



University of Wolverhampton

Students' Union

**UNIVERSITY OF WOLVERHAMPTON
STUDENTS' UNION**

BYE LAWS

CONTENTS

BYE LAW 1:	MEMBERSHIP	3
BYE LAW 2:	THE BOARD OF TRUSTEES	6
BYE LAW 3:	COMMITTEES OF THE BOARD OF TRUSTEES	9
BYE LAW 4:	THE EXECUTIVE COMMITTEE AND ITS SUB COMMITTEES	15
BYE LAW 5:	UNION COUNCIL	18
BYE LAW 6:	THE OFFICERS	24
BYE LAW 7:	ELECTIONS REGULATIONS	27
BYE LAW 8:	REFERENDA	32
BYE LAW 9:	ATHLETIC UNION REGULATIONS	33
BYE LAW 10:	SOCIETIES REGULATIONS	38
BYE LAW 11:	CODE OF CONDUCT AT MEMBERS' MEETINGS	41
BYE LAW 12:	DISCIPLINARY PROCEDURES FOR MEMBERS, CLUBS & SOCIETIES	46
BYE LAW 13:	COMPLAINTS PROCEDURE	49
BYE LAW 14:	APPEALS AGAINST THE REMOVAL OF AN EXTERNAL TRUSTEE	52
BYE LAW 15:	POLICY	55
BYE LAW 16:	DISCIPLINARY PROCEDURE FOR OFFICERS AND REPRESENTATIVES ON UNION COMMITTEES	56

BYE LAW 1: MEMBERSHIP

1. Membership of the Union

1.1 There shall be the following types of membership of the Union:

- (a) Members
- (b) Associate Members
- (c) Reciprocal Members
- (d) Honorary Members

2. Members

2.1 In accordance with Article 10, all Students registered with the University who have not opted out and all Officer Trustees shall be Members of the Union.

2.2 Members shall be entitled to the following in accordance with the arrangements specified in the Bye-Laws:

- (a) to participate in the activities of the Union;
- (b) to use the services and facilities of the Union;
- (c) to attend and vote at general meetings of the Union and at the annual Members' meeting;
- (d) to vote and stand for office in elections of the Union; and

2.3 Membership shall not be transferable and shall cease on death.

2.4 A Member shall cease to be a Member:

- (a) if he or she opts out in accordance with Article 11.3;
- (b) automatically on ceasing to be a Student on a course validated by the University of Wolverhampton; or
- (c) automatically on ceasing to be an Officer Trustee.

3. Associate Members

3.1 Associate membership of the Union shall be granted to graduates of the University of Wolverhampton and/or members of other bodies as determined by the Union Council and agreed by the Trustees.

3.2 Associate Members shall be entitled, in accordance with the arrangements specified in the Bye Laws, to make use of any services and facilities of the Union which may be made available to them from time to time.

3.3 Associate Members are not entitled to vote or stand for office in the Union's elections or participate in other democratic processes.

4. Reciprocal Membership

- 4.1 Reciprocal agreements with other Students' Unions may be authorised by Union Council subject to the approval of the Trustees.
- 4.2 Reciprocal Members shall be entitled to use the facilities and services of the Union in accordance with those reciprocal arrangements on production of their own union membership card.
- 4.3 Reciprocal Members shall not be Members for the purposes of the Articles of Association or of the Companies Acts and shall not be entitled to vote or stand for office in the Union's elections or participate in other democratic processes.

5. Honorary Members

- 5.1 Honorary Members shall be granted life-time membership of the Union in accordance with the rules set from time to time by Union Council.
- 5.2 Honorary Members are not entitled to vote on any matter or stand in the Union's elections or participate in other democratic processes.
- 5.3 Honorary Members shall be entitled, in accordance with the arrangements specified in the Bye-Laws, to make use of any services and facilities of the Union which may be made available to them by Union Council from time to time.

6. Rights of Students who have opted out of membership

- 6.1 Every Student at the University shall be able to exercise their right to opt out of membership of the Union by writing to the President of the Union in accordance with Article 11.3. His or her status as an opt-out member will remain effective for the duration of that Academic Year
- 6.2 A Student who exercises his or her right to opt out of membership of the Union shall continue to have the right to attend Union events, participate in the activities of Clubs and Societies, and access all other Union services.
- 6.3 A Student who exercises his or her right to opt out of membership of the Union shall not be able to participate in the democratic and decision-making function of the Union. This includes not being able to stand for any elected office or serve as a Student Trustee or any other representative position defined in the Articles of Association or Bye-Laws.
- 6.4 A Student who exercises his or her right to opt out of membership of the Union may not vote in any Union election.
- 6.5 All opt-out Students relinquishing their right to membership shall be covered by the published Code of Practice agreed between the Union and the University.
- 6.6 The President of the Union shall inform the University annually of the number of Students who exercised their right to opt out of membership of the Union during the preceding Academic Year.

7. Discipline

- 7.1 Members, Associate Members, Honorary Members and Reciprocal Members are subject to the Memorandum & Articles of Association and Bye-Laws of the Union.
- 7.2 Any rights of Members, Associate Members, Honorary Members or Reciprocal Members may be withdrawn, or suspended in accordance with Bye-Law 12: Disciplinary Procedures for Members, Clubs and Societies.

8. Complaints

- 8.1 Members, Associate Members, Reciprocal Members or any groups of members who are dissatisfied in their dealings with the Union or who claim to be unfairly disadvantaged by reason of their having exercised the right not to be a Member of the Union shall submit their complaint in writing in accordance with the procedures laid down in Bye-Law 13:Complaints

BYE LAW 2: THE BOARD OF TRUSTEES

9. Composition of the Board of Trustees

9.1 In accordance with the Union's Articles of Association, the Union's Board of Trustees shall include:

- (a) up to four Officer Trustees;
- (b) one Student Trustee;
- (c) one University Trustee; and
- (d) up to three External Trustees.

10. Responsibilities of the Board

10.1 The Trustees are charity trustees as defined by the Charities Act 2006 and any subsequent amendments or replacements.

10.2 The Trustees have overall responsibility for the good governance of the Union.

11. Reporting

11.1 The Board of Trustees will report to the University, the Charity Commission and Companies House as appropriate.

11.2 The Board of Trustees will send a summary of business to Union Council each semester, for information only.

11.3 The Board of Trustees will send an annual report of business to the University's Board of Governors.

12. Officer Trustees

12.1 There shall be four Officer Trustees who shall be elected by secret ballot of the Members in accordance with Article 32.

12.2 The term of office for all Officer Trustees shall be from 1st August during the year of election to 31st July following their election. For Officer Trustees elected at Bye Elections, the term of office shall commence immediately upon completion of the election procedures and terminate on 31st July of the same Academic Year.

12.3 The Officer Trustees may serve for a maximum of two terms of office which may be either consecutive or non-consecutive and which may include any combination of Officer Trustee posts.

12.4 At the same time as commencing their term of office as a Trustee, the Officer Trustees are required to enter into a written contract of employment with the Union.

12.5 The day to day duties of Officer Trustees are set out in the written job description for each Officer Trustee post.

12.6 Officer Trustees will be remunerated as approved by the HR Committee and detailed in their contract of employment.

- 12.7 Officer Trustees elect shall be paid the same rate, pro rata, for training hours scheduled, during the formal induction and handover period.
- 12.8 If an Officer Trustee ceases to be a Trustee by virtue of any provision of Articles 36 or 37 in the Articles of Association then depending on the circumstances he or she may also be subject to the Union's disciplinary procedures as detailed in the staff policies and procedures, and the outcome of this may include dismissal from employment.
- 12.9 Codes of conduct, procedures and rules are provided for staff, officers and Trustees of the Union in the staff handbook, the Bye-Laws, and other financial regulations. Officer Trustees are expected to abide by these at all times. Breaches may result in disciplinary action.
- 12.10 Immediately following their election, successful candidates shall be designated Officer Trustees elect, and shall be invited to attend Trustee meetings, Executive Committee, Union Council and other committees relevant to their posts, as observers.

13. The Student Trustee

- 13.1 There shall be a Student Trustee who is appointed to office in accordance with Article 33 and Bye Law 3.
- 13.2 The recruitment and appointment process shall be conducted by the Appointments Committee, and ratified by a 75% majority vote of Union Council.
- 13.3 The term of office of the Student Trustee shall be from 1st August of the year in which they are appointed until 31st July the following year. For Student Trustees appointed to fill a vacancy after the commencement of the Academic Year, their term of office shall commence immediately upon appointment and, unless not ratified by Union Council, shall terminate on 31st July of the same Academic Year.
- 13.4 The Student Trustee may serve for a maximum of two terms of office which may either be consecutive or non-consecutive.
- 13.5 If the Student Trustee ceases, for whatever reason, to be a registered Student at the University of Wolverhampton, then he or she shall immediately cease to be a Trustee in accordance with Article 36.4.

14. The University Trustee

- 14.1 There shall be a University Trustee who is proposed to office by the University's Board of Governors in accordance with Article 34.
- 14.2 This appointment shall be subject to ratification by a 75% majority vote of Union Council.
- 14.3 The term of office of the University Trustee shall commence immediately upon appointment, and unless not ratified by Union Council shall last for up to a maximum of four years.
- 14.4 The University Trustee may serve for a maximum of two terms of office which may either be consecutive or non-consecutive.

15. External Trustees

- 15.1 There shall be up to three External Trustees who are appointed to office in accordance with Article 35.
- 15.2 The recruitment and appointment process shall be conducted by the Appointments Committee, and ratified by a 75% majority vote of Union Council.
- 15.3 The term of office of the External Trustee shall commence immediately upon appointment, and unless not ratified by Union Council shall last for up to a maximum of four years.
- 15.4 The External Trustee may serve for a maximum of two terms of office which may either be consecutive or non-consecutive.

16. Disqualification, Resignation and Removal of Trustees

- 16.1 The circumstances under which Trustees may be disqualified, or may resign, or be removed, are set out in Articles 36 to 39 of the Articles of Association.

BYE LAW 3: COMMITTEES OF THE BOARD OF TRUSTEES

17. Delegated Committees of the Board of Trustees

- 17.1 In accordance with the Articles 42 and 43 of the Articles of Association, the Trustees may delegate any of their powers to any person(s) or committee. The Trustees will determine the number, remit and membership of these committees.
- 17.2 As set out in Article 43.2, the Trustees shall establish as a minimum the following committees:
- (a) Executive Committee;
 - (b) Appointments Committee;
 - (c) Finance Committee;
 - (d) Human Resources (HR) Committee.
- 17.3 The Trustees may establish such other committees as they see fit, from time to time, and determine the terms of reference and membership of those committees subject to the provisions of the Articles of Association. For the avoidance of doubt, all such committees may include elected Officer Trustees and Part-Time Officers and non-elected Members of the Union.
- 17.4 Subject to any resolution of the Trustees, all committees of the Board of Trustees shall operate within the relevant terms of reference set out in this Bye-Law and according to Bye-Law 11: Code of Conduct in Meetings, but where this Bye-Law conflicts with Bye-Law 11, this Bye-Law shall prevail.
- 17.5 Members of Union staff may be invited to attend committee meetings to advise or support the committee at the request of the chair of the relevant committee.
- 17.6 All committees of the Board shall report regularly to the Trustees in accordance with Article 43.1.3 and may be also required to submit reports to Union Council from time to time.
- 17.7 The Trustees shall have the power to revoke in whole or in part or to amend any delegation of their powers to any committee (in accordance with Article 42.3) and to require any such committee (other than the Executive Committee, Appointments Committee, Finance Committee and HR Committee) to no longer meet and therefore cease to exist.

18. Executive Committee

- 18.1 The terms of reference for the Executive Committee shall be set out in Bye-Law 4: The Executive Committee and its sub-committees.

19. Appointments Committee

19.1 The purpose of the Appointments Committee is to appoint the Student and External Trustees in accordance with Articles 33 and 35 respectively. These appointments shall be subject to ratification by a 75% majority vote of Union Council.

19.2 The Appointments Committee will also be responsible for ensuring that the Board of Trustees as a whole has the range and balance of skills and experiences necessary for good and effective governance.

Composition

19.3 The membership of the Appointments Committee shall be as follows:

- (a) President (who shall be the Chair);
- (b) Two Officer Trustees;
- (c) Chair of Union Council; and
- (d) A person nominated by the University, who shall be the University Trustee unless the University decides otherwise.

19.4 The Chief Executive shall act as secretary to the Appointments Committee.

Quorum

19.5 No business shall be transacted at a meeting of the Appointments Committee unless a quorum is present. A quorum will be at least 3 members of the Appointments Committee.

Functions

19.6 The functions of the Appointments Committee shall be to:

- (a) approve the information and documentation which is sent to potential candidates;
- (b) set the timetable for the recruitment, interview and selection processes;
- (c) approve the processes which are used to select candidates;
- (d) shortlist and interview potential applicants for Trustees and make appointment recommendations to Union Council;
- (e) carry out regular skills, experience and diversity audits of the Board of Trustees and identify the skills, experience and expertise that are needed for the Board to achieve high quality and effective governance; and
- (f) ensure that vacancies on the Board of Trustees are filled at the earliest opportunity commensurate with operating.

Meetings and Reporting

- 19.7 The Appointments Committee shall meet as and when required.
- 19.8 The Appointments Committee shall report to the Board of Trustees at least annually.

20. Finance Committee

- 20.1 The purpose of the Finance Committee is to ensure that the Union complies with all relevant laws and regulations and that the Union has systems of accountability in place to ensure that the Union's funds are effectively managed and monitored.

Composition

- 20.2 The membership of the Finance Committee shall be as follows:
- (a) President
 - (b) Two Officer Trustees; and
 - (c) Two External Trustees with relevant experience or expertise.
- 20.3 The Chief Executive and Finance Manager shall be in attendance.
- 20.4 Any Trustee may attend and speak at a meeting of the Finance Committee, even where he or she is not a formally appointed member of the Finance Committee, but shall have no voting rights.
- 20.5 The Finance Committee may require the attendance of any Trustee, Officer or employee of the Union to report on any matter raised by the Committee.
- 20.6 The Finance Committee may appoint or instruct any external professional advisor, legal or otherwise; to enable it to properly carry out its duties and responsibilities.

Quorum

- 20.7 No business shall be transacted at a meeting of the Finance Committee unless a quorum is present. A quorum will be at least 3 members of the Finance Committee.

Functions

20.8 The functions of the Finance Committee shall be to:

- (a) be responsible for the formulation of policy on financial and commercial activities, and to make recommendations on such activities to the Board of Trustees;
- (b) review and approve revenue and capital budgets for submission to the Board of Trustees, in accordance with Bye-Law 16: Financial Regulations;
- (c) ensure the production of monthly management accounts, and monitor expenditure against budget, and any other regulations and does not exceed that allocated by the Board of Trustees;
- (d) ensure that appropriate systems and controls are in place to ensure the smooth and efficient running of all Union financial activities and to ensure that all Union funds are effectively accounted for;
- (e) review the risk profile of the Union and any existing audit framework (both internal and external), and advise the Board of Trustees in respect of any matter which threatens or carries a risk to the Union;
- (f) structure and recommend appropriate levels of internal and external audit systems;
- (g) advise on and ensure that audit checks are carried out in all key areas of the Union's operations: in particular, legal, financial and tax management, investment policies and performance, health and safety and insurance;
- (h) monitor the performance of existing audit systems and to present regular reports to the Board of Trustees in respect of the results of any auditing exercise;
- (i) advise the Board of Trustees on the appointment of external auditors (and their terms of business/engagement) and to advise on tenders if appropriate;
- (j) receive the auditors' audit findings report and report to the Board of Trustees;
- (k) consider and monitor the implementation of approved recommendations arising from external audit reports;
- (l) promote a culture of accountability throughout the Union's operations and among its staff and Members;
- (m) review the Financial Regulations Handbook for appropriateness on an annual basis;
- (n) institute and monitor any special or ad-hoc audit or investigation, providing a report of its findings to the Board of Trustees;
- (o) offer an ultimate port of call for the more urgent or sensitive concerns raised in respect of the Union's integrity, financial and otherwise;
- (p) appoint other professional advisers where necessary and request specialist advice as may be required to perform its role effectively; and

- (q) make other decisions of a financial nature but only as authorised by the Board of Trustees.

Meetings and Reporting

- 20.9 The Finance Committee shall meet at least five times per year.
- 20.10 The Finance Committee will report to the Board of Trustees regarding decisions made after every meeting.

21. HR Committee

- 21.1 The purpose of the HR Committee is to ensure that the Union effectively fulfils all of its legal and contractual responsibilities in relation to employment law and other relevant statutes.

Composition

- 21.2 The membership of the HR Committee shall be as follows:
 - (a) President
 - (b) Two Officer Trustees; and
 - (c) Two External Trustees with relevant experience or expertise.
- 21.3 The Chief Executive and staff member responsible for the administration of HR shall be in attendance.
- 21.4 The HR Committee may appoint or instruct any external professional advisor, legal or otherwise, to enable it to properly carry out its duties and responsibilities.
- 21.5 The HR Committee will operate through the use of powers that have been delegated to it by the Board of Trustees or through making recommendations to the Board.

Quorum

- 21.6 No business shall be transacted at a meeting of the Remuneration and HR Committee unless a quorum is present. A quorum will be at least 3 members of the HR Committee.

Functions

- 21.7 The functions of the HR Committee shall be to:
 - (a) approve the Union's salary scales for the remuneration of its staff;
 - (b) oversee compliance with current employment legislation; and
 - (c) review and be responsible for all matters relating to the organisational structure of the Union, its training policies and general policies, and the terms and conditions of employment for the staffing body.

- 21.8 The day to day responsibility for the management of staff (other than the Officer Trustees) shall be delegated to the Chief Executive who will in turn delegate management responsibilities through line management. The Officer Trustees shall be accountable to and managed by the Board of Trustees.

Meetings and Reporting

- 21.9 The HR Committee will report to the Board of Trustees regarding decisions made after every meeting.
- 21.10 In the event of a panel being required under the grievance or appeals policy to hear a grievance or appeal then this panel shall be selected from three members of the HR Committee who, where possible, shall have no prior knowledge of the case.

BYE LAW 4: THE EXECUTIVE COMMITTEE AND ITS SUB-COMMITTEES

22. Composition of the Executive Committee

22.1 The Executive Committee shall be elected annually from the membership of the Union and shall consist of both the full time Officer Trustees and the Part-Time Officers.

22.2 The Officer Trustees are:

- (a) President (who shall be the Chair of the Executive Committee);
- (b) Vice President –Academic
- (c) Vice President –Activities
- (d) Vice President - Welfare

22.3 The following positions are the Part-Time Officer positions:

- (a) Environmental Officer;
- (b) Communications Officer;
- (c) Events and Activities Officer;
- (d) Part-time Students' Officer;
- (e) International Students' Officer;
- (f) Postgraduate Students' Officer;
- (g) City Campus Officer;
- (h) Walsall Campus Officer; and
- (i) Telford Campus Officer.

23. Meetings of the Executive Committee

23.1 The Executive Committee shall normally meet at least monthly.

23.2 The quorum for the Executive Committee shall be 40% of the members of the Executive Committee (which for the avoidance of doubt shall mean 40% of the filled positions of the Executive Committee), except that during vacations the quorum shall be four members of the Executive Committee.

23.3 The Chief Executive shall normally be in attendance at Executive Committee meetings. Other staff members may be in attendance as required, by invitation.

24. Functions of the Executive Committee

24.1 The functions of the Executive Committee shall be to:

- (a) promote and defend the rights of Members;

- (b) campaign on issues affecting Members (and which further the objects of the Union);
- (c) promote involvement in the activities of the Union;
- (d) consult with Members;
- (e) promote the mission and values of the Union;
- (f) act within the powers delegated to it by the Trustees and/or Union Council;
- (g) be responsible for communication between the Members, the University and other organisations;
- (h) establish and receive reports from forums and ad hoc committees; and
- (i) recognise societies and groups provided they meet the requirements set out in Byelaw 10: Societies Regulations.

25. Reporting

25.1 The Executive Committee shall report to the Board of Trustees at every Board meeting.

26. Committees of the Executive Committee

26.1 The Executive Committee may delegate any of the responsibilities and activities that are entrusted to it by the Memorandum and Articles of Association or by the Board of Trustees to any committee of the Executive Committee.

26.2 The Executive Committee shall establish as a minimum the following committees:

- (a) Sports Committee;
- (b) Elections Committee; and
- (c) Education Committee.

26.3 The Executive Committee may establish such other committees as it sees fit, from time to time, and determine the terms of reference and membership of those committees. For the avoidance of doubt, all such committees may include elected Officer Trustees and Part-Time Officers and non-elected Members of the Union.

26.4 The quorum for a meeting of a sub-committee of the Executive Committee shall be at least half of the members of the relevant committee.

26.5 Members of Union staff may be invited to attend committee meetings to advise or support the committee at the request of the chair of the relevant committee.

26.6 All committees of the Executive Committee shall report regularly to the Executive Committee and may be also required to submit reports to Union Council from time to time.

26.7 The Executive Committee shall have the power to revoke in whole or in part or to amend any delegation of their powers to any committee and to require any such committee to no longer meet and therefore cease to exist.

27. Sports Committee

27.1 There shall be a standing sports committee which reports to the Executive Committee. The composition, functions, powers and responsibilities of the Sports Committee are contained in Bye-Law 9: Athletic Union (AU) Regulations.

28. Elections Committee

28.1 There shall be an elections committee which reports to the Executive Committee. The composition, functions, powers and responsibilities of the Elections Committee are contained in Bye-Law 7: Elections Regulations.

29. Education Committee

29.1 There shall be an education committee for the purposes of seeking to represent the wider student voice relating to academic matters and matters of University academic administration.

29.2 The membership of the Education Committee shall be as follows

- (a) VP Academic (Chair)
- (b) Part-time Students' Officer
- (c) All elected School Representatives
- (d) Distance Learning Representative
- (e) International Students' Officer
- (f) Postgraduate Students' Officer

29.3 Staff may be invited to attend as necessary for the purposes of advice and support to the Education Committee.

BYE LAW 5: UNION COUNCIL

30. Composition of Union Council

30.1 Union Council shall be elected from the membership and shall consist of positions which are elected from cross campus ballot and positions which are elected from within representative groups of the membership.

30.2 The membership of Union Council is as follows:

- (a) Chair of Union Council
- (b) All Officer Trustees
- (c) All Part-Time Officers
- (d) Sports Committee Representative
- (e) Six Non-Portfolio Representatives
- (f) Distance learning Representative
- (g) All School Representatives
- (h) Students with Disabilities Representative
- (i) BME Students Representative
- (j) LGBT Students representative
- (k) Mature Students' Representative
- (l) Student Parents' Representative (for the avoidance of doubt, a student who is a parent)

31. Functions of the Union Council

31.1 The functions of the Union Council shall be:

- (a) Subject to Article 41.3, to agree the Policy of the Union and refer Policy to Referenda of the Members in accordance with the Bye-Laws.
- (b) To represent the voice of Students, form Union policies and guide strategic campaigns in the best interests of students.
- (c) To make, repeal and amend the Bye-Laws, jointly with Trustees, in accordance with Article 61 of the Articles of Association.
- (d) To receive and approve minutes and reports from the Executive Committee and to hold the members of the Committee accountable for their work as members of that Committee.
- (e) To receive reports of such forums or groups as may be established from time to time by the Executive Committee.

- (f) To consider new affiliations, which shall be approved by the Members of the Union.
- (g) To receive quarterly reports from the Trustee Board.
- (h) Subject to the approval of the Trustees, to confer Honorary Life and Associate Membership, to determine the terms of Associate Membership and to enter into reciprocal membership arrangements with other students' unions or associations.

32. Elections to Union Council

32.1 The following Union Council positions are elected by a cross campus ballot of the Members of the Union at an election held in accordance with Bye Law 7: Elections.

- (a) Chair of Union Council
- (b) Six Non-Portfolio Representatives

32.2 Elections for the following Union Council positions shall be held according to Bye-Law 7: Elections Regulations, and determined by the Returning Officer, and according to a timetable to be determined by the Elections Committee:

- (a) 'One postgraduate taught, one postgraduate research and one undergraduate School Rep for each School, except LSSC and STech shall have a second undergraduate School Rep and SHaW shall have Undergraduate School Reps for City, Walsall and Burton Campuses'
- (b) Students with Disabilities Representative
- (c) BME Students' Representative
- (d) LGBT Students' Representative
- (e) Mature Students Representative
- (f) Student Parents' Representative
- (g) Distance Learning Representative

32.3 No Member shall hold more than one elected position at any time, and no existing member of Union Council may stand for another position in the same Academic Year.

33. Decisions of Union Council

33.1 In accordance with Article 41, decisions made by the Union Council are subject to the overriding authority of the Board of Trustees where the Trustees consider that any such decision:

- (a) has or may have any financial implications for the Union;
- (b) is or may be in breach of, contrary to or otherwise inconsistent with charity or education law or any other legal requirements (including ultra vires);

(c) is not or may not be in the best interests of the Union or all or any of its charitable objects; or

(d) will or may otherwise affect the discharge of any or all of the responsibilities of the Trustees referred to in Article 41.2.

34. Meetings of Union Council

34.1 An ordinary Union Council meeting shall be called at least once per calendar month during term time by the Chair of the Union Council on such dates determined by Union Council. In addition to ordinary meetings, the President may call an extraordinary meeting of Union Council if he or she considers it to be in the interests of the Union to do so.

34.2 Quorum for any meeting of Union Council shall be at least 40% of the members of Union Council in post.

34.3 The Chief Executive and Democracy Support Officer (staff) shall normally be in attendance. Other staff may be invited to attend as necessary for the purposes of advice and support to the Council.

34.4 The secretary of Union Council meetings shall be a member of Union staff.

34.5 Bye-Law 11:Code of Conduct at Members' Meetings, shall apply to meetings of Union Council.

34.6 Union Council meetings shall normally last for a maximum of two hours. Requests for an extension of up to one further hour may be made via the Chair of Union Council.

34.7 The Union Council agenda will be coordinated by the Chair of Union Council in conjunction with the President and Union staff as secretary.

34.8 All items for the agenda shall be submitted no less than five working days in advance of the meeting or at the discretion of the Chair. Agendas will be published no later than three working days in advance of the meeting.

34.9 All Officer Trustees and Part-Time Officers in post more than three weeks shall present a written report to the Union Council for each meeting.

34.10 The Union Council can request a full report on the activities of any committee of Union Council or of the Executive Committee to be presented at any meeting.

35. Chairing of Union Council meetings

35.1 The Chair of Union Council shall be elected through a cross campus ballot of the Members.

35.2 The Chair of Union Council shall be responsible for the proper conduct of meetings of Union Council in accordance with the Bye-Laws.

35.3 The Chair shall ensure that the meeting is in order, that remarks are relevant to the question under debate, that speakers are not intimidated and that no defamatory or offensive remarks are made by one person concerning another (whether present or not).

35.4 If the Chair calls a person or Union Council to order, then the meeting will cease until the Chair gives permission for the meeting to continue.

35.5 In the absence of the Chair of Union Council at any meeting of Union Council, the members of Union Council present and entitled to vote at the meeting shall elect one of their members to chair the meeting.

35.6 The President or his or her nominee shall act as Chair's Aid, advising the Chair on governance matters and matters relating to the operation of the meeting. The Chair's Aid shall hold no more authority than any other member of Union Council, and shall only act as the Chair if elected as temporary Chair in accordance with paragraph 35.5 above.

36. Voting at Union Council meetings

36.1 Every member of Union Council is entitled to one vote only which must be exercised in person.

36.2 Voting shall normally be by show of hands unless a secret ballot is called for.

36.3 In the event of a tied vote, the Chair of Union Council shall have a casting vote which is an additional vote.

36.4 Any motion or report approved by a majority of those present and eligible to vote at a meeting of the Union Council shall become Policy of the Union at the close of that meeting, except that proposals to amend Bye-Laws must be approved by a two-thirds majority of those present and eligible to vote and are also subject to the approval of the Board of Trustees in accordance with Article 61.

36.5 Any person attempting to register a vote who is not entitled to do so will be deemed to be in breach of this Bye-Law and may be subject disciplinary action.

37. Committees of Union Council

- 37.1 Union Council may delegate any of the responsibilities and activities that are entrusted to it by the Memorandum and Articles of Association to any committee of Union Council.
- 37.2 Union Council may establish such committees as it sees fit, from time to time, and determine the terms of reference and membership of those committees. For the avoidance of doubt, all such committees may include elected Officer Trustees and Part-Time Officers and non-elected Members of the Union.
- 37.3 Subject to any resolution of Union Council, all committees of Union Council shall operate within the relevant terms of reference set out in this Bye-Law.
- 37.4 The quorum for a Union Council committee meeting shall be at least 40% of the members of the relevant committee.
- 37.5 Members of Union staff may be invited to attend committee meetings to advise or support the committee at the request of the chair of the relevant committee.
- 37.6 All committees of Union Council shall report regularly to Union Council and may be also required to submit reports to the Executive Committee from time to time.
- 37.7 Union Council shall have the power to revoke in whole or in part or to amend any delegation of their powers to any committee and to require any such committee to no longer meet and therefore cease to exist.

BYE LAW 6: THE OFFICERS

38. Officers of the Union

38.1 In accordance with the Union's Articles of Association, the Union's Officers shall include:

- (a) Officer Trustees; and
- (b) Part-Time Officers.

38.2 This Bye-Law sets out the duties and responsibilities of each of the Officer posts.

39. Officer Trustees

39.1 There shall be four Officer Trustee posts as follows:

- (a) President;
- (b) Vice President – Welfare;
- (c) Vice President – Academic ;
- (d) Vice President – Activities.

39.2 All of the Officer Trustee posts shall be full-time positions elected in a secret cross campus ballot held in accordance with Bye Law 7: Election Regulations.

40. Part-Time Officers

40.1 There shall be nine Part-Time Officer posts as follows:

- (a) Environmental Officer;
- (b) Communications Officer;
- (c) Events and Activities Officer;
- (d) Part-time Students' Officer;
- (e) International Students Officer;
- (f) Postgraduate Students Officer;
- (g) City Campus Officer
- (h) Walsall Campus Officer;
- (i) Telford Campus Officer;

40.2 All of the Part-Time Officers posts shall be part-time positions elected in a secret cross-campus ballot held in accordance with Bye Law 7: Election Regulations.

41. President

41.1 The duties and responsibilities of the President are as follows:

- (a) To be the ambassador of the Union and to have key responsibility for the Union's communications and media relations;
- (b) To have primary responsibility for University and external liaison;
- (c) To have, together with the other Trustees, overall responsibility for the Union's activities, finances and good governance;
- (d) To oversee, together with the other Trustees, the Union's strategic planning and development;
- (e) To lead the Officer Trustees and Part-Time Officers in carrying out their representational roles and functions;
- (f) To manage the Union's Chief Executive on behalf of the Trustee Board;
- (g) To maximise student engagement in democratic processes; and
- (h) To chair the Board of Trustees and the principal committees of the Board, including the Executive Committee.

42. Vice President – Welfare

42.1 The duties and responsibilities of the Vice President - Welfare are as follows:

- (a) To lead Union representation within the University on Welfare issues;
- (b) To be the officer lead for the Union's Advice and Support Services working closely with the Senior Management Team;
- (c) To lead the Union's community engagement projects;
- (d) To lead the environmental and ethical strategy of the Union and to be the key contact with the University regarding these areas;
- (e) To support and aid Union Officers with Volunteering, Community, Diversity, Environment & Ethics responsibilities; and
- (f) To plan and deliver the Union's welfare, diversity, environment and ethics campaigns throughout the year and to ensure that they fall within the Union's objects.

43. Vice President – Academic

43.1 The duties and responsibilities of the Vice President – Academic are as follows:

- (a) To lead the representation of the student body to the University on Academic issues;
- (b) To oversee the Union's Academic Support planning and development process;
- (c) To work closely with the Union's Academic Support Services to ensure a high quality service;

(d) To support and lead the recruitment of the part-time academic student representatives;

(e) To plan and deliver the Union's Academic campaigns throughout the year and to ensure that they fall within the Union's objects; and

(f) To ensure a representation service is offered to students who need it.

44. Vice President – Activities

44.1 The duties and responsibilities of the Vice President – Activities are as follows:

(a) To lead Union activities with regard to sports, societies, volunteering, events and activities issues;

(b) To lead volunteering opportunities provided by the Union and to liaise with Active Volunteers;

(c) To take a key role in identifying events and activities for the Union to offer, and liaise with the Student Activities Officer in co-ordinating these;

(d) To support and aid the Union's Part-Time Officers linked to this remit;

(e) To lead the Union's sports and societies planning and development process and maximise student engagement in these areas alongside the Student Activities Officer and the Sports Officer;

(f) To be the lead communicator surrounding sporting events within the University; and

(g) To take the lead role in developing volunteering opportunities for students through the Union.

BYE LAW 7: ELECTIONS REGULATIONS

45. Returning Officer

- 45.1 The Returning Officer is appointed by the Trustees, and is responsible for ensuring that all Union elections are conducted in an open, fair and transparent way.
- 45.2 The Returning Officer is responsible for reporting to the University's Board of Governors, within two days of the ballot closing, that he or she is satisfied with the conduct of the elections, so that the University can discharge its statutory responsibilities under the 1994 Education Act.
- 45.3 The Returning Officer shall be responsible for the good conduct and administration of the elections and shall have final interpretation of the Election Regulations and shall perform these duties impartially.
- 45.4 The Returning Officer can rule as inadmissible any statement or the contents of any publicity which in their view is in breach of the Articles of Association, Bye Laws, general law or policy of the Union.
- 45.5 Where requested to do so, the Returning Officer will investigate all complaints made against a decision of the Deputy Returning Officer or Elections Committee, or regarding the administration and conduct of an election, in accordance with the Complaints section of the elections Bye Laws.
- 45.6 The ruling of the Returning Officer on any such complaint shall be final.
- 45.7 The Returning Officer may delegate responsibilities to the Deputy Returning Officer as he or she sees fit.

46. The Deputy Returning Officer

- 46.1 The Deputy Returning Officer shall be determined by the Trustee Board.
- 46.2 The Deputy Returning Officer manages the day-to-day administration and co-ordination of the elections, including nominees' and candidates' eligibility, the implementation and enforcement of the Elections Regulations; and investigating and ruling on complaints made before and after the close of voting.
- 46.3 The right of appeal over the Deputy Returning Officer's decision is to the Returning Officer.

47. The Elections Committee

- 47.1 The Elections Committee will consist of a maximum of five current student members of the Union Council. The Deputy Returning Officer will be in attendance at all meetings of the Elections Committee. Other staff may also be invited as required.
- 47.2 The members will appoint a Chair amongst themselves by a majority vote, and the Chair will have the casting vote in the event of a tie.
- 47.3 No member of the Elections Committee shall be eligible to stand as a candidate in the elections for which they are responsible.

- 47.4 Any Elections Committee business that falls between the end of the academic year and the nomination of the following year's Election Committee shall be dealt with by the Union's Executive Committee.
- 47.5 The main duties of the Elections Committee will be to
- (a) Agree the elections timetable
 - (b) Manage publicity for elections involving a cross campus, campus, school or liberation group ballot.
 - (c) Assist the Deputy Returning Officer in policing the elections and investigating complaints.
- 47.6 The elections will operate in accordance with the timetable advertised on the Union's website.
- 47.7 If any member of Elections Committee has a potential conflict of interest, whether direct or indirect, in any election covered by these Regulations, they shall declare this interest at the earliest opportunity to the Deputy Returning Officer and Chair of Elections Committee.
- 47.8 In the case of a conflict of interest, the Elections Committee may, by a majority decision, terminate such an individual's membership of the Committee. Such a post shall then be deemed vacant, and may be filled by election at the next meeting of the Union Council. There shall be no right of appeal against such a decision.
- 47.9 When an elected position becomes vacant then a bye election to fill that vacancy shall be called. Exceptionally, the Trustees have discretion to leave a position vacant until the end of the academic year or until the Union's main election cycle

48. Nominations

- 48.1 The Elections Committee shall arrange to advertise all elections for a minimum period of a week before nominations open. The Elections Committee shall arrange to make a nominations pack available at all main University sites.
- 48.2 Candidates must obtain nominations from Members of the Union, who are defined in the Union's Articles of Association. The number of nominees required will depend upon the position:
- (a) Officer Trustee and Executive positions – 15 nominees
 - (b) Union Council positions – 5 nominees
 - (c) NUS Delegate positions – 5 nominees
 - (d) School Rep and Liberation Group - 5 nominees
- 48.3 Candidates shall be permitted to obtain additional nominees to cover any potentially invalid nominees.

- 48.4 It is the responsibility of candidates to ensure their nominees are members of the Union, i.e. currently enrolled on a course validated by the University of Wolverhampton and who have not have opted out of Union membership. The Deputy Returning Officer will ascertain nominees' eligibility from the University's student record system.
- 48.5 Any person aggrieved by the decision of the Deputy Returning Officer that they are not eligible to vote or obtain nomination in any Union election may apply in writing to the Returning Officer within two days of the decision for a review of the decision. If the appeal is successful it will not be grounds for declaring the elections void.
- 48.6 Current Officer Trustees shall be permitted to nominate candidates and vote in elections, as Members of the Union.

49. Eligibility of Candidates

- 49.1 Only Members of the Union as defined in the Articles of Association and Bye Law 1 Membership may stand as candidates.
- 49.2 Where current Officer Trustees are candidates in an election they must record as annual leave or time off in lieu any period of time during their contracted working day where they are involved in conducting their own election campaign. Such Officers are free to campaign outside of their contracted hours.
- 49.3 Candidates will be required to prove their eligibility to remain in the UK for the duration of the term of office before the close of nominations. Candidates for Officer Trustee positions must prove their eligibility to work in the UK. The Deputy Returning Officer may require further written evidence of the candidates' eligibility to stand and further written evidence from candidates' nominees.
- 49.4 The Elections Committee will publish a list of nominees within five working days of the close of nominations.
- 49.5 Serving Officer Trustees may not stand for election to another Officer Trustee position in a Bye Election during the same period of office.
- 49.6 Members may stand for election to only one of the advertised positions.
- 49.7 All Members may stand for election for a NUS Conference Delegate. The NUS constitution will dictate candidates' eligibility.
- 49.8 Candidates for the paid Officer Trustee positions must produce written evidence from the University that they are able to take a leave of absence or that they have completed, or are due to complete, their studies. This must be done on or by the deadline for nominations. They must also at this time confirm in writing to the Deputy Returning Officer that they can comply with the Officer Trustee employment contract.
- 49.9 Candidates for Officer Trustee positions who wish to carry on studying part-time must provide written evidence from the University that this is acceptable and notify the Deputy Returning Officer before the close of nominations.
- 49.10 Candidates with pre-booked holidays that fall after the expected start date of employment (including any handover period) must notify the Deputy Returning Officer in writing of the relevant dates before the close of nominations.

49.11 Candidates for Officer Trustee and other positions may be required to produce evidence that they are eligible to be enrolled as current students during their whole period of office. In the case of an appeal against a decision by the Deputy Returning Officer to prevent a candidate from running on these grounds, paragraph 55 below will apply.

50. Production and Display of Publicity

50.1 The Elections Committee will determine the rules regarding publicity for candidates.

51. Voting

51.1 A transferable voting system will normally be used for elections. The voting procedures will be determined by the Deputy Returning Officer with assistance from the Elections Committee.

52. Counting

52.1 The count will be overseen by the Deputy Returning Officer.

52.2 A fictional candidate, RON (Re-Open Nominations), will contest each post. If RON wins, the election for that post will be re-opened in the next election.

52.3 The Deputy Returning Officer shall arrange for the count to take place within two working days of the last day of voting, during which the result of each post shall be announced and published. If a valid complaint is upheld under the Complaints section of the elections Bye-Laws, the Returning Officer can suspend the count until reasonable investigations are completed.

53. Conduct

53.1 Any breach of the Bye-Laws or other regulations by a candidate may result in the Deputy Returning Officer applying a penalty as detailed in paragraph 54 below.

53.2 Candidates or their supporters and campaign team must not remove or deface the publicity of another candidate in the election.

53.3 Candidates must always seek authorisation to display publicity materials across the University and in any other non-Union buildings.

53.4 No candidate, supporter or member of a campaign team shall attempt to bribe, intimidate or harass another candidate, supporter, campaign team, staff member or voter, whether in person, in writing or through electronic media. Candidates are held fully responsible and accountable for the actions of their supporters and campaign team at all times, including content on electronic media. The Deputy Returning Officer shall determine in the first instance who is a candidate's supporter or campaign team member. Disciplinary action may be taken against any offenders under the Union's disciplinary procedures and penalties may be applied as in the Penalties section of the elections Bye-Laws.

53.5 No publicity or behaviour that breaches Union policies or regulations will be allowed.

54. Penalties

- 54.1 Contravening the election rules detailed in these Bye-Laws and other guidance documents may result in the application of the penalties below. The Deputy Returning Officer reserves the right to impose any reasonable penalty in light of the circumstances. As guide candidates can:
- (a) receive an informal verbal warning
 - (b) receive a formal written warning
 - (c) be disqualified from the elections
- 54.2 All candidates are strongly advised to consult the Deputy Returning Officer if they are unsure of any of the elections rules.
- 54.3 An appeal against a penalty may be made to the Returning Officer within two working days of the decision of the Deputy Returning Officer. If the appeal is successful this will not in itself be grounds for declaring the election void.
- 54.4 The Returning Officer may cancel an election on the recommendation of the Deputy Returning Officer or if he or she finds that there has been a material irregularity, or if there is other sufficient cause to question the fairness of the election. A timetable for a fresh election will then be determined.

55. Complaints

- 55.1 Any Member may make a complaint to the Elections Committee on any matter relating to the elections by contacting the Deputy Returning Officer.
- 55.2 Complaints about the conduct of candidates must be made in writing at the time of the event. Complaints about the conduct of candidates that are submitted without good reason after the announcement of results will not normally be accepted.
- 55.3 Appeals against the decision of the Deputy Returning Officer regarding a complaint can be made in writing within two working days to the Returning Officer.

BYE LAW 8: REFERENDA

56. General arrangements for Referendum

- 56.1 Referenda shall be called as required in accordance with Article 13 in the Memorandum and Articles by:
- (a) a resolution of the Trustees;
 - (b) a majority vote of Union Council; or
 - (c) a Secure Petition signed by at least 2% of the Members.
- 56.2 The Returning Officer and Deputy Returning Officer shall be appointed in line with Bye Law 7: Elections and assume the responsibilities laid out in that Bye-Law.
- 56.3 From receipt of the requisition for a Referendum to the announcement of the result a period of not more than six academic weeks shall elapse.
- 56.4 The Elections Committee, as appointed by the Union Council, shall establish a Referendum timetable and shall promote the Referendum to Students.
- 56.5 Only Members of the Union may vote in a Referendum.
- 56.6 In accordance with Article 13.2, the quorum for Referenda, except in the event of a motion of no confidence in a Trustee, shall be at least 2% of the Members, and a resolution may only be passed by Referendum if a simple majority of the votes cast are in favour of the resolution.
- 56.7 In accordance with Article 37.2, in the event of a motion of no confidence in a Trustee, which has been triggered by a Secure Petition of at least 2% of the Members, the quorum for a Referenda shall be at least 5% of the Members and a resolution may only be passed if a simple majority of the votes cast are in favour of the resolution.
- 56.8 Any interested party in the Referendum may observe the count.
- 56.9 Decisions made or Policy set by Referenda cannot be overturned by Union Council, but may be overturned by subsequent Referenda or by a general meeting of the Members or by an annual Members' meeting.
- 56.10 The announcement of the result of the Referendum shall take place within 5 working days of completion of the count.
- 56.11 In the event of the legitimacy of a Referendum being called into question, both sides shall present evidence to the Returning Officer, who shall have decision making authority. The decision of the Returning Officer is final.

BYE LAW 9: ATHLETIC UNION REGULATIONS

The purpose of the Athletic Union (AU) is to be responsible for the regulation of the sporting and recreational activities of the Students' Union and its members. The AU will be accountable to the Executive Committee through the Sports Committee and is subject to all the provisions of the Articles of Association and byelaws. The AU may not make any rule or procedure which conflicts with those of the Students' Union and in any dispute the Articles of Association and Bye-Laws of the Students' Union will take precedence.

57. Aims and Objectives

57.1 Aim of the Athletic Union

To develop safe competitive and participative sporting opportunities for the benefit of all Students' Union members.

57.2 Objectives of the Athletic Union

The Athletic Union shall

- (a) Encourage participation across a broad range of sporting activities to the members of the Students' Union.
- (b) Promote and support sporting excellence amongst individuals and teams representing the University of Wolverhampton Athletic Union, at any level.
- (c) Provide administrative and financial support to the ratified clubs of the Athletic Union, where deemed appropriate.
- (d) Represent the interests of all its members to the Union and to external bodies, as deemed appropriate.

58. Clubs

58.1 Ratification

- (a) New clubs will be eligible for admission into the Athletic Union, normally after completing a probationary year as a Society, but in all cases after successfully completing a club development plan and preparing a budget to the Sports Committee.
- (b) All potential clubs shall have a right of appeal to the Executive Committee against a decision not to ratify a club.

58.2 Membership

- (a) Athletic Union membership shall be subject to the purchase of a University Sports Card (fee set by the University) and payment of the appropriate annual membership fee that shall be proposed to the Union's Trustees annually by the Sports Committee.
- (b) All clubs shall hold one Annual General Meeting each year, at which the Committee shall be elected by and from the membership of that club.
- (c) The quorum for a club General Meeting shall be 20% of the paid-up members.
- (d) The Committee shall manage the business of the club and shall consist of a Captain, Vice-Captain, Treasurer and Club President.
- (e) Club members can remove office holders from office by a two thirds majority of a quorate meeting properly notified to all members under Bye-Law 11, Code of Conduct for Meetings. Office holders may appeal this decision to the Sports Committee.

58.3 Benefits

Committee members of any ratified club may

- (a) Submit a budget application to the Sports Committee Annual Budget Meeting
- (b) Apply to book a Students' Union room
- (c) Apply to book a University room as an official Students' Union club, providing that the planned event is within these regulations and the Articles of Association.
- (d) Apply for Union photocopying facilities
- (e) Apply for Union secretarial and postal services
- (f) Use Union telephone facilities

58.4 Obligations

- (a) No club shall affiliate to any organisation whose aims and objectives conflict with Students' Union policy.
- (b) No recognised club shall be run for profit of any member or members.
- (c) All Club kits shall bear an Athletic-Union-approved logo as well as any sponsorship logos. All logos and kits must be approved by the Sports Committee or its delegated nominee.
- (d) No Club is permitted to erect their own advertising, posters or other publicity anywhere within the Students' Union building without prior approval from the VP Activities or nominee.
- (e) All Club communications including leaflets, tickets and publications shall carry the names of that Club and the Union logo.
- (f) Clubs must provide an annual update of their achievements, developments, activities and financial spending to the VP Activities or nominee, towards the end of the academic year. Clubs must also submit a Club Development Plan at this time for the following academic year and make representations to the Annual Budget Meeting. Funds may be restricted or totally withdrawn from any club that does not follow these processes.
- (g) No club shall run its own bank account.
- (h) Clubs may only seek sponsorship or external financial support through liaison with the VP Activities or nominee.
- (i) The Chair of Sports Committee shall represent the AU on Union Council.

58.5 De-ratification, suspension or change in status

- (a) Any club that is inactive for a period of one academic year shall automatically be deemed de-ratified.
- (b) any club which is found to be in breach of its obligations to the Students Union will be subject to disciplinary action as detailed in Bye Law 12: Disciplinary Procedures for Members, Clubs and Societies.
- (c) A club shall be wound up by a decision of the Sports Committee to de-ratify that club based on the outcome of the Students' Union's disciplinary procedures or by a club's failure to meet membership targets set by the Trustees. In the event of a club being wound up, all funds and equipment shall be returned in full to the Students' Union.
- (d) Depending on budgetary pressures and evidence from the Annual Budget Meeting, clubs may be de-ratified to make way for new clubs that have been set up in accordance with 58.1a).
- (e) Clubs that are de-ratified under section 58.5 shall have a right of appeal to the Executive Committee.

59. Management of the Athletic Union

59.1 The affairs of the Athletic Union shall be overseen by the Sports Committee, which is accountable to the Union's Executive Committee.

The membership of the Sports Committee shall be all Captains of ratified Clubs and the Activities VP.

The Committee shall elect a chair from amongst themselves as the first item of business at the first meeting in the academic year.

The VP Activities shall act as Vice Chair of Sports Committee

The day-to-day running of the Athletic Union shall be delegated to the Union's staff in conjunction with the VP.Activities

59.2 Powers and Responsibilities of Sports Committee

- (a) Ensure all clubs make representations to the Annual Budget Meeting, which distributes Athletic Union funds to the clubs in line with directives from the Trustee Board.
- (b) Ensure adherence to clubs' allocated budgets
- (c) Oversee and evaluate the appointment, the re-appointment and the development of suitable professional AU coaching staff.
- (d) Promote participation in sport and recreation within the University and support the establishment and running of clubs
- (e) Ratify clubs to the Athletic Union subject to appeal to the Executive Committee
- (f) Propose the annual fees for membership of the Athletic Union subject to the overall budgetary responsibilities of the Trustees.
- (g) Represent the views of the Athletic Union to BUCS, external bodies and within the Union
- (h) Delegate the day-to-day running of the Athletic Union to the Union's staff and the Activities VP
- (i) Ensure procedures are published relating to the fair allocation of resources to clubs

60. Quorum and Frequency

- (a) The quorum for the Sports Committee shall be 40% of the filled positions.
- (b) The Sports Committee will meet at least once per semester.
- (c) An Emergency Sports Committee meeting may be called by the Chair as deemed necessary

61. Code of Conduct

- (a) Recognised clubs are responsible to the Sports Committee.
- (b) Recognised clubs shall provide the Athletic Union Office with the names of elected officials within two working days of any elections.
- (c) Any funds or sponsorship money must be handed into the Students' Union AU office within two working days of collection.
- (d) Should any member or club breach these Bye Laws or any other Students' Union policies and regulations, they will be subject to the Students' Union's Disciplinary Procedures.

BYE LAW 10: SOCIETIES REGULATIONS

62. Society Status

To establish a society, an application, which set outs the aims and objectives of the society must be made to the Executive Committee, through the Union's Activities VP or their nominee.

62.1 Any society, once ratified and active, may:

(a) Make application to the Society Support Fund

(b) Apply to book a Students' Union room

(c) Apply to book a University room as an official Union society, providing that the planned event is within the Union's published event and room booking procedures.

(d) Apply for Union secretarial and postal services

(e) Use Union telephone facilities

62.2 No society shall affiliate to any organisation whose aims and objects conflict with Union policy. All affiliations must be agreed by the Activities VP or their nominee.

62.3 No society is permitted to erect their own advertising, posters etc anywhere within the Students' Union building without prior approval from the Activities VP or their nominee.

62.4 All society communications including leaflets, tickets and publications shall carry the names of that society and the Union logo. All such materials must be approved by the Activities VP or their nominee in advance.

63. Membership and Ordinary Procedures

63.1 All members of the Union shall be eligible for membership and to attend meetings of any society with the exception of those societies which the Executive Committee deems to have valid reasons for 'closed' meetings or membership, in accordance with the Equal Opportunities Policy. Only Members of the Union may be officers of a Society, or vote in society elections.

63.2 All societies shall hold one Annual General Meeting each year, at which the Committee shall be elected, by and from the membership.

63.3 The quorum for a Society General Meeting shall 20% of the paid up members.

63.4 The Committee shall manage the business of the society and consist of at least a Chair, a Secretary and a Treasurer.

- 63.5 Only those Committee members named above may:
- (a) Make application the Society Support Fund
 - (b) Make room bookings
 - (c) Make photocopying requests
 - (d) Use Union telephone services
- 63.6 No society shall be run for the private profit of any member or members.
- 63.7 Balances remaining at the end of the year shall be rolled forward to the following year providing the society notifies the Activities VP or their nominee by the end of May.
- 63.8 The officers and members of a society shall not receive payment either directly or indirectly for their services, from any source.
- 63.9 Society members can remove office holders from office by a two thirds majority of a quorate meeting, properly notified to all members under Bye-Law 11: Code of Conduct at Meetings. Office holders may appeal this decision to the Executive Committee
- 63.10 All events run by societies must follow the University's Code of Practice on the Freedom of Speech and the Union's booking procedures.

64. Financial Procedures

- 64.1 No society may hold its own bank account. All society funds shall be held with the Students' Union.
- 64.2 Society Support Fund applications shall be made to the Activities VP and will be considered on individual merit and within the guidelines of the fund.
- 64.3 No personal equipment shall be purchased from Union funds.
- 64.4 No stationery shall be purchased from Union funds; however, necessary stationery will, within reason, be supplied from the Union office.
- 64.5 Any surpluses from society-run events must be paid into the Students' Union for use by that society.
- 64.6 Activities that fall outside the aims and objectives of a society may not be financed from Union funds.
- 64.7 No services that are already available through the Union offices shall be paid for from Union funds.

- 64.8 All profits, membership monies and other funds raised by a society must be paid within two working days of a society being established or event being held, into the Students' Union. The approval of the spending of this money will be authorised in line with the Union's financial procedures.
- 64.9 Any equipment purchased on behalf of an individual society will remain the property of the Students' Union and may be recalled in its entirety at any time.
- 64.10 No society may commit funds to any expenditure without following the Union's financial procedures .
- 64.11 All coach bookings must be made through the union office.
- 64.12 All existing societies must complete society training that shall be held within the first four weeks of the academic year. New societies must complete the next arranged society training session. If a society refuses or fails to complete society training, the society may be suspended with immediate effect. A society so suspended shall have the right of appeal to the Executive Committee and then the Union Council.

65. Conduct

- 65.1 Societies and individual society members are subject to the rules on member discipline contained in the Bye Law 12 Disciplinary Procedures for Members, Clubs and Societies.

BYE LAW 11: CODE OF CONDUCT AT MEMBERS' MEETINGS

66. Statement of Intent

- 66.1 This Bye-Law shall set down the procedures governing the organisation and conduct of sessions of the Union Council, Annual General Meeting and such other Union Meetings as resolve to adopt these Standing Orders.
- 66.2 This Bye-Law shall ensure that the procedure for making resolutions of the Union Council and Annual General Meeting is fair and democratic, and facilitates open and participative discussion prior to those resolutions.

67. Terms of Reference

- 67.1 Standing Orders shall apply to all sessions of the Union Council and all General Meetings, and to any other Union meetings which resolve by a majority of those present and eligible to vote to adopt the Standing Orders for a stated duration.

68. Chairing & Conduct of Meetings

- 68.1 The Chair of Union Council shall be elected during the Union elections. This person will also Chair General Meetings of the Union.
- 68.2 In the absence of the Chair of Council, the President (Finance & Governance) or an Executive Officer shall arrange for a temporary Chair to be elected by and from the meeting.
- 68.3 The President (Finance & Governance) or their nominee shall act as Chair's Aide, advising the Chair on Constitutional matters and matters relating to the operation of the meeting. The Chair's aid should be a member of Council. The Chair's Aide shall hold no further authority than any other Member of the Council, and shall not deputise for the Chair unless elected as temporary Chair.
- 68.4 The Chair shall:
- (a) be impartial and not participate in any debate;
 - (b) ensure the debate is orderly and conducted in accordance with these Standing Orders;
 - (c) rule on any matter relating to the conduct of the meeting in accordance with these standing Orders;
 - (d) advise the meeting, where necessary, of the protocol regarding Union personnel and disciplinary matters;
 - (e) vacate the Chair if they wish to participate in any debate, or when a Chair's ruling has been challenged or a vote of no confidence or censure in the Chair has been proposed;
 - (f) have a casting vote only, which may only be cast in favour of the status quo
 - (g) suspend any meeting while it is disorderly until such time as the meeting comes back into order;
 - (i) ensure that all items on the agenda are debated within the time allotted to that meeting.
 - (j) ensure the meeting is quorate throughout the duration of the meeting.
 - (k) give rulings and interpretations.
 - (l) rule on allowing the meeting to be adjourned for comfort breaks.

69. Attendance at Union Meetings

69.1 All Full Members of the Union shall be entitled to attend all Union meetings except that:

- (a) only the Membership of that meeting may vote;
- (b) only the Membership of that meeting may speak, except with the approval of the Chair;
- (c) any meeting may be moved 'in camera' by a resolution of the majority of those present and eligible to vote;
- (d) all meetings discussing Employment or Disciplinary matters shall be held 'in camera'.

69.2 Such persons as are not Full Members of the Union may be admitted to Union meetings at the discretion of the Chair.

69.3 Any person whose presence or conduct prejudices the order or good conduct of a meeting may be ordered to withdraw by the Chair.

70. Publicity

70.1 All Union meetings open to all Full Members shall be publicised at least 5 working days in advance to students via the Union website

71. Opening Meetings

71.1 The start of any meeting may be delayed up to a maximum of fifteen minutes at the Discretion of the Chair.

71.2 At the start of the meeting, the Chair shall call for a quorum count. If the meeting is found to be inquorate, business may be discussed but reports and motions may not be passed or approved.

71.3 At the start of a quorate Meeting, the Chair shall present the agenda for the approval of the meeting.

71.4 The order of the paper, once accepted by the meeting, shall not be further amended.

72. Speaking at Meetings

72.1 Debates on motions

72.1.1 The order of speeches on a motion shall be:

- (a) proposing speech
- (b) speech against
- (c) debate
- (d) summation in favour

72.1.2 The Proposer of any motion shall have the right to propose and summate, or may waive to another Member of the meeting or to a free speech. If the motion contradicts any part of an existing motion, the proposer must inform Council of this during their proposing speech, and that that part or motion will become void and will be removed if the motion is passed.

72.1.3 Proposing speeches and speeches against shall last no more than 2 minutes. The debate may last as long as the Chair deems necessary, but Council members may only raise new points.

72.1.4 The debate shall include any requests for clarification and responses and queries on a motion and responses to these queries. It shall also include any amendments, points in favour or points against the motion.

72.1.5 Summation speeches shall last no more than one minute and may not introduce any new points to the meeting.

72.2 Amendments

72.2.1 Only one amendment may be discussed at any one time, and must relate to the subject of the original motion.

72.2.2 Any amendment approved by the meeting shall become part of the motion. The motion and any amendments shall be referred to as the 'substantive motion'.

72.2.3 Where an amendment is accepted by the Proposer of the motion, the amendment shall be deemed approved and enter into the substantive motion.

72.2.4 Prior to debate on any amendment, the Chair shall rule how the amendment will alter the original if accepted.

72.2.5 Amendments must be submitted in writing to the Chair before the start of the meeting, except where an amendment is to remove part of the motion, in which case this can be raised during the debate.

72.3 Substantive Motions

72.3.1 A summation speech on the substantive motion shall take place immediately after the debate on the motion.

72.3.2 Where any amendments substantially change the effect or meaning of the motion, the right to summate on the substantive motion shall belong to the Proposer of the last amendment to make such a change.

72.3.3 Summation speeches shall last no more than one minute and may not introduce any new points to the meeting.

72.4 Presentation of Reports

72.4.1 There shall be an introductory speech from the Proposer of the Report which shall last no more than five minutes.

72.4.2 The Chair will invite questions from Members of the meeting after which the report will either be accepted or rejected

73. Voting at Meetings

73.1 Voting at General Meetings shall be by show of hands of Full Members of the Union.

- 73.2 Any motion or report approved by a General Meeting shall not become Policy of the Union, but shall be proposed by the President as a motion or report for discussion at the next meeting of the Union Council
- 73.3 Voting at Union Council shall be by show of hands by Members of the Council.
- 73.4 Any motion or report approved by a majority of those present and eligible to vote at a meeting of the Union Council shall become Policy of the Union at the close of that meeting, except that proposals to amend Bye-Laws must be approved by a two-thirds majority of those present and eligible to vote as outlined in Clause 7 of the Constitution.
- 73.5 Any person attempting to register a vote not entitled to do so under these Bye-Laws will be deemed to be in breach of these Bye-Laws and may be subject Disciplinary action under Bye-Law 15: Disciplinary Procedures.

74. Points of Order

- 74.1 Points of Order shall take precedence over all other business, except that they may not be raised during a speech or vote, unless relating to the conduct of that vote.
- 74.2 Members may make a request for clarification.

75. Procedural Motions

- 75.1 Procedural Motions shall take precedence over all other business except Points of Order, except that they may not be raised during a speech or a vote, unless relating to the conduct of that vote.
- 75.2 Procedural Motions shall have priority in the following order:
- (a) that the Chair's ruling be overturned;
 - (b) that the meeting be moved 'in camera' for a specified period;
 - (c) that the meeting be closed;
 - (d) that the question be decided by Secret Ballot;
 - (e) that the question as specified be adjourned to a later meeting;
 - (f) that the question as specified be remitted to another person or body;
- 75.3 All Procedural Motions shall be approved by a majority of those present and eligible to vote.
- 75.4 In all Procedural Motions, there shall be a speech in favour (30 seconds max) and a speech against (30 seconds max), followed immediately by a vote.
- 75.5 In the event of a Motion that the Chair's ruling be overturned the President or an Executive Officer shall take the Chair for the duration of discussion on that motion. The Chair shall have the right to speak against the Motion.
- 75.6 In the event that a Motion that the Meeting be closed is approved, no further business shall be discussed.

76. National and Regional Activity

- 76.1 An item on each Union Council Agenda must be reserved for Executive Officers to feed back to Union Council on current actions and developments in higher education. This must include the National Union of Students (NUS) campaigns and actions, when the Union is affiliated to NUS, regional activity and government developments on areas such as fees.
- 76.2 Any member of Council may raise regional and national campaigns and developments they have become aware of for discussion by Council.
- 76.3 Council may mandate any Council member to lead involvement with regional and national campaigns by a simple majority vote.

77. Closing Meetings

- 77.1 All Union meetings shall close no later than 9pm.

BYE LAW 12: DISCIPLINARY PROCEDURES FOR MEMBERS, CLUBS and SOCIETIES

78. Introduction

- 78.1 These disciplinary procedures apply to all types of Members and any club or society of the Union. For the purposes of this Bye-Law, any reference to “Members” shall include Member, Associate Member, Honorary Member and Reciprocal Member (unless the context requires otherwise).
- 78.2 The Union’s President may suspend Members from using the Union’s premises, services and facilities while investigations are carried out. The Activities Vice President may suspend a club or society while investigations are carried out.
- 78.3 The Union’s disciplinary procedures relate to behaviour on Union premises, and to any recognised Union activities which may take place outside Union premises but are operating under the auspices of the Union and capable of bringing the reputation of the Union into disrepute.

79. Disciplinary Investigation

- 79.1 Reports of alleged misconduct on the part of a member, club or society should normally be brought to the attention of one of the Officer Trustees but may also be reported to any senior manager of the Union. He or she will, in liaison with the Chief Executive, institute a formal investigation into the matter, to be conducted by an impartial and appropriately qualified senior staff member.
- 79.2 If, following investigation, it appears further investigations are required; a Disciplinary Panel shall be convened.

80. The Disciplinary Panel

- 80.1 Subject to paragraph 80.2 below, the Disciplinary Panel shall be selected from the Executive Committee and shall consist of three of its members, one of whom shall normally be the President.
- 80.2 No person shall sit on the Union’s Disciplinary Panel if they are a witness, potential witness, the complainant or are directly connected with the member, club or society or have any substantive involvement in the matter under consideration.
- 80.3 The President shall Chair the Disciplinary Panel. If as a result of paragraph 80.2 above the President is unable to sit on the Disciplinary Panel, the members shall elect one of their members to act as Chair.
- 80.4 The Chief Executive or other senior staff member shall act as secretary to the Disciplinary Panel and shall be responsible for convening the Disciplinary Panel.

- 80.5 The Disciplinary Panel shall normally be convened within one month of the alleged offence being reported. The member shall be sent written notification of the time, date and place of the hearing, together with notification of the alleged breach, at least seven working days before the hearing.
- 80.6 The Disciplinary Panel reserves the right to make its decision in the absence of the Member, club or society, providing that the Panel has made one reasonable attempt to rearrange the hearing.
- 80.7 Any member who may be the subject of a disciplinary enquiry will have the right to representation from a friend or colleague, to give relevant evidence and to call relevant witnesses.
- 80.8 The Disciplinary Panel may call witnesses to give evidence as appropriate and may ask questions of the witnesses.
- 80.9 The member may call their own witnesses to give evidence and present any relevant documents to the Disciplinary Panel.
- 80.10 The Disciplinary Panel is able to ask questions of any witnesses, trustees, staff, Members, societies or clubs.

81. Functions of the Disciplinary Panel

81.1 The following shall be considered breaches of good order:

- (a) theft or fraud; deliberate damage to property;
- (b) bringing the Union into disrepute;
- (c) drunken and disorderly behaviour;
- (d) use or possession of illegal drugs;
- (e) physical violence;
- (f) harassment, unlawful discrimination and bullying of members or Union staff;
- (g) breach of any policies or Bye-Laws of the Union.

This list is not exclusive or exhaustive.

82. Courses of Action

82.1 The courses of action which may be taken by the Disciplinary Panel are:

- (a) permanent or temporary exclusion from the Union's premises, services, facilities or other privileges of Union membership; and/or
- (b) payment of compensation for damage caused to Union property;
- (c) permanent or temporary suspension of any or all of the benefits of affiliation to the Union as a club or society, including de-ratification and withdrawal of funds; or
- (d) referral of the matter to the University's Conduct and Appeals Unit for assessment; or
- (e) dismissal of the case.

82.2 Within five working days of deciding the appropriate disciplinary action, the Disciplinary Panel shall notify the member, club or society that has been charged in writing of the decision of the Disciplinary Panel.

83. Burden of Proof

83.1 The threshold to be reached in any contested allegations is an assessment on the balance of probabilities, and not proof beyond reasonable doubt.

84. Appeals

84.1 Appeals against the decision of the Disciplinary Panel may be made to the Chair of the Trustee Board. Such an appeal must be made in writing to the Chair within five working days of the member, club or society receiving notification of the Disciplinary Panel's decision.

84.2 A subcommittee of the Board including at least three of the Trustees shall consider the appeal on behalf of the Board. This subcommittee shall, where possible, not include any Trustees who were members of the original Disciplinary Panel or who have had any substantive involvement in the matter under consideration or who are directly connected with the member, club or society bringing the appeal. The decision of the subcommittee shall be final.

84.3 The grounds for appeal are:

The Disciplinary Panel has not followed correct procedure; and/or new evidence has come to light that for good reason could not be presented to the panel at the time of the hearing.

BYE LAW 13: COMPLAINTS PROCEDURE

85. Introduction

- 85.1 This Bye-Law sets out the procedures for bringing complaints against the Union or any member of its staff, including the Officer Trustees.
- 85.2 A complaint may be brought in accordance with this Bye-Law by a Member, Associate Member or Reciprocal Member. The person bringing the complaint shall be called “the complainant” in this Bye-Law.
- 85.3 For the avoidance of doubt, complaints brought by a member of staff (including an Officer Trustee) in connection with his or her employment or other workplace matters shall be brought in accordance with the Grievance Policy set out in the Union’s Staff Handbook.

86. Informal Procedure

- 86.1 Informal complaints should be resolved as close to the origin of the complaint as possible. A constructive approach by all parties will often provide a solution and acceptable remedy.
- 86.2 By informal agreement a personal response to the complaint by the appropriate staff member or line manager may be sufficient. But if appropriate, or where requested, a written response, by email or letter, may be provided.
- 86.3 If having followed the informal route the complainant believes that their concerns have not been properly addressed, or where the complaint is particularly serious or confidential, then the formal procedure set out below should be followed.

87. The Formal Procedure

- 87.1 Complaints should be raised by the complainant rather than by any third party. Where exceptionally a complainant wishes to raise a complaint through a third party, the Union will require a signed written statement to that effect from the complainant.
- 87.2 The Union will not accept anonymous complaints as anonymity precludes independent investigation of the substance of any claims.

Stage One

- 87.3 The complaint should be sent in writing to the Union’s Chief Executive Officer (CEO), and an acknowledgement of the receipt will be provided within five working days. If the complaint is about the CEO, it should be sent to the President or an Officer Trustee.

- 87.4 The Chief Executive may delegate the initial investigation to an appropriate senior member of staff. A complaint about a member of staff should be initially directed to his or her line manager, and a complaint about a Union operational procedure should initially be directed to the manager of the relevant department. A complaint about an Officer Trustee or a Part-Time Officer should be referred in the first instance to the President. A complaint about the President should be referred in the first instance to an appropriate Officer Trustee or External Trustee.
- 87.5 The investigation will normally be completed and the complainant will normally receive a written substantive response within twenty working days. This can sometimes take longer during vacation periods. The complainant may be asked to discuss the matter in person but will always receive a written response.
- 87.6 If after this stage the complaint still remains unresolved to their satisfaction, the complainant may decide to move on to Stage Two (review) of the procedure. The complainant must notify the CEO (or, if the complaint was about the CEO, the relevant Officer Trustee or External Trustee) in writing of their intent to raise the complaint at Stage Two within ten days of the date of written notification of the outcome of Stage One.

Stage Two - Review by the Union

- 87.7 The President (or, if the complaint was about the President, an Officer Trustee or an External Trustee) will review the case and may request additional documentation to determine whether it is appropriate for the complaint to be considered by an appeals body.
- 87.8 If the President (or, if the complaint was about the President, the relevant Officer Trustee or External Trustee) considers that the case requires further review then an appeals body will be convened.
- 87.9 Subject to paragraph 87.10, the appeals body shall consist of the following three persons:
- (a) The President (or, if the complaint was about the President, an Officer Trustee or an External Trustee), who shall be the Chair of the appeals body;
 - (b) An Officer Trustee or Part-Time Officer; and
 - (c) An External Trustee.
- 87.10 Each member of the appeals body shall be independent and, where possible, shall not have had any substantive involvement in the matter under appeal or with the investigation carried out under Stage One and shall have no prior knowledge of the complaint.
- 87.11 The appeals body will be supported by a senior member of Union staff, to advise and act as secretary to the appeals body.
- 87.12 The appeals body will investigate the complaint in its entirety. The complainant has the right to present their case in person or in writing to the appeals body.

87.13 The appeals body at the end of its investigation will either uphold the complaint in whole or in part, make recommendation for any remedies to be applied or dismiss the complaint. The appeals body will normally take no more than 28 working days from the start of its investigation to reach its decision. The final decision shall be notified in writing to the complainant by the Chair of the appeals body.

Stage Three - Review by the University

87.14 The Code of Practice between the Union and the University provides Union Members with the right to take their complaint to the Clerk to the University Board of Governors to be dealt with according to the procedures laid down in that Code. The Code of Practice is published on the University's and the Union's websites

87.15 The President of the Union shall provide a report to the University annually of the number of complaints received from Members in the preceding Academic Year, and a summary of how they were resolved.

BYE LAW 14: APPEALS AGAINST THE REMOVAL OF AN EXTERNAL TRUSTEE

88. Appeals Against the Removal of an External Trustee

- 88.1 In accordance with Article 39.1, an External Trustee removed from office in accordance with Article 38 shall be entitled to appeal the decision to remove him or her to an Appeals Panel. The External Trustee appealing shall be called “the Appellant”.
- 88.2 The Appellant has the right to appeal against a decision of the Trustees provided he or she lodges his or her appeal in writing with the Chief Executive not more than 14 days after the receipt of the written notice of the decision of the Trustees.
- 88.3 If an appeal is lodged within time, the decision to remove the Appellant shall not take effect until the final determination of the matter.
- 88.4 The appeal should contain a statement of the grounds upon which the appeal is brought and of the facts and matters relied upon.

89. Notification of hearing and exchange of information

- 89.1 The Appellant shall be given at least 7 days’ written notice of the date, time and place of the appeal hearing.
- 89.2 At least 4 days prior to the date of the hearing, the Appellant shall:
- (a) confirm whether or not he or she intends to attend the hearing and, if so, the name of any person who will be accompanying or representing him or her; and
 - (b) submit any fresh evidence that he or she wishes to reply upon.
- 89.3 At least 4 days prior to the date of the hearing, the Union shall provide the Appellant with any further evidence which it wishes to rely upon.
- 89.4 Neither party shall without the consent of the other or the permission of the Appeals Panel rely on any statement or document other than those provided or identified under paragraphs 89.2 and 89.3 above.

90. Composition of the Appeals Panel

- 90.1 The Appeals Panel shall be made up of:
- (a) the elected Chair of Union Council;
 - (b) a nominee of the University;
 - (c) a member of the Union (who, for the avoidance of doubt, is not a Trustee of the Union or a member of Union Council);
 - (d) a chief executive (or general manager) of another students’ union; and
 - (e) an external trustee of another students’ union.

90.2 Each member of the Appeals Panel shall be independent and shall not have had any substantive involvement in the matter under appeal. Their relationship with the Appellant should not give rise to any conflict of interest.

90.3 The selection of the members of the Appeals Panel and its procedures shall be the responsibility of the Chair of Union Council.

90.4 The Chair of Union Council will normally Chair meetings of the Appeals Panel.

91. The parties in proceedings before the Appeals Panel

91.1 The Appellant shall be entitled to be accompanied or represented by one other person of his or her own choice except where, in the opinion of the Chair of the Appeals Panel, such person has a conflict of interest.

91.2 The President shall act on behalf of the Union as the respondent to the appeal (the "Respondent") and for this purpose may be accompanied by a representative.

92. Procedure before the Appeals Panel

92.1 The function of the Appeals Panel is to review, on the balance of probabilities, the reasonableness of the decision to remove the Appellant. On the appeal, the Appeals Panel will consider the documents, statements and other evidence produced to the original Trustee meeting. The Appeals Panel shall not interview or cross examine any witnesses.

92.2 The hearing of an appeal shall be conducted in accordance with paragraph 93 below except where to do so would be inconvenient or unjust. In such circumstances, the Chair of the Appeals Panel may modify the procedure to the extent that he or she deems necessary provided that the result is fair to the Appellant.

93. Courses of action which the Appeals Panel may take

93.1 The courses of action which the Appeals Panel may take are:

- (a) to uphold the appeal; or
- (b) to reject the appeal.

93.2 Within seven days of deciding on the appropriate course of action the Chair of the Appeals Panel will notify the Appellant, in writing of the decision of the Appeals Panel.

94. The absence of the Appellant

94.1 If at the Appeal hearing, the Appellant is not present or represented, the Appeals Panel may proceed to consider the matter in the Appellant's absence if it is satisfied that notice was properly served upon him or her in accordance with paragraph 89.1 above.

95. Order of proceedings

95.1 The order of proceedings for the Appeals Panel meeting, unless the Chair otherwise directs, will be as follows:

- (a) Submissions by or on behalf of the Appellant.
- (b) Submissions by or on behalf of the Respondent.
- (c) Consideration of the evidence by the Appeals Panel.
- (d) Closing submissions by or on behalf of the Appellant.
- (e) Closing submissions by or on behalf of the Respondent.

BYE LAW 15: POLICY

96. Policy

- 96.1 Article 70.1.31 defines “Policy” as set by Referenda, Union Council, general meeting or annual members meeting in accordance with Article 13 and 60 of the Memorandum and Articles.
- 96.2 The President and Chair of Union Council shall ensure an online policy book is maintained as a true and accurate record of the Policy of the Union. Updates must be made within two working days any Policy change.
- 96.3 Policy will last for the remainder of the academic year in which it is agreed and for the one complete academic year following this. It will then lapse unless reaffirmed by the Union Council before this time.
- 96.4 The President shall update the Chief Executive Officer on additions or changes of Policy that have been made.
- 96.5 The President shall keep the Union Council informed of any such Policy that will lapse at the end of the current year at the penultimate meeting of the year.
- 96.6 Policy set by Referenda cannot be overturned by Union Council, but may be overturned by subsequent Referenda or by a general meeting of the Members or by an annual Members’ meeting.
- 96.7 Provided that it was not made by Referenda, a general meeting of the Members or an annual Members’ meeting, and subject to the provisions of Article 41, Council may overturn or amend current Policy. Members of Union Council wishing to propose this must put a formal motion in writing to the Council in accordance with Bye-Law 11 Code of Conduct in Meetings.
- 96.8 A two-thirds majority is required to overturn or amend an existing Policy.

BYE LAW 16: DISCIPLINARY PROCEDURE FOR OFFICERS AND REPRESENTATIVES ON UNION COMMITTEES

97. Commendation and Censure

- 97.1 Any Officer or Representative on a Union committee (for the avoidance of doubt, this includes Officer Trustees) can be commended for doing things that the Union committee believes has greatly improved the Union. An Officer or Representative who receives two commendations will be recommended for life-time honorary membership of the Union in line with Bye-Law 1: Membership.
- 97.2 Any Officer or Representative on a Union committee (for the avoidance of doubt, this includes Officer Trustees) can be censured for a lack of attention to their duties or doing something against the wishes of the Union committee – for example, failing to carry out actions required by a committee, non-attendance at a committee without acceptable apologies (as determined by the Union Council members) and having a report rejected by a committee.
- 97.3 Commendation and censure must be called in line with Bye Law 11: Code of Conduct at Meetings. A commendation or censure may only pass if there is a two-thirds majority vote in favour.
- 97.4 If any Officer or Representative on a Union committee (for the avoidance of doubt, this includes Officer Trustees) receives two censures he or she will be deemed subject to a vote of no confidence and will be suspended from office with immediate effect.

98. Vote of No Confidence

- 98.1 A vote of no confidence may be called for in three ways: an Officer or Representative on a Union committee may receive two censures (97.2 to 97.4 above); a Union committee may decide to move straight to a vote of no confidence (98.2 below); or by referendum (98.3 below).
- 98.2 A Union Committee may decide to move straight to a vote of no confidence where it decides an Officer or Representative on a Union committee (for the avoidance of doubt, this includes Officer Trustees) has committed a serious misconduct or breach of their duties including, but not limited, to violent behaviour, theft, harassment and bullying. A vote of no confidence must be called for in line with Bye-Law 11: Code of Conduct at Meetings. A vote of no confidence may only pass if there is a two-thirds majority vote in favour.
- 98.3 A vote of no confidence in any Officer or Representative (for the avoidance of doubt, this includes Officer Trustees) may also be called for by a simple majority of members voting in a referendum, provided at least 5% of members have voted in the referendum, as defined in Article 37.

98.4 If any Officer or Representative of a Union committee (excluding Officer Trustees) receives a vote of no confidence, the Officer Disciplinary Procedures as detailed in section 3 will apply. ***In the case of an Officer Trustee, the performance management procedures detailed in the Staff Handbook will apply.***

99. Disciplinary Investigation Process for Non-Trustees Officers and Representatives

99.1 If any Officer or Representative of a Union committee (excluding Officer Trustees) receives two censures or a direct vote of no confidence under 97.2 and 98.3, an Officer Disciplinary Committee (ODC) will be called by the Chair of the relevant committee.

99.2 The Officer Disciplinary Committee will consist of

- (a) The Chair of the Union Council (with a deciding vote in the event of a tie)
- (b) One Officer Trustee appointed by the President
- (c) Two members of Union Council (elected by Union Council)
- (d) A member of the Union's senior management team as secretary

99.3 The ODC will make a full investigation into the allegations and invite the Officer or Representative to a meeting to discuss and present evidence. The Officer or Representative may be accompanied by a friend or colleague. The ODC will make its judgement on the balance of probabilities using all relevant and available information and sources. If the Officer or Representative does not attend the meeting or submit a defence without giving valid reasons, the ODC may make its decision in the Officer's absence.

99.4 The ODC may recommend that the Officer or Representative is suspended from office, removed from office, that some other appropriate and reasonable action is taken or that there is no case to answer. If the decision is to remove from office, the position will be re-run in the next appropriate Union elections.

99.5 An Officer or Representative can appeal a decision to remove him or her from office by writing to the Chair of the Trustee Board via the Chief Executive Officer, who will make appropriate timely arrangements to address the appeal with a panel who, where possible, have not been involved up to this point. The decision of the Trustee Board panel is final. In the meantime the penalty imposed by the ODC will continue to apply.

BYE LAW 17: STUDENT VOICE PROJECT

100) School Representative positions

100.1) In accordance with the 'Development of Student Representation' paper 2011, the following School Rep positions will be trialled for the Academic Year 2011-2012:

(a) One Postgraduate Research School Rep for every School

(b) One Postgraduate Taught School Rep for every School

(c) One Undergraduate School Rep for each of the following Schools: SAD, WBS, SEd, SSPAL, SAS

- (d) Two Undergraduate School Reps for LSSC for the following disciplines: Law and Humanities
- (e) Two Undergraduate School Reps for STech for the following disciplines: Engineering and Computing
- (f) Three Undergraduate School Reps for SHaW for the following campuses: City, Walsall and Burton.

101) Administration of School Representatives

101.2) School Representatives will be expected to contribute to School-based project work.

101.3) If School Representatives do not fulfil their objectives the Union has the right to dismiss them from their position.

101.4) School Representatives who have had their positions terminated have the right to appeal to the CEO.

102) School Representative Accountability

102.1) School Reps shall be accountable to Union Council for their performance in the role and must submit a report to each Union Council Meeting to reflect their activity within their role.

102.2) Should School Representatives not adequately fulfil their objectives, the Academic Vice-President can propose a vote of no confidence at Union Council.

102.2) School Representatives who receive a vote of no confidence at Union Council shall be invited to an Officer Disciplinary Panel which will decide if the individual should be suspended or removed from office, in accordance with Bye Law 16.

103) Support for School Representatives

103.1) School Reps shall receive regular support from the Student Representation Assistant, which shall include monthly meetings.