



UCU Congress 2019

Congress: Expectations of members' conduct

Congress is UCU's supreme decision-making body, an important event for all those delegates who attend.

The purpose of this guidance, initially considered by the NEC in 2013, is to ensure that all members of Congress can participate fully in Congress business in the confidence that their views will be heard and respected even by those who disagree with them. Nothing in this guidance is intended to stop full and frank debate of important policy issues on which delegates may have opposing views. Congress must always be a place where honest and open debate takes place. However in voicing these differences intimidating or abusive words or behaviour are never appropriate. All delegates have the right to participate in Congress without fear of bullying, intimidation or harassment. This guidance is intended to address behaviour which we would not expect members to tolerate in their workplace and which members should not be expected to tolerate at a UCU event.

This guidance is drafted in mind of the fact that not all delegates have the same experience of trade union conferences as others. For some delegates, this will be their first Congress, and it may be their first time addressing a meeting. However, no participant should feel that part of attending and addressing Congress entails having to tolerate bullying or harassing behaviour.

Acceptable standards of conduct

The obligations of members under the rules

Rule 6.1 which applies to conduct at Congress states:

6 Obligations of members

6.1 All members and student members have an obligation to abide by the Rules of the University and College Union, and shall refrain from conduct detrimental to the interests of the Union, from any breach of these Rules, Standing Orders or directions (properly made in accordance with these Rules or Standing Orders) and from all forms of harassment, prejudice and unfair discrimination whether on the grounds of sex, race, ethnic or national origin, religion, colour, class, caring responsibilities, marital status, sexuality, disability, age, or other status or personal characteristic.

What is unacceptable behaviour?

Harassment occurs when an individual is subjected to unwanted conduct which has the purpose or effect of violating a person's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.

Bullying is offensive, intimidating, malicious or insulting behaviour: an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.

(These definitions are taken from the AoC-joint union agreement on harassment and bullying. The definition of harassment is also the statutory definition.)

UCU has a clear expectation of the standards which should be followed by all its employees. In turn, UCU staff have a right to expect the same standard of behaviour from members and others. Staff will take all reasonable steps to encourage constructive and respectful dialogue from a member/members if they experience poor behaviour. However, no employee is expected to have to tolerate unacceptable behaviour and senior staff will support any colleague put in that position, to the extent of pursuing appropriate action against the member/members concerned.

Ensuring effective participation

In addition to the behaviours outlined above, various other matters have been raised as causes of concern and the following guidance is offered in the interests of enabling maximum effective participation by all delegates.

Noise in the Congress hall

Any delegate addressing Congress has the right to express their view on the topic under debate, and the right to be heard with a measure of respect. Delegates are asked to keep noise to a minimum while anyone is addressing Congress. Extend the courtesy of listening that you would want others to extend to you.

Whilst Congress delegates are not expected to sit in silence at all times, noise (including delegates' private conversations) in the hall can prevent others from hearing what is going on. As well as being distracting, for those with any kind of hearing impediment it can be an access issue. At any Congress meeting there other areas in the venue where members can go to have conversations. Please be considerate about noise during Congress sessions.

Conduct during votes

All delegates should be able to cast their votes free from interference. The standing orders state that delegates must be seated during votes. All delegates should take their seats and remain quiet when votes are being cast and counted.

When addressing Congress

Delegates will want to make their points as strongly as they can. However, delegates are advised:

- It is not necessary to shout. The microphone will amplify your speech.
- Address the issue, not the individual – avoid personalised remarks, and avoid communicating information about others which they would normally regard as private.
- Do not make derogatory, libellous or defamatory, or inflammatory comments.

Ensuring acceptable standards of conduct

What the Chair will do in response to unacceptable behaviour

Where behaviour on the Congress floor is clearly unacceptable, the Chair will ask the delegate to withdraw their remarks and apologise. If a delegate refuses, or persists in inappropriate behaviour, the Chair can and will insist that the delegate leaves the Congress hall.

Where there is inappropriate or ongoing noise or other disruption that the Chair is aware of, the Chair will call the meeting to order.

What you can do if you think there is inappropriate behaviour in the Congress hall

It is the responsibility of all UCU members to challenge inappropriate behaviour, and all delegates should familiarise themselves with this guidance.

If you feel able to, you can informally ask other people in the Congress hall to be quiet, or stop behaving in a way which is causing a disturbance or offence.

You can pass a note to the Chair of Congress, to let them know of behaviour going on in the hall which is inappropriate. Alternatively you can ask a staff steward (the regional officials and regional support officials based near the doors of the hall) to pass your note to the chair. Please be as specific as possible in your description of the behaviour. The chair can take action as appropriate, and has the authority to call for good order in the hall.

Informal resolution of problems in the Congress hall is encouraged. However, if you believe there is persistent harassment or bullying taking place, you can raise a complaint under the union's Procedure for the Regulation of the Conduct of Members (the rule 13 procedure). If you believe you may need to follow this formal route, you should try to make a note of incidents when they happen and if possible find witnesses to the incidents. The procedure can be found on UCU's website at <https://www.ucu.org.uk/article/3464/Conduct-and-complaints>

What to do if someone complains to you about your behaviour

If you have been told that your behaviour at Congress makes someone feel uncomfortable, then you should stop and reflect on what you are doing. Even though your behaviour may seem innocent or 'par for the course' to you, it is important to consider its effect on others. Remember that other people's reaction to your behaviour is important, rather than the reaction you think they should have. You may also be upsetting others who have not complained.

If you are subject to a formal complaint you will be treated in accordance with the relevant procedure which gives you the opportunity to provide a response to the complaint.

For information – definition of harassment

Complaints by members about other members' behaviour may raise competing interests. It can be useful to note the Equality Act definition of harassment, which refers to purpose or effect but has three qualifying criteria that should be taken into account in deciding if the conduct complained of does have the specified effect. They are:

1. the perception of the complainant
2. the other circumstances of the case
3. whether it is reasonable for the conduct to have that effect.