee Member X
- 10.3. The Strike Process is as follows:
  - 10.3.1. The Vice President will send an email to Committee Member X, including but not limited to
    - 10.3.1.1. Notifying that the email is issued on behalf of the Executive Committee
    - 10.3.1.2. Name of Committee Member X to whom the email is directed to
    - 10.3.1.3. Role of Committee Member X to whom the email is directed to
    - 10.3.1.4. Strike Number
    - 10.3.1.5. Strike Name
    - 10.3.1.6. Strike Description



## 11 Strike Refutation Process

11.1. It is the responsibility of Committee Member X to refute a strike

11.2. The Strike Refutation Process is as follows:

11.2.1. Committee Member X must arrange a meeting with the Vice President to discuss the strike

11.2.2. During the meeting, the Vice President must record the reason/argument provided by Committee Member X in refuting the claim

11.2.3. The Vice President must subsequently have a meeting with the Executive Committee to discuss the meeting with Committee Member X

11.2.4. The Executive Committee makes the final decision on the refutation of the process

11.2.5. The Vice President communicates the outcome of their meeting with the Executive Committee to Committee Member X

**Table 3: Strike Refutation Process**

Step	Description
1	Committee Member X must arrange a meeting with the Vice President to discuss the strike
2	During the meeting, the Vice President must record the reason/argument provided by Committee Member X in refuting the claim
3	The Vice President must subsequently have a meeting with the Executive Committee to discuss the meeting with Committee Member X
4	The Executive Committee makes the final decision on the refutation of the process
5	The Vice President communicates the outcome of their meeting with the Executive Committee to Committee Member X





## **PART 3 – Dismissal**

### **12 Warn, Suspend or Expel**

12.1. The Executive Committee may resolve to warn, suspend or expel a Committee Member from the Canberra Law Students' Society Committee ('CLSS') if the majority of the Executive Committee consider that:

- 12.1.1. the Committee Member has breached the CLSS constitution; or
- 12.1.2. the Committee Member has breached the UCX Club Rules clause 2; or
- 12.1.3. has breached the Canberra Law Students' Society by-laws or policies; or
- 12.1.4. the Committee Member's behaviour is causing, has caused, or is likely to cause harm to the club, Committee Members or other members of the club.

### **13 Challenge to a Decision to Suspend or Expel**

13.1. A Committee Member who has been suspended or expelled by the Executive Committee is entitled to challenge the decision.

13.1.1. The Committee Member must notify the Executive Committee of their intention to challenge the decision within two (2) working days of the notice of suspension or expulsion.

13.1.1.1. The Committee Member must notify the Executive Committee of their intention to challenge the decision by a formal email to the Secretary.

13.1.1.2. If the Committee Member does not notify the Executive Committee of their intention to challenge the decision, then the suspension or expulsion will remain in effect.

13.1.2. The Committee Member has three (3) days after notifying their intention to challenge the decision in which they must provide a formal written statement to the Executive Committee for review.

13.1.3. Should the Committee Member complete subsections (a) and (b) the following procedure will be carried out:

13.1.3.1. The Executive Committee will organise a meeting between the Committee Member and the Executive Committee within a week following the written submission.

13.1.3.1.1. The Committee Member must attend the arranged meeting with the Executive Committee.

13.1.3.2. In the event that the Executive Committee deems the challenge successful, the suspension or expulsion will be reversed.

13.1.3.3. In the event that the Executive Committee deems the challenge unsuccessful, the suspension or expulsion will remain in effect.

13.2. The suspension or expulsion will remain in effect until such time that the Executive Committee deems a challenge to the decision successful.

