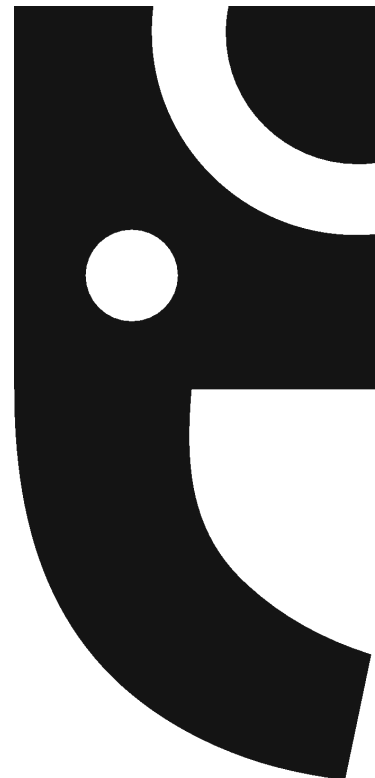


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# Byelaws of South Bank Students' Union Ltd

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Approved by South Bank Students' Union Trustee Board 18 October 2021  
Company registration number: 13353590 Registered Charity: 1194509



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# Membership

## Scope

- 1.1 This Bye-law sets out the definitions of the different types of memberships that the Union has available for student members.

## Student Members

- 1.2 The Student Members of the Union are those defined in the Articles.
- 1.3 All Student Members shall abide by the Union Articles, Byelaws, Regulations and Policies.

## Termination of Student Membership

- 1.4 Termination of Student Membership is defined in the Articles.
- 1.5 If a student wishes to exercise the right to opt-out from Student Membership, they shall inform the Union's Chief Executive in writing, who shall notify the Board of Trustees and the University of the student's decision.
- 1.6 For the avoidance of doubt a student who has opted-out in one academic year will be considered a Student Member in the next academic year unless they opt out again.
- 1.7 A student who has opted-out may re-join as a Student Member by notifying the Chief Executive of the Union of their wish to do so at any time during the same academic year.
- 1.8 Students who have opted-out of Student Membership shall be entitled to use the services of the Union, subject to such Byelaws as may from time to time be in force, including access to Union advice and welfare services.
- 1.9 Students who have opted out of Student Membership shall not be entitled:
  - 1.9.1 To participate in Union affairs (i.e. participate in democratic meetings, vote in elections, referenda and other ballots, but may be elected as a course representative);
  - 1.9.2 To participate in decision-making processes as officers or members of Forums or Committees, including student group committees;
- 1.10 Opting out of Student Membership does not prohibit a Student from entering into employment as a student staff member or support staff member of the Union.

## Associate Members

- 1.11 In accordance with the Articles, the Trustees/Union Council may establish different classes of associate membership.

- 1.12 For the avoidance of doubt any persons qualifying as an Associate Member cannot also be a Student Member.
- 1.13 Associate Members shall be entitled to:
- 1.13.1 Use of services and facilities of the Union and subcontractors, with possible restrictions and tariffs.
  - 1.13.2 Hold associate membership of any Union student group.
  - 1.13.3 Attend Student Members' Meetings or Union Council as observers with prior permission of the Chair.
- 1.14 Associate Members shall not be entitled:
- 1.14.1 To participate in Union affairs (i.e. participate in democratic meetings, vote in elections, referenda and other ballots, but may be elected as a course representative);
  - 1.14.2 To participate in decision-making processes as officers or members of Forums or Committees, including student group committees;
  - 1.14.3 To participate in the operational or directional running of student activities for any student group.
- 1.15 The Trustees have established the following classes of associate membership, which may occur a fee:
- 1.15.1 Staff Associate Membership; available to any persons employed by LSBU or the Union;
  - 1.15.2 Alumni Membership; available to any person who has previously been a student at LSBU;
  - 1.15.3 Reciprocal Membership; the Union may enter into reciprocal membership arrangements with other students' unions or educational institutions, both within the United Kingdom and overseas.
  - 1.15.4 Honorary Life Membership; this shall be awarded to persons in a process agreed and executed by the Trustee Board.
  - 1.15.5 Group/Partner Membership; available to any students studying at providers which have entered into Academic Partnership with the University, or providers which are part of the LSBU Group.

### Honorary Life Membership

- 1.16 The Trustee Board shall determine the form of application for honorary life membership, and honorary life membership shall be subject to such rights and obligations as the Trustee Board considers appropriate.
- 1.17 The Trustee Board may elect to award and remove from honorary life membership of the Union such persons as they consider to be fit.
- 1.18 Honorary Life Members shall not be Student Members for the purposes of this Constitution and shall not be entitled to vote on any matter or hold any other form of membership with the Union.

# Student Members Meetings

## Purpose, Frequency and Standing Agenda of Student Members Meetings

- 1.1 The purpose, frequency and standing agenda of Student Members Meetings is set out in the Articles.
- 1.2 Papers relating to an item of business circulated after the agenda may be tabled at the meeting subject to the approval of the Chair. Items for any other business should be discussed with the Chair in advance of the meeting. The Chair should inform the meeting of the items to be discussed at the start of the meeting. New items may be added to any other business once the meeting has commenced at the discretion of the Chair.
- 1.3 Decisions shall be made by majority vote, unless stated differently in the Articles or Byelaws.
- 1.4 Quoracy shall be 50 current Student Members. If quorum has not been met within 30 minutes of the time that the meeting was scheduled to begin then the Chair shall adjourn the meeting.
- 1.5 Student Members Meetings are subject to oversight from the Board of Trustees.

## Chair and Vice-Chair of Student Members Meetings

- 1.6 The Chair of Union Council shall be the Chair of the Student Members Meeting.
- 1.7 The President shall be the Vice-Chair of the Student Members Meeting.
- 1.8 It is the responsibility of the Chair to ensure the smooth running of meetings in accordance with the Byelaws.
- 1.9 If a vote at the meeting is tied the status quo shall remain. The Chair shall have no voting rights at the meeting.
- 1.10 The Chair may not submit motions, except Procedural Motions, or amendments to motions to Student Members Meetings.
- 1.11 It is the duty of the President to assist and advise the Chair in their capacity. The President shall assume the duties of Chair in the absence of Chair. In the absence of the Chair of Union Council and the President, another Full-Time Sabbatical Officer shall assume the duties of Chair.
- 1.12 The Chair will invite the Chief Executive (or nominee) to attend Student Members Meetings.
- 1.13 Should the Chair wish to comment on any point or contribute to a debate at any point they must first, with their agreement, pass the duties of the chair to the President.
- 1.14 When the President holds the duties of the chair they shall be considered to be the Chair. As such they may not comment on any point, contribute to a debate, or cast a vote.

### Motion of Recognition

- 1.15 Should it be felt that any Member of Union Council has performed their duties to a high standard or made an important contribution to the Union any other Student Member may submit a Motion of Recognition for that Member.
- 1.16 If debate is required, the debate should follow the procedures set out in this by-law.
- 1.17 A Motion of Recognition can be passed by a simple majority vote.

### Motion of Censure

- 1.18 Should it be felt that any Member of Union Council warrants reprimand but is not deserving of a Motion of No Confidence, any other Student Member may submit a Motion of Censure against them.
- 1.19 If debate is required, the debate should follow the procedures set out in this by-law.
- 1.20 A Motion of Censure can be passed by a simple majority vote.

### Submitting Motions to Student Members Meetings

- 1.21 Motions must be submitted in writing to the Chair no later than 10 working days before the meeting at which they are to be considered.
- 1.22 Any Motion of Commendation relating to the Chair or any motion that the Chair cannot receive must be submitted instead to the President or Vice-Chair, who shall take on the responsibilities of the Chair in this regard.
- 1.23 Only Student Members of the Union may submit motions.
- 1.24 Motions to Student Members Meetings shall be added to the agenda for the next meeting and published at the same time as that agenda, at least 10 working days before the meeting in question.
- 1.25 Emergency Motions may be submitted in writing to the Student Members Meeting if they deal with an issue that has arisen after the deadline for the submission of Motions and that cannot wait to be resolved until the next Student Members meeting.
- 1.26 Emergency Motions must be proposed and seconded in the same manner as other Motions, and shall be accepted at the discretion of the Chair, who shall consult the President unless either is a Proposer of the Motion, in which case the Chair shall consult with the other sabbatical officers in their place.
- 1.27 Any motion that has been ruled out of order by the Chair shall be presented to the meeting as such.
- 1.28 The President will establish a Motion Template and all motions must be submitted using the Motion Template.

## Amendments to Motions

- 1.29 Amendments to Motions may be submitted in writing to the Chair by midday at least two University days in advance of the Student Members meeting at which the motion that they amend is to be considered.
- 1.30 Amendments to Motions may also be proposed, at the discretion of the Chair, at the meeting that is considering the motion that they amend, although this cannot be done after the debate on the motion itself has begun.
- 1.31 Written Amendments submitted at least 11 working days in advance of the Student Members Meeting at which the motion that they amend is to be considered shall be included in the agenda for that meeting in accordance with the Byelaws.
- 1.32 Any amendments ruled out of order by the Chair shall be presented to the meeting as such.

## Orderly Conduct

- 1.33 It is the responsibility of the Chair to maintain order in Student Members meetings and to ensure that the time allowed for any meeting by its agenda is not exceeded.
- 1.34 The Chair may close the meeting or adjourn the meeting for up to 10 minutes if they believe it not to be in order.
- 1.35 The Chair may expel any attendee from a meeting for failure to adhere to its rules.
- 1.36 All attendees at Student Members meetings shall abide by the Union Articles, Regulations, and Policies.
- 1.37 At Student Members meetings the following speaking rules shall apply:
  - 1.37.1 any attendee is called to speak, all other attendees shall be silent;
  - 1.37.2 Any attendee wishing to speak shall seek permission to do so from the Chair by raising their hand;
  - 1.37.3 At Student Members meetings such permission shall automatically be granted, through the Chair, to Student Members. Such permission shall be granted at the discretion of the Chair to any other attendee. Permission granted at the discretion of the Chair may be qualified so that the speaker may only present information to the meeting. However, if the Chair has granted permission, the speaker may speak in favour of or against any item;
  - 1.37.4 No person shall speak until the Chair grants permission to do so;
  - 1.37.5 The Chair shall decide the order of speaking unless a debate is being held, in which case the order outlined in the debating procedures within this Bye-Law be adhered to;
  - 1.37.6 At the request of the Chair each speaker shall introduce themselves before proceeding to speak;
  - 1.37.7 If the Chair requests a speaker to stop speaking they must do so.
- 1.38 No person shall be allowed to make audio or visual recordings of the meeting in any fashion without the express permission of all attendees present.

## Procedural Motions

- 1.39 Any Student Member may call a Point of Order or Procedural Motion at any time during a Student Members meeting except during a vote, with the exception of Procedural Motion 10, which may be called during a vote. Only a Student Member may call Point of Order or Procedural Motion at a Student Members Meeting
- 1.40 Any attendee wishing to raise a Point of Order or Procedural Motion shall raise their hand and state, respectively, 'Point of Order' or 'Procedural Motion'. Upon acknowledgement by the Chair the speaker shall state the nature of the Point of Order or Procedural Motion. Points of Order or Procedural Motions shall take precedence over all other business, except votes, which cannot carry on until they have been resolved.
- 1.41 Procedural Motions shall require a proposer and a seconder, which shall be sought by the Chair in the latter instance.
- 1.42 The Procedural Motions for Student Members meetings shall be, in order of precedence:
- 1.42.1 Of No Confidence in the Chair;
  - 1.42.2 To challenge to a decision of the Chair;
  - 1.42.3 For a temporary Chair (for a time specified by the proposer);
  - 1.42.4 That the meeting be delayed (for no longer than 10 minutes in any 60 minute period);
  - 1.42.5 That the motion be put;
  - 1.42.6 That the motion be voted on in parts;
  - 1.42.7 That the motion be referred to the next meeting;
  - 1.42.8 That the motion be referred to a specific Union committee for further consideration;
  - 1.42.9 That the motion be not put;
  - 1.42.10 That a given vote be conducted as a secret ballot of the meeting;
  - 1.42.11 That a particular agenda item be given a time extension (for a time specified by the proposer, who shall also specify whether the additional time extend the meeting or deduct time from another agenda item);
  - 1.42.12 That the order of business for the meeting be changed.
  - 1.42.13 That non-Student Members of the Union, or sections thereof, shall be excluded
- 1.43 Procedural Motions shall require a simple majority to be carried.

## Debating Procedures

- 1.44 When considering any motion before a Student Members meeting the Chair shall ensure that the following procedure is adhered to:
- 1.44.1 Introduction of the motion, its context, and amendments received by the Chair;
  - 1.44.2 Invitation for any further amendments to the motion;
  - 1.44.3 Declaration of the order in which the amendments are to be considered by the Chair;



- 1.44.4 Opportunity for the proposer of the motion to accept any of the amendments. Should any amendment be accepted by the proposer of the motion the meeting shall be offered the opportunity to, by approval of a simple majority, move straight to the vote on the amendment;
- 1.44.5 Debate, if the proposer of the motion wish to oppose any amendment, in the following order:
  - 1.44.6 Proposing speech of a time decided by the chair that shall not exceed three minutes for the amendment;
  - 1.44.7 Proposing speech of a time decided by the chair that shall not exceed maximum of three minutes for the unamended motion;
  - 1.44.8 An even number of speeches of a maximum of three minutes for the amendment and for the unamended motion;
  - 1.44.9 Speeches and questions around the amendment; to be addressed in the summary speeches;
  - 1.44.10 Summary speech of a maximum of three minutes for the unamended motion;
  - 1.44.11 Summary speech of a maximum of three minutes for the amendment;
  - 1.44.12 Vote on the amendment;
  - 1.44.13 Opportunity, if the motion is amended, for the proposer of the motion to withdraw their support for the motion, in which case speaking rights shall pass to any proposer of an accepted amendment who wishes to speak for the motion as amended;
  - 1.44.14 Invitation for speakers to oppose the motion;
  - 1.44.15 Move, if insufficient speakers are found for or against the motion, to the vote
  - 1.44.16 Debate, if sufficient speakers are found for and against the motion, in the following order:
    - 1.44.17 Proposing speech of a maximum of five minutes for the motion;
    - 1.44.18 Opposing speech of a maximum of five minutes against the motion;
    - 1.44.19 An even number of speeches of a maximum of three minutes for and against the motion;
    - 1.44.20 Speeches and questions around the motion; to be addressed in the summary speeches;
    - 1.44.21 Summary speech of a maximum of three minutes against the motion;
    - 1.44.22 Summary speech of a maximum of three minutes for the motion;
    - 1.44.23 Vote on the motion.
- 1.45 The Chair shall at all times ensure a fair and balanced debate. All questions or comments shall be directed through the Chair who shall have the right to rule them out of order subject to any relevant Procedural Motion.
- 1.46 No attendee may speak more than twice on the same motion except:
  - 1.46.1 Having spoken in a debate on an amendment the proposer of a motion may then also speak on the motion as amended;
  - 1.46.2 In delivering a summary speech.
- 1.47 No attendee may speak for more than five minutes at one time subject to Procedural Motions.
- 1.48 The Chair reserves the right to guillotine the length of speeches and the time of debate as they see fit, as long as there is a fair and balanced debate at all times.

# Elections

## General

- 1.1 This bye-law governs the elections of the Full-Time (Sabbatical) Officers, Part-Time Officers, NUS Delegates, Student Trustees and other positions as deemed appropriate by the Trustees.
- 1.2 Additional rules and information will be provided in the Candidate Handbook.
- 1.3 These rules are in addition to general Union and University rules and regulations.

## Returning Officer and Deputy Returning Officer

- 1.4 The Trustee Board shall appoint the Returning Officer and Deputy Returning Officer annually.
- 1.5 The Returning Officer will not be a current Student Member or Union Staff Member. The Returning Officer will usually be an independent external person with elections expertise such as an NUS Staff Member unless the Trustees determine otherwise.
- 1.6 During an election the Returning Officer will take sole responsibility for interpretation of election rules and the Union Byelaws. Interpretation and rulings will be in the interest of the electorate above all others, including above election candidates.
- 1.7 The Deputy Returning Officer is responsible for the day to day management of the election and has the responsibility to ensure that the election is efficient and fair in accordance with this bye-law and any additional rules.
- 1.8 The Deputy Returning Officer has full delegated authority from the Returning Officer to implement the regulations including issuing minor sanctions, overseeing the election count and answering questions.
- 1.9 The Returning Officer shall and has the power to:
  - 1.9.1 approve the Additional Election Rules in the Candidate Handbook
  - 1.9.2 provide guidance and advice to the staff of the Union regarding best practice to ensure the integrity of the election.
  - 1.9.3 Approve the Election Rules and information for candidates
  - 1.9.4 Have final say on decisions, complaints and rulings during the elections
  - 1.9.5 Hear appeals against decisions made by the Deputy Returning Officer
  - 1.9.6 Approve the appointments of counting personnel as required
  - 1.9.7 Recommend to the Union's Senior Management Team or Trustee Board that the Union seek additional advice if they believe that there are any legal, financial, strategic or reputation risks to the Union relating to the elections.
- 1.10 Candidates must abide by the Election Rules, Union Code of Conduct, Sabbatical Officer Code of Conduct and related Union policies, as well as with information provided by and decisions made by the Returning Officer and Deputy Returning Officer.

- 1.11 The Returning Officer shall produce a report for the Trustee Board and the University to confirm that in their view the election has been free and fair. In the event that the Returning Officer does not feel the election has been free and fair, they are responsible for informing the Trustee Board and the University.
- 1.12 The Returning Officer has the power to agree an additional election appeals process with the University as required.

### Eligibility Rules

- 1.13 Only current student members may stand for election, vote in the elections and take office as an elected representative.
- 1.14 Following the close of nominations, the University will confirm that candidates meet the following eligibility criteria:
- 1.14.1 Candidates must be current Union student members who have not opted-out of student membership with the Union;
  - 1.14.2 Candidates are in good standing with the University (nominations will not be accepted from students who have been suspended, excluded or have been disciplined under the University's disciplinary procedure);
  - 1.14.3 Sabbatical Officer candidates are able to complete their studies prior to the beginning of their term in office, or are able interrupt their studies for the duration of their term in office;
  - 1.14.4 Sabbatical Officer candidates are able to work full-time in the UK for the duration of their term in office, in accordance with relevant legislation;
  - 1.14.5 Candidates for constituency-based roles are from the relevant constituency (such as International Students).
- 1.15 Following the close of nominations, the Deputy Returning Officer will confirm that candidates meet the following eligibility criteria:
- 1.15.1 Candidates standing for election for a Sabbatical Officer or Student Trustee position must be eligible to be a Trustee and Company Director in accordance with the relevant legislation;
  - 1.15.2 Student Members who have already completed two terms of office as a Sabbatical Officer of the Union are not eligible to stand for election for Sabbatical Officer;
  - 1.15.3 Candidates will be Student Members at the time of their election;
  - 1.15.4 Candidates have not previously resigned from or have not been removed from an elected officer, delegate, forum chair or trustee role, unless they have permission from the Trustee Board to stand in the election;
  - 1.15.5 Candidates have not appeared before a Students' Union Disciplinary Panel and have not been expelled from membership of the Union;
  - 1.15.6 Candidates have completed all required nomination forms correctly;
  - 1.15.7 Candidates have certified that they will complete their studies prior to the beginning of their term in office, or will interrupt their studies for the duration of their term in office;
  - 1.15.8 Candidates for constituency-based roles are from the relevant constituency (such as LGBTQ+ students).

- 1.15.9 It is an election candidate's responsibility to ensure their eligibility to stand, including ensuring their course enrolment record and visa status is up to date, before submitting their nomination.
- 1.15.10 Student Members cannot stand for or hold more than one position at any one time, except for the role of NUS National Conference Delegate or Student Trustee which may be held alongside other elected roles. For the avoidance of doubt, a Sabbatical Officer role and Student Trustee role cannot be held simultaneously.
- 1.16 For the purpose of clarity, students who have opted-out of Student Membership will not be eligible to vote or stand in the election.
- 1.17 Nominations from students seeking election jointly for one role in a job share will not be accepted unless the Trustee Board determines otherwise in exceptional circumstances.
- 1.18 Subject to the Articles, following the elections, prior to beginning their term in office and during their term in office, an elected office-holder must remain eligible under these rules in order to commence and continue their term in office.
- 1.19 The Deputy Returning Officer will takes steps to ensure the eligibility of candidates to stand in the election and take office. No candidate shall be eligible to take office until the Returning Officer has certified that they have met the criteria of these Eligibility Rules.
- 1.20 The nomination or election of any candidate who does not meet the criteria of these Election Rules shall be null and void.

### Nomination Process

- 1.21 Positions for each election will be advised in the Notice of Election.
- 1.22 For each position being elected an option to Re-Open Nominations (RON) shall be provided on every ballot.
- 1.23 By standing for election all candidates agree to be subject to the Union Articles, Byelaws, regulations, policy and values.
- 1.24 Candidates must complete a nomination form submitted for each position they are contesting. Forms completed incorrectly may be ruled invalid by the Returning Officer.
- 1.25 Completed nomination forms must be submitted in accordance with the Notice of Election.
- 1.26 All candidates and nominators agree for their data to be shared with the University and Returning Officer for election administration purposes.
- 1.27 Late nomination forms will be automatically declared invalid.

### Notice of Election

- 1.28 The Trustee Board will approve the provisional elections schedule annually, which will include the dates for the nomination period and voting period.

- 1.29 Elections for Sabbatical trustees must take place during the Spring term. Any decision to hold an election for the position of Sabbatical officer outside of the Spring term is at the discretion of the Trustee board.
- 1.30 If a Sabbatical trustee resigns, is disqualified or is removed from office at any time prior to the commencement of the academic year, the Trustee board will determine whether a by-election should take place, or if the vacancy shall remain until the next elections are held.
- 1.31 If a Sabbatical trustee resigns, is disqualified or is removed from office after the commencement of the academic year, the vacancy shall remain until the next elections are held in accordance with Article 28.
- 1.32 The Returning Officer will have the power to adapt the dates to ensure fairness if required.
- 1.33 The Deputy Returning Officer shall publish a Notice of Election at the latest by the following times:
- 1.33.1 Sabbatical Officer, Part-Time Officer, Student Forum Chair, Student Trustee and NUS National Conference Delegate elections; four weeks prior to the close of poll.
  - 1.33.2 By-election for any position or when nominations are re-opened; two weeks prior to the close of poll.
- 1.34 The Notice of Election shall specify:
- 1.34.1 Details of the positions for election;
  - 1.34.2 Details of eligibility for each of the positions for election.
  - 1.34.3 The dates of the conference concerned where relevant if NUS National Conference Delegates are being elected.
  - 1.34.4 Methods by which nomination packs, forms or equivalent material may be obtained.
  - 1.34.5 Details of the place, date and time by which completed nominations must be submitted.
  - 1.34.6 For Sabbatical Officers and NUS National Conference Delegate elections, details of the place, date and time of the Candidates' Meeting
  - 1.34.7 The Deputy Returning Officer's contact details, or their chosen point of contact.
  - 1.34.8 Any mandatory and optional election material to be provided with a valid application.
- 1.35 The Notice of Election shall be published on the Union website and in such other form as the Deputy Returning Officer shall deem appropriate.

### Notice of Poll

- 1.36 The Deputy Returning Officer shall publish a Notice of Poll to Student Members at a time no later than 5.00pm on the last working day before the opening of polls.
- 1.37 The Notice of Poll shall specify:

- 1.37.1 The name of each candidate and the position for which they have been nominated and any other relevant information the Deputy Returning Officer deems to be appropriate.
- 1.37.2 The location and opening times of polling stations, where applicable.
- 1.37.3 Details of the arrangements for voting, which will usually be online using the Single Transferrable Voting (STV) system.
- 1.37.4 The dates, locations and times of any candidates' debate sessions.
- 1.37.5 The date and location of the count, if a physical count is required.
- 1.37.6 The Deputy Returning Officer's contact details, including the email which must be used for all correspondence.
- 1.37.7 The Notice of Poll shall be published on the Union website and in such other form as the Deputy Returning Officer shall deem appropriate.

### Candidates Meeting and Training

- 1.38 A Candidates Meeting for all nominated candidates will be held after the close of nominations.
- 1.39 At this meeting the Returning Officer or the Deputy Returning Officer, will explain the election process, outline campaigning guidelines and set the tone of the election.
- 1.40 Candidates will have the opportunity to ask questions about any aspect of the election process.
- 1.41 If a candidate is unable to attend they must inform the Deputy Returning Officer of this in advance of the meeting by email.
- 1.42 If a candidate is unable to attend they are expected to meet with the Returning Officer or Deputy Returning Officer before they commence any campaigning, to ensure they are completely clear about all election regulations and procedures.
- 1.43 Candidates who do not attend the meeting or contact the Returning Officer or Deputy Returning Officer by the deadline set may be withdrawn from the election.
- 1.44 Additional training may be provided at the discretion of the Deputy Returning Officer.

### Manifestos

- 1.45 The Deputy Returning Officer will give candidates notice of the process for submitting manifestos.

### Election Rules

- 1.46 The Returning Officer will approve the Election Rules set out in the Candidate Handbook. As standard, the following rules will be included (this is not an exhaustive list):
  - 1.46.1 All candidate publicity is subject to the approval of the Returning Officer in advance of publication.
  - 1.46.2 Candidates will be supplied with an amount of publicity material, determined by the Returning Officer (which may be nil), in order to promote their candidacy in the election

- 1.46.3 Candidates must not use sponsorship to fund their campaign and publicity.
- 1.46.4 No candidate shall make derogatory, libellous or defamatory comments either verbally or written about another candidate, a member of a campaign team, election official or any staff of the Union/University.
- 1.46.5 All publicity must comply with the Union and University's Equal Opportunities Policies.
- 1.46.6 No candidate shall remove or in any way deface the election publicity of another candidate. This shall include obscuring, defacing or removing any current candidate's, union or university publicity/information already displayed.
- 1.46.7 Any costs incurred resulting from damage caused by publicity or from additional cleaning costs in removing publicity, shall be charged to the candidate(s) responsible, who shall be wholly liable for any such costs.
- 1.46.8 As standard, the following could be considered as a breach of election rules (this is not an exhaustive list):
- 1.46.9 A candidate or their agents/supporters taking unfair advantage of any media;
- 1.46.10 A candidate or their agents/supporters coercing students to vote;
- 1.46.11 A candidate or their agents/supporters deliberately attempting to influence the impartiality of the Returning Officer, their nominee or other staff employed to assist with the elections
- 1.46.12 A candidate or their agents/supporters deliberately sabotaging another candidate's campaign;
- 1.46.13 A candidate or their agents/supporters infringing the University's rules and regulations;
- 1.46.14 A candidate or their agents/supporters bringing the University/Union into disrepute;
- 1.46.15 A candidate or their agents/supporters undertaking violence or intimidation towards anyone
- 1.46.16 Any Union Officer who abuses their position to unfairly advantage a candidate.
- 1.46.17 Any Union member of staff who abuses their position to unfairly advantage a candidate
- 1.46.18 A candidate or their agents/supporters being proved to be in locations that are prescribed as 'no go' areas without written permission from the Returning Officer.

### Elections Complaints Procedure

- 1.47 Any student or staff member can submit a complaint about a candidate or their campaigner or about the election process until the close of voting. These complaints may be on any of the following grounds:
  - 1.47.1 Failure in good conduct of the election.
  - 1.47.2 Behaviour and activities of candidates or their supporters.
  - 1.47.3 The administration of the election.
  - 1.47.4 Breaches in regulations.
- 1.48 Complaints raised after this point will not be accepted, except in relation to the conduct of the count.
- 1.49 Any student can submit a complaint about the conduct of the count within one day of the announcement of results. Grounds for complaint are limited to:

- 1.49.1 The STV/AV calculations are inaccurate.
- 1.49.2 There is a physical error in the count.
- 1.50 All complaints must be sent in writing to the Returning Officer or the Deputy Returning Officer.
- 1.51 Complaints will normally be heard within 2 working days. The Returning Officer or the Deputy Returning Officer will respond in writing and candidates and complainants will be informed of any action taken.
- 1.52 In responding to a complaint the Returning Officer or Deputy Returning Officer, after hearing all the appropriate evidence, may decide to apply any of the following:
  - 1.52.1 Not to uphold the complaint.
  - 1.52.2 Refer the complaint to a more appropriate procedure.
  - 1.52.3 Suspend a candidate or the election(s) for a specified period pending an investigation(s).
  - 1.52.4 Apply sanctions to specified candidates (see sanctions below).
  - 1.52.5 Hold the election count and decide whether the basis of the complaint has any impact on the outcome of the vote.
  - 1.52.6 Re-run or void the election
  - 1.52.7 Uphold the complaint with no further action
- 1.53 In the event the Deputy Returning Officer ruled on the complaint, a candidate can appeal the decision of the Deputy Returning Officer to the Returning Officer.
- 1.54 The appeal must be made in accordance with the appeals procedure set out by the Returning Officer.
- 1.55 Appeals will normally be on the grounds that the decision of the Deputy Returning Officer was:
  - 1.55.1 Procedurally incorrect
  - 1.55.2 Taken outside the scope of the powers of the Deputy Returning Officer as defined by these regulations
  - 1.55.3 Disproportionate.
- 1.56 The Returning Officer will normally rule on the appeal within three working days. The decision of the Returning Officer is final.
- 1.57 If the Returning Officer made the first ruling on the complaint, their decision is final and there is no route of appeal, unless otherwise determined by the Returning Officer.

### Elections Sanctions

- 1.58 Any student found in breach of the regulations during any stage of the election may be penalised.
- 1.59 The penalty will be determined by the Returning Officer or Deputy Returning Officer.



- 1.60 Possible “minor sanctions” may include a verbal warning from the Deputy Returning Officer, or any other minor remedial action deemed appropriate by either the Returning Officer or the Deputy Returning Officer.
- 1.61 Other sanctions that may be determined by the Returning Officer or Deputy Returning Officer shall include:
  - 1.61.1 A formal written warning, which will be published in locations deemed appropriate by the Returning Officer or Deputy Returning Officer.
  - 1.61.2 Disqualification from the election.
  - 1.61.3 Any student or Union staff member found to be interfering with the smooth running of the election, acting fraudulently or otherwise illegally may be referred for disciplinary action:
    - 1.61.4 under the Union’s disciplinary procedures;
    - 1.61.5 and/or under the University’s disciplinary procedures;
    - 1.61.6 and/or be reported to the police.

# Executive Committee

## Scope

- 1.1 This Bye-Law sets out the collective purpose and responsibilities of the Executive Committee and the individual responsibilities of the Sabbatical Officers

## Purpose

- 1.2 The purpose of the Executive Committee is to hold responsibility for and ensure that:
- 1.2.1 the Union is run efficiently, effectively, legally, and that we achieve our strategic aims in line with the wishes of the Trustee Board;
  - 1.2.2 the Union's activities are safe, legal, and in line with regulation.
  - 1.2.3 the Union has a high performing and highly satisfied staff team able to achieve targets.
  - 1.2.4 any delegated authority from the articles or Byelaws are followed across the whole Union

## Membership

- 1.3 the Executive Committee membership includes:
- 1.3.1 the Union Chief Executive Officer (Chair)
  - 1.3.2 Sabbatical Officers
  - 1.3.3 the rest of the Senior Management Team
- 1.4 The President shall have a casting vote in the instance of a tie.
- 1.5 The Executive Committee is responsible to the membership through the Trustee Board.

## **Sabbatical Officer Roles**

- 1.6 all Sabbatical Officers shall:
- 1.6.1 be responsible to the Union's Membership, through The Trustee Board, the Executive Committee, Student Council, Referenda, Company Law Meetings and Student Member Meetings.
  - 1.6.2 be members of the Trustee Board and Executive Committee
  - 1.6.3 be responsible for co-ordinating the work of any committee(s) to which they act as Chair. Such responsibility shall include reviewing the attendance record of committee members and ensuring the accountability of the membership in terms of the Committees' Terms of Reference and the attendance requirements laid down in the Memorandum and Articles of Association.
  - 1.6.4 represent the Students' Union on relevant University Committees.
  - 1.6.5 present a Strategic Plan for the year at the Annual Members Meeting

- 1.6.6 determine who amongst the elected Sabbatical Officers, shall be responsible for priority campaigns
- 1.6.7 take no part in the organisation and administration of Union elections.
- 1.6.8 along with the Trustee board, review the Strategic Plan in the summer term of each academic year
- 1.6.9 hold office from for a period of time in accordance with the Articles
- 1.6.10 be remunerated as per their conditions of employment outlined in their employment contract.
- 1.6.11 Be members of the Trustee Board
- 1.6.12 Be members of the Student Council and actively engage and participate with the meetings
- 1.6.13 Support the work of all the elected part time officers and promote the work of student community networks
- 1.6.14 Uphold Union Policy at all times
- 1.6.15 Attend ceremonial events on behalf of the Union
- 1.6.16 Abide by the relevant codes of conduct
- 1.6.17 Attend all staff development and training as required
- 1.6.18 Encourage participation and engagement with Union democracy, activities and services
- 1.6.19 Working closely with the relevant Part-Time Officers, ensuring that they are supported in running their campaigns throughout the year.
- 1.6.20 Be key ambassadors of the Students' Union, uphold its policies and constitution and in no way bring the Union into disrepute
- 1.6.21 Represent, promote and defend the rights of members and act in the best interest of the Union at all times
- 1.6.22 On an ad-hoc basis, cover the work of an officer who is absent or unable to fulfil their own role

## SU President

- 1.7 The President shall:
  - 1.7.1 Lead representation and liaison between the Union, the University, the local community and national bodies.
  - 1.7.2 Work in partnership with the Chief Executive to achieve the mission of the organisation and to drive the strategic planning process.
  - 1.7.3 Represent the Students' Union at University Board of Governors and Academic Board meetings.
  - 1.7.4 Be the principal spokesperson for the Union dealing with media enquiries in conjunction with the Chief Executive.
  - 1.7.5 Represent students by leading the delegation at NUS National Conference.
  - 1.7.6 Raise awareness among students of issues that affect or interest them and lead them to take appropriate action, and to lobby for change on their behalf and to ensure the delivery of key messages to key stakeholders.
  - 1.7.7 Be responsible for the democratic processes of the Union and encouraging participation in Union democracy.
  - 1.7.8 Be the chair of the board of trustees.
  - 1.7.9 Be responsible for interpreting the Articles in absence of an appropriate union governing body.
  - 1.7.10 Hold responsibility for ensuring the policies of the Union are abided by.

- 1.7.11 Ensure all elected representatives are carrying out their responsibilities, and where they are not to take appropriate actions.
- 1.7.12 Ensure that statutory and regulatory requirements are met by the union.
- 1.7.13 Fulfil those duties and obligations that arise consequently upon signing the Sabbatical Officer contract for the post of President.
- 1.7.14 In the instance of the President's extended absence or resignation, the Trustee Board will collectively determine the appropriate course of action which may include:
  - 1.7.14.1. Calling a by-election;
  - 1.7.14.2. Redistributing responsibilities amongst the other sabbatical officers
  - 1.7.14.3. Any other lawful action the Board deems appropriate provided it does not contravene the Articles

### **Vice-President Education**

- 1.8 The Vice-President Education shall:
  - 1.8.1 Lead all Union activities in academic affairs including the National Student Survey and Quality Assurance Agency Audit student submission.
  - 1.8.2 Will lead the development of the Union's education policy.
  - 1.8.3 Lead student representation in academic matters to the University and external agencies.
  - 1.8.4 Develop and deliver resources and training for Course and School Representatives, including developments in the use of online tools.
  - 1.8.5 Engage with School and Course Representatives to provide support, training, advice and campaigning.
  - 1.8.6 Work closely with relevant Part Time Officers, ensuring that they are supported in running their campaigns throughout the year
  - 1.8.7 Fulfil those duties and obligations that arise consequently upon signing the Sabbatical Officer contract.

### **Vice-President Welfare & Equality**

- 1.9 The Vice-President Welfare & Equality shall:
  - 1.9.1 Lead all Union welfare activities.
  - 1.9.2 Being responsible for the delivery and coordination of campaigns and training on welfare issues.
  - 1.9.3 Being the lead representative with regard to access and widening participation policy
  - 1.9.4 Organising around Student Accommodation issues
  - 1.9.5 Leading the development of the Union's overall welfare policy.
  - 1.9.6 Working closely with the relevant Part Time Officers, ensuring that they are supported in running their campaigns throughout the year:
  - 1.9.7 Being responsible for the representation and support of faith and liberation groups, ensuring these students are able to participate in Union activities and democratic processes.
  - 1.9.8 Fulfil those duties and obligations that arise consequently upon signing the Sabbatical Officer contract.

- 1.9.9 Being responsible for overseeing the Raise & Give Programme

### **Vice-President Activities & Employability**

- 1.10 The Vice-President Activities & Employability shall:
- 1.10.1 Ensuring the development of all affiliated Union Societies & Sports teams, and oversee key Sports & Societies events such as Freshers Fair
  - 1.10.2 Encouraging and facilitating the personal development of students by providing opportunities for them to develop key skills through participation in societies, sports and student activities.
  - 1.10.3 Being responsible for ensuring the Union is carrying out work with respect to environmental and ethical issues.
  - 1.10.4 Representing the Union at all University and external agencies with respect to Sports.
  - 1.10.5 Ensuring there is a volunteering framework, including policies and procedures within the Union.
  - 1.10.6 Leading relevant student forums
  - 1.10.7 Fulfilling those duties and obligations that arise consequently upon signing the Sabbatical Officer contract for the post of Vice President Activities & Employability.

# Part time officers

## Scope

- 1.1 This bye-law sets out the roles and responsibilities of the part-time officers
- 1.2 All Part time Student Officers shall hold office for the period of one Academic Year and shall be elected in accordance with the articles

## Membership

- 1.3 There shall be the following Part Time Officers:
  - 1.3.1 Women's Officer;
  - 1.3.2 Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ+) Students' Officer;
  - 1.3.3 Disabled Students Officer;
  - 1.3.4 Black, Asian and Minority Ethnic (BAME) Students' Officer;
  - 1.3.5 Mature & Part-time Students' Officer;
  - 1.3.6 International Students' Officer;
  - 1.3.7 Postgraduate Students' Officer;

## Powers and responsibilities

- 1.4 All Part Time Officers shall:
  - 1.4.1 Uphold the Union Constitution and its structures
  - 1.4.2 Report directly to Union Council with updates on their work and campaigns;
  - 1.4.3 Represent the membership, or their student community network to the University;
  - 1.4.4 Attend and engage in relevant University committee meetings that pertain to their specific demographic and is related to the teaching or student experience of their specific group
  - 1.4.5 Uphold the Union's commitment to equality and diversity;
  - 1.4.6 Promote the development and participation of a diverse membership in the Union's wider activities;
  - 1.4.7 Submit reports to all General Meetings and the Annual Members Meeting;
  - 1.4.8 Commit to a contract of responsibilities to the Union.
  - 1.4.9 Chair convene their specific Student Community Network to ensure that the Union has an avenue for Liberation and Section students to be able to engage and organise in relevant spaces
  - 1.4.10 Where necessary and appropriate, promote and engage with wider national campaigns through NUS or other recognised bodies and organisations

## **Women's Officer**

- 1.5 There shall be one Women's Officer of the Union. This Officer shall be responsible for representing women's issues and encouraging the participation of women in the Union, and to represent students accordingly.

- 1.6 The responsibilities of the Women's Officer shall be:
- 1.6.1 To be responsible for ensuring that the activities of the Union do not discriminate against or offend Women
  - 1.6.2 To act as a representative of Women within the Union and University, as required
  - 1.6.3 To ensure that the Union is effective in its engagement and representation of women within the University and to outside bodies
  - 1.6.4 To help the Union organise the annual Women's History Month campaign
  - 1.6.5 To ensure that that Union effectively addresses issues affecting women
  - 1.6.6 To encourage the participation of Women in the Union, and to work to improve their opportunities to fulfil their potential in all aspects of University life
  - 1.6.7 To raise awareness amongst the University community of issues affecting Women
  - 1.6.8 To convene and chair the Women's Student Community Network, through which issues affecting women can be discussed and passed on to Union Council

#### **Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ+) Students' Officer**

- 1.7 This Officer shall be responsible for representing LGBTQ+ students' issues and encouraging the participation of LGBTQ+ students in the Union, and to represent students accordingly.
- 1.8 The responsibilities of the LGBTQ+ Students' Officer shall be;
- 1.8.1 To be responsible for matters relating to Lesbian, Gay, Bisexual, and Trans students across campus and be aware of issues and events in the wider community
  - 1.8.2 To promote issues affecting Lesbian, Gay, Bisexual, Transgender and Queer students
  - 1.8.3 To liaise with the relevant student officers & staff on issues of welfare of lesbian, gay, bisexual or transgendered students
  - 1.8.4 To help the Union organise the annual LGBTQ+ Pride Month campaign
  - 1.8.5 To identify and eradicate where possible all homophobic, bi-phobic, transphobic and offensive material produced by the Union, or the University, and in some cases individual students.
  - 1.8.6 To liaise with the University on any issues relating to Lesbian, Gay, Bisexual, Transgender and Queer students across campus.
  - 1.8.7 To convene and chair the LGBTQ+ Student Community Network, through which issues affecting LGBTQ+ Students can be discussed and passed on to Union Council

#### **Disabled Students' Officer**

- 1.9 There shall be one Disabled Students' Officer of the Union. This Officer shall be responsible for representing issues facing Disabled Students, encouraging the participation of Disabled Students in the Union, and representing students accordingly.

- 1.10 The responsibilities of the Disabled Student's Officer shall be:
- 1.10.1 To represent the views and needs of disabled students to the Union and the University
  - 1.10.2 To campaign for the rights of disabled students
  - 1.10.3 To ensure the needs of disabled students are reflected through the Unions' activities
  - 1.10.4 To help the Union organise the annual Disabled Awareness History Month campaign
  - 1.10.5 To work with the Executive Committee to ensure the Union is inclusive of disabled students' needs and requirements
  - 1.10.6 To convene and chair Disabled Students Committee, through which issues affecting Disabled Students can be discussed and passed on to Union Council
  - 1.10.7 To convene and chair the Disabled Student Community Network, through which issues affecting Disabled Students can be discussed and passed on to Union Council

#### **Black and Asian Minority Ethnic (BAME) Officer.**

1.11 There shall be one Black and Asian Minority Ethnic (BAME) Officer of the Union. They shall be responsible for representing issues facing BAME Students, encouraging the participation of BAME Students in the Union, and representing students accordingly.

- 1.12 The responsibilities of the BAME Officer shall be:
- 1.12.1 To be responsible for ensuring that the activities of the Union do not discriminate against or offend BAME students.
  - 1.12.2 To run campaigns related to BAME student issues
  - 1.12.3 To ensure that the needs of BAME students are reflected through the Union's activities.
  - 1.12.4 To help the Union organise the annual Black History Month campaign
  - 1.12.5 To be the lead officer for all matters related to NUS Black Students Campaign.
  - 1.12.6 To encourage the participation of BAME Students in the Students' Union, and to work to improve their opportunities to fulfil their potential in all aspects of University life
  - 1.12.7 To convene and chair the BAME Student Community Network, through which issues affecting BAME Students can be discussed and passed on to Union Council

#### **Mature & Part-time Students' Officer**

1.13 There shall be one Mature & Part-time Students' Officer of the Union. This Officer shall be responsible for representing issues facing Mature Students, encouraging the participation of mature Students in the Union, and representing students accordingly.

1.14 The responsibilities of the Mature & Part-time Students' Officer shall be:



- 1.14.1 To identify issues relevant to students who are recognised by the Union as being mature or part-time students.
- 1.14.2 To canvas mature & part-time students' opinions in order to be aware of common problems or concerns and where these exist ensure that the Union Council is made aware of these.
- 1.14.3 To run campaigns related to mature & part-time student issues.
- 1.14.4 To liaise with relevant Student Officers as necessary to ensure that the social educational and welfare needs of mature & part-time students are met and taken into account
- 1.14.5 To ensure the needs of mature & part-time students are reflected through the Union's activities.
- 1.14.6 To convene and chair the Mature & Part-time Student Community Network, through which issues affecting Mature & Part-time Students can be discussed and passed on to Union Council

### **International Students' Officer**

- 1.15 There shall be one International Students' Officer of the Union. This Officer shall be responsible for representing issues facing International Students, encouraging the participation of International Students in the Union, and representing students accordingly.
- 1.16 The responsibilities of the International Students' Officer shall be:
  - 1.16.1 To attend relevant meetings and events organised by International Students and related societies as required.
  - 1.16.2 To be responsible for ensuring that all relevant information about the Students' Union and its various facilities and activities is regularly and effectively communicated to all International students.
  - 1.16.3 To act as a representative of International Students within the Union and University, as required.
  - 1.16.4 To ensure that the Union is effective in its representation of International Students within the University and to outside bodies
  - 1.16.5 To ensure that the Union effectively addresses issues affecting International Students, and is sensitive to their beliefs and cultures.
  - 1.16.6 To encourage the participation of International Students in the Students' Union, and to work to improve their opportunities to fulfil their potential in all aspects of University life
  - 1.16.7 To raise awareness amongst the University community of issues affecting International Students.
  - 1.16.8 To be responsible for liaising with and supporting international and cultural societies who wish to campaign on issues relevant to the aims and objectives of the society. In cases involving sensitive issues and in particular where there is a strong political divide between groups of students, the International Students Officer shall seek appropriate guidance from the Executive.
  - 1.16.9 To convene and chair the International Student Community Network, through which issues affecting International Students can be discussed and passed on to Union Council

### **Postgraduate Students' Officer**

- 1.17 There shall be one Postgraduate Students' Officer of the Union. This Officer shall be Responsible for representing student issues with regard to postgraduate activities and courses.
- 1.18 The responsibilities of the Postgraduate Students' Officer shall be:
- 1.18.1 To represent Postgraduates within the Students' Union and the University
  - 1.18.2 To encourage the participation of postgraduates within the Students' Union
  - 1.18.3 To ensure that the Students' Union is effective in its representation of postgraduate students within the University and to outside bodies
  - 1.18.4 To raise awareness amongst the University campus of issues affecting Postgraduates in a manner that best caters for the needs of postgraduates
  - 1.18.5 To attend and contribute to the relevant University committee meetings that pertain to Postgraduate teaching and student experience
  - 1.18.6 To convene and chair the Postgraduate Student Community Network, through which issues affecting Postgraduate Students can be discussed and passed on to Union Council

# Codes of Conduct

## Statement

- 1.1 The Students' Union aims to foster a community with an atmosphere of trust, harmony and respect. The Students' Union's priority is to work in the best interests of the membership by providing a safe environment within our designated premises and during all Students' Union activities on and off University premises. These Codes of Conduct are designed to underpin this principle.
- 1.2 This document sets out the standards to which we expect individual members and our affiliated student communities and networks to abide.
- 1.3 We acknowledge the different roles a member might have within South Bank Students' Union and set out any specific standards for each of these groups.

## Scope

- 1.4 These codes do not apply to Union support staff (except for Sabbatical Officers and those employed as student staff), who have their expectations around conduct set out separately, and within the staff handbook.
- 1.5 Breaches of any of the rules in these Codes of Conduct will be considered to be misconduct and could lead to an individual being subject to the disciplinary procedures specific to their status within the Union. The Disciplinary procedures in force at the time of any investigatory or disciplinary outcome shall be invoked following a breach of the Code of Conduct.
- 1.6 Multiple or repeated incidents of misconduct may be more serious than a single act of misconduct and previous findings will be taken into account when determining what sanction should be imposed.
- 1.7 The Students' Union reserves the right to request the University to take additional disciplinary action where necessary.
- 1.8 Where applicable, these codes apply equally to individuals and groups of students and the Union reserves the right to apply sanctions to a whole group via the disciplinary process if deemed appropriate.
- 1.9 Guests are the responsibility of the introducing member and are not subject to disciplinary procedures but may be dealt with via agreed sanctions in force at that time.
- 1.10 In the event of a guest causing damage to property or breaching good order, the member who signed that guest in bears full responsibility for their guest's actions.
- 1.11 If a disciplinary hearing is necessary the introducing member will be the accountable party.
- 1.12 In addition to the rules outlined below, all members are expected to conduct themselves according to the guidelines laid out in the following University and

Students' Union documents:

- 1.12.1 the University's Student Disciplinary procedures
  - 1.12.2 the Union Student Group Rules relating to student groups;
  - 1.12.3 the Union's Articles and Byelaws; and in particular the expectations set out in this bye-law.
- 1.13 Members are obliged to read, understand and comply with the above documents. Full copies of the documents will be available via the Students' Unions website.

#### Limits of Jurisdiction

- 1.14 The expectations set out in the codes of conduct relate to the following circumstances:
- 1.14.1 On or around the Union's premises and spaces
  - 1.14.2 While a member is using Union facilities or at a Union event
  - 1.14.3 When a member is representing or acting on behalf of the Union at any event, of any kind
  - 1.14.4 Any of the above where interaction or incident is on social media
  - 1.14.5 Where a complaint is made about an activity organised by an affiliated society; sports club; student network including socials; campaigning activity; and activity that can be reasonably perceived as organised by the Union or any of its communities or in that community's name.
- 1.15 For the avoidance of doubt, this could include activities and behaviour of members off Union premises, and outside of Union activities. The following list gives examples where the Policy may be applied but should not be considered exhaustive:
- 1.15.1 University premises including car parks and service roads.
  - 1.15.2 sports fields/grounds managed or hired by the Union
  - 1.15.3 sporting events held at other colleges or universities involving members of the Union
  - 1.15.4 sports tours involving members of the Union
  - 1.15.5 trips in this country and abroad arranged by the Union
  - 1.15.6 events/entertainment/balls held off campus by the Union or affiliated student groups
  - 1.15.7 Student community events held off campus
  - 1.15.8 circumstances where members' rights and privileges as set out in the Code of Practice between the Union and University are affected which may include events and activities not hosted by the Union

#### **Code of Conduct for Student Members**

##### Application

- 1.16 This Code of Conduct applies to all members and in particular to the following people who will be referred to in this bye-law as 'members':
- 1.16.1 Student Members;
  - 1.16.2 Opted-out students.

- 1.16.3 Student Leaders and elected representatives
- 1.16.4 Sabbatical officers
- 1.16.5 Student Trustees
- 1.16.6 Members of student networks
- 1.16.7 Associate Members of the Students' Union.

### Violence, abuse and harassment

- 1.17 All students and staff have the right to live, study, work and relax in an environment where they are free from any form of sexual violence, physical violence, abuse and harassment and where their body and personal boundaries are respected.
- 1.18 No student or staff member should be forced to just 'put up' with violent behaviour from others, threats of such behaviour or any forms of abuse or harassment. Action must be taken where necessary to ensure all students and staff are able to enjoy university life without experiencing these.
- 1.19 Any form of bullying, harassment, discrimination or victimisation will not be tolerated by the University or the Students' Union, against its staff from its members, employees, customers, suppliers or other people not employed by the organisation, and members and staff who commit or threaten these acts should be stopped (i.e. their behaviour challenged) and disciplined as appropriate for their actions.

### Behaviour towards others

- 1.20 You should treat all Union and University staff, students and visitors with courtesy and respect.
- 1.21 You should respect other members' and staff's basic rights to work and live in a safe, secure environment, free from anxiety, fear, intimidation and harassment.
- 1.22 You should not bully, discriminate or harass anyone, especially on the basis of their age, disability, gender re-assignment, marital status, pregnancy, race, religion or belief, sex or sexual orientation.
- 1.23 On no occasion should you use personally abusive, threatening or violent behaviour either in person or through the use of email, texts, messaging services or social media.

### Safety and Security

- 1.24 The Union owes a duty of care to its members and staff and strives to ensure that the Union is a place in which all members and staff can participate safely. Members are required to comply with reasonable instructions from any member of Union staff and to observe the safety regulations of the University and Union.
- 1.25 You should ensure that you do not take any action that endangers yourself or others.
- 1.26 You should comply promptly with any requests in the event of an emergency.

### Care of property

- 1.27 You should treat University and Union property, equipment and other materials and the property of others, including the property of the Union's students communities, with care and respect.
- 1.28 You must abide by the University and Union policies regarding food and drink where this is signposted as this can damage equipment.
- 1.29 You should take care of your own property and not leave valuables unattended.

### Smoking, drugs and alcohol

- 1.30 Smoking and vaping are prohibited inside any building or premises operated by the Union. You should make sure that you do not smoke or vape near doors and outside areas where it is clearly designated as no smoking.
- 1.31 You must not take or supply illegal drugs. Drugs found in your possession will be confiscated.
- 1.32 You may only drink alcohol supplied by the Union or University on campus at organised functions or in the University bar.
- 1.33 Any member causing a nuisance or engaging in disruptive behaviour as the result of taking illegal drugs or alcohol may be asked to leave the premises and disciplinary action may be taken against them.

### ID cards

- 1.34 Members are expected to carry their University identification card at all times and produce it when entering the Students' Union's buildings, if requested by a member of Students' Union staff, a Sabbatical Trustee or an outside security firm employed by the Students' Union or the University.

### Unacceptable behaviour

- 1.35 Disciplinary procedures may be invoked if it is alleged that a student has committed misconduct, examples of which may include *but are not limited to* the following:
  - 1.35.1 Abusive, threatening or unreasonable behaviour or assault and/or behaviour which causes fear or distress to others;
  - 1.35.2 sexual violence, abuse or harassment;
  - 1.35.3 racist activity or behaviour;
  - 1.35.4 damage to Union property or the property of any student or member of staff;
  - 1.35.5 any action likely to cause injury to any person or impairing the safety of the premises; including fighting on Union premises or during Union activity;
  - 1.35.6 conduct that interferes with the academic or administrative activities of the University, such as disruption of teaching, research, examinations, working of staff and other campus services;

- 1.35.7 falsification or misuse of personal records including in elections or student group eligibility checks;
- 1.35.8 misappropriation or misuse of Union funds or assets or those of others;
- 1.35.9 false pretence or impersonation of others within or without the Union;
- 1.35.10 offering, promising, giving, receiving or soliciting a financial, academic or other advantage or favour as a means to influencing the actions of others
- 1.35.11 conduct, either on or off campus, which brings the Union or University into disrepute

### **Code of Conduct for members of Student Union communities and networks**

- 1.36 In addition to the standards of behaviour expected of all members, the members of sports clubs; academic and non-academic societies; Course reps; and Student Networks must abide by the Union's rules which apply to student groups which will be published on the Union's website and made available to all members upon joining an SBSU student community.

### **Code of Conduct for Student Leaders**

- 1.37 Student Leaders are members who are either elected, nominated or volunteer in recognised Union roles to lead activity or represent students.
- 1.38 Student Leaders potentially have power, influence and control over the actions of other students. These are positions of responsibility which carry greater expectations, particularly in relation to honesty and providing an example to others. It is therefore expected that student leaders will be ambassadors for the Students' Union and practice responsible and inclusive behaviours.
  - 1.38.1 Elected representatives include Full-Time officers, Part-Time officers; Chair of Union Council and other Union Council members.
  - 1.38.2 Activity Leaders include the committee members and executives of Union-affiliated sports clubs; academic and non-academic societies.
- 1.39 Student leaders are expected to lead Union activity to the best of their ability by:
  - 1.39.1 Actively supporting the Union's values, objects and mission, leading in an inclusive way and carrying out their duties to a high standard;
  - 1.39.2 Knowing and understanding their role and responsibilities especially their duty of care and safeguarding responsibilities towards other students;
  - 1.39.3 Undergoing required training for their role and highlighting where more may be required;
  - 1.39.4 Attending Union and University meetings and events as required for their role;
  - 1.39.5 Carrying out their duties in accordance with the Union's operating policies, seeking out advice from Union staff when necessary.
  - 1.39.6 Keeping in regular contact with Union Support Staff and Sabbatical officers, replying to communication and requests in a timely manner.
  - 1.39.7 Where appropriate, supporting the smooth handover of duties and information to students taking over their role;
  - 1.39.8 Supporting all students to ensure that they receive equitable treatment;

- 1.39.9 Not to be under the influence of intoxicants where such behaviour could be deemed unacceptable.
- 1.40 In addition to the expectations set out in section 5.5, Elected representatives must:
  - 1.40.1 Collect and accurately represent views from a diverse range of students on matters of importance relating to their remit.
  - 1.40.2 Accurately represent the Union; understanding and upholding the Union's policy positions where required.
  - 1.40.3 Pro-actively feedback into relevant Union committees and structures in a timely and constructive way.
  - 1.40.4 Abide by the Union Council Bye-Law.
- 1.41 In addition to the expectations set out in section 5.5, Activity Leaders must abide by the specific obligations relating to their role set out in the Student communities handbook.

## **Code of Conduct for Sabbatical Officers**

### Introduction

- 1.42 Sabbatical officers are elected into their position by the students they represent. Once elected and in post, they hold high office and become:
  - 1.42.1 Trustees of the Union,
  - 1.42.2 Union employees on a fixed term basis.
  - 1.42.3 An officially recognised representative of LSBU students
  - 1.42.4 A student member of the Union (if not already)
- 1.43 Sabbatical officers are required to uphold the standards of conduct expected of them in all of these roles, and this code of conduct aims to provide clarity about those standards.
- 1.44 Failure to follow this code could be considered as not fulfilling the responsibilities of any of the roles set out in section 1.42.
- 1.45 In addition to this code, Sabbatical officers' must also adhere to the obligations set out for them set out for them in:
  - 1.45.1 Trustee code of conduct
  - 1.45.2 Duties of the role in the Union's Byelaws,
  - 1.45.3 Sabbatical Officer employment contract
  - 1.45.4 Union Support Staff Handbook

### Availability

- 1.46 A Sabbatical Officer is employed in a 'student-facing' role and will carry out the majority of work on campus, in the Union's workspaces.
- 1.47 Sabbatical officers must seek approval from the President and Chief Executive before working remotely.



- 1.48 Sabbatical Officers are expected to be available to students and the majority of work will be carried out during typical 'office hours', however, 'out of hours' working will be required from time to time and in these cases TOIL procedures for Union staff will apply.
- 1.49 'Out of hours' work will most likely be required to meet the following Sabbatical Officer commitments:
- 1.49.1 Welcome, Induction and Freshers – for both the September and January intakes and possibly others.
  - 1.49.2 Attending Trustee Board meetings and subcommittees.
  - 1.49.3 Attending LSBU Board meeting (principally for the President but this may at times include all Full-Time Officers)
  - 1.49.4 Attending Union Council meetings and sub-committees
  - 1.49.5 Union Campaigns and associated events such as Black History Month

### Induction and Training

- 1.50 Sabbatical Officers are expected to fully participate in the induction training and any ongoing skills or personal development activity. This could include but is not limited to; training courses; workshops; external programmes; advance or supplementary reading, preparation work or research; coaching/mentoring sessions; or conferences.
- 1.51 Sabbatical Officers are required to develop a good working knowledge of the Union's governing documents and Byelaws, especially those relating to their obligations as an officer, employee and a trustee, and the Union's conduct and disciplinary processes.

### Performance

- 1.52 Sabbatical officers will agree objectives and an action-plan with a member of the senior management team and the President which will be reviewed regularly, forming the basis of the report required for Union Council and the Trustee Board.
- 1.53 All Sabbatical Officers will attend an annual performance review (appraisal) of performance against objectives and this code of conduct with a member of the senior management team and the President.

### Managing professional and personal life

- 1.54 Sabbatical Officers are the 'face' of the Union, and through their election by members, they are given the prestigious status of being the official representatives of LSBU students. This prestige brings with it a higher-level of responsibility and accountability which must be taken seriously, as failure to do so could result in significant risk for the Union.
- 1.55 Students are unlikely to see the difference between an officer's personal and professional lives, therefore, Sabbatical officers must be mindful that their words and actions, whether in or out of work is inextricably linked with people's perception of the Students' Union.

1.56 Within the remit of their role, and as set out in the Union's by-laws officers have an explicit obligation to:

- 1.56.1 uphold Union policy at all times;
- 1.56.2 be a key ambassador for the Union and;
- 1.56.3 to not in anyway bring the Union's reputation into disrepute.

1.57 Sabbatical Officers should give careful thought and consideration as to how both their public and private conduct might impact on these obligations. Officers are expected to uphold these obligations by:

#### Social Media

- 1.57.1 conducting themselves according to the principles outlined by the "Nolan" Committee (Third report July 1997) Standards in Public Life.
- 1.57.2 Using a professional internet/social media profile for Union work which is separate to personal accounts.
- 1.57.3 Applying the standards within this code of conduct to any public activity on the internet, whether via a personal or professional profile.
- 1.57.4 Avoiding using personal phones; phone numbers and email accounts; addresses etc to communicate with students about work related matters. The Union will provide officers with devices which should be used solely for communication in a professional capacity. The professional accounts and devices will be handed over to new officers at the end of an officers term.

#### Alcohol

- 1.57.5 Not drinking to excess when required to attend social events as part of the role.
- 1.57.6 Using professional judgement when not technically 'working' but attending a social event where students are present. For the avoidance of doubt, staff and other employees should not be drinking whilst working in their general day to day jobs.

#### Relationships

- 1.57.7 Declaring any relationship which could be perceived to impact on the role as a Trustee or Officer within the organisation to the Chief Executive, and not using the position of perceived authority within the student body to own advantage or abuse this position in anyway.

#### Press Enquiries

- 1.57.8 Referring all requests for press related activity to the Chief Executive who will notify the rest of the Sabbatical team as all public statements require cross-Sabbatical involvement, They will provide the Sabbatical team with advice and support in liaising with the contact; writing a press release and distributing it or providing a quote.

#### Public support for external / political causes

- 1.57.9 Upholding Union policy and democratic structures as bound in the Union's governing documents at all times. This includes not publicly speaking out on a specific issue or cause which members reasonably perceive as being representative of the Union and its policies as a whole.
- 1.57.10 Being aware of the legal principles affecting political activity for Charities within Charity Law. Sabbatical Officers should refer to NUS ([NUS Guidance on Political Activity in relation to Students' Unions](#)) senior managers or external trustees for advice and guidance on this matter before acting publicly.

#### Union Policy and Procedures

- 1.57.11 Upholding the Union and University's policy and procedures at all times, especially those relating to their role as a member; student; employee; elected officer and Trustee. This includes the codes of conduct for those groups and operational policies such as IT; data protection; health and safety, Equality, Diversity and Inclusion and Safeguarding.

#### Working with others

##### Support Staff

- 1.58 Sabbatical officers do not form a part of the Union staff line management structure. The Chief Executive Officer is delegated responsibility for the operational staffing and day to day running of the organisation by the Board of Trustees.
- 1.59 A Sabbatical officer in their role as a leader within the Union must strive to create a safe; respectful and inclusive working environment for staff and promote a culture which motivates staff to succeed. Officers are expected to uphold this by:
  - 1.59.1 Establishing good working practices with Union staff, seeking advice from the senior management team on managing staff relationships.
  - 1.59.2 Engaging with staff by taking an active interest in their work (even if not directly connected to the individual officer's role), by participating in group discussions and activity and attending meetings which have been scheduled– notifying the correct person in a timely manner if absence is unavoidable.
  - 1.59.3 Not discussing issues to do with staffing (such as recruitment, pay promotion, performance, complaints, grievance, whether informal or formal) directly with those members of staff, instead raising it with the Chief Executive, or relevant senior manager.
  - 1.59.4 This includes where there is a perception that a staff member is not working effectively. This should not be discussed with the employee directly, instead raised constructively with the Chief Executive, or relevant senior manager who will deal as appropriate.

- 1.59.5 Not discussing issues to do with staffing (such as recruitment, pay promotion, performance, complaints, grievance, whether informal or formal) with anyone outside the Union's senior management team. Sharing confidential or unsubstantiated information about a staff member leaves the Union and the Trustees at risk of legal liability.
- 1.59.6 Creating professional boundaries with staff. If a close friendship develops, the Chief Executive should be informed to ensure the officer's position is not perceived as compromised in anyway.
- 1.59.7 Adhering to the Union's processes and policies relating to staffing as set out in the staff handbook and EDI policy.

#### Other Sabbatical Officers

- 1.60 Sabbatical officers hold the highest office within the Union and must be the ultimate role models for upholding the fundamental principles of the student movement; student-led and democratic decision making.
- 1.61 These values underpin how decisions and agreements are made within the Sabbatical team, with decisions being sought collectively through open and respectful discussion, seeking advice from senior managers and external advisors where appropriate until a mutually agreeable outcome for all members of the team is determined.
- 1.62 A Sabbatical officer must actively build relationships with fellow officers which are supportive; encouraging and respectful and approach these discussions constructively. Sabbatical officers will do this by:
  - 1.62.1 Taking an active interest in the work and objectives of fellow officers and staff and helping them to achieve these.
  - 1.62.2 Understanding the remit of their role and the remit of fellow officers, taking on work or campaigns which are relevant only to their own so as to not undermine another's officer's role.
  - 1.62.3 Providing a safe and secure space for fellow officers and senior managers to discuss important and sensitive matters and opinions without threat of these being disclosed to other parties.
  - 1.62.4 Maintaining a regular dialogue with fellow officers – meeting with each other no less than once a fortnight.
  - 1.62.5 Respecting and adhering to decisions made by the majority, and not seeking to undermine these on the rare occasions that a mutually agreeable outcome cannot be reached. If this does happen, discuss with the Chief Executive or relevant senior manager who will offer support and advice to find ways for officers to fulfil this obligation without compromising the Union, or principles or beliefs which are important to the individual.
  - 1.62.6 Talking to one another at an early stage about any (potential for) conflicts or disagreements, maintaining a professional and constructive attitude and not using personal insults or attacks, seeking support from the Chief Executive or relevant senior manager if necessary

#### University Colleagues

- 1.63 Sabbatical Officers gain the opportunity to represent the Union and students at University boards and meetings, and to build relationships with important University stakeholders such as governors, executive team members and heads of department.
- 1.64 Sabbatical officers must use these opportunities to develop productive working relationships, and present a good image of the Union as a credible and trusted partner. Sabbatical officers are expected to uphold this by:
- 1.64.1 Attending all formal University meetings and boards as required within the role, and sending timely apologies to the relevant person if absence from a meeting is unavoidable.
  - 1.64.2 Use only the Union and University's appropriate boards and management structures to raise student issues or concerns, taking care not to use their position to inappropriately escalate directly to senior staff, bypassing those with immediate responsibility.
  - 1.64.3 Ensuring the President, Chief Executive and relevant senior managers are kept aware of any contact they have with senior members of university staff outside of formal or agreed University meetings to ensure that the SU is seen to be working in a co-ordinated and professional manner

### Misconduct

- 1.65 For the avoidance of doubt, the following section sets out a list of matters which would normally be regarded as misconduct, however this list is a guide and not exhaustive:
- 1.65.1 Minor breaches of Union policies;
  - 1.65.2 Minor breaches of your contract;
  - 1.65.3 Damage to, or unauthorised use of, our property;
  - 1.65.4 Poor timekeeping;
  - 1.65.5 Time wasting;
  - 1.65.6 Unauthorised absence from work;
  - 1.65.7 Refusal to follow instructions from the Trustee Board;
  - 1.65.8 Excessive use of Union equipment or devices for personal matters;
  - 1.65.9 Excessive personal e-mail or internet usage;
  - 1.65.10 Inappropriate or offensive language or other offensive behaviour;
  - 1.65.11 Negligence in the performance of duties;
  - 1.65.12 Smoking in no-smoking areas;
  - 1.65.13 Failure to attend disciplinary meetings without good reason.

- 1.66 This list is intended as a guide and is not exhaustive.

### Gross Misconduct

- 1.67 Gross misconduct is a serious breach of contract and includes misconduct which, in the Union's opinion, is likely to prejudice its business or reputation or irreparably damage the working relationship and trust between and officer and it.

1.68 Gross misconduct will be dealt with under Section 2 of the Code and will normally lead to dismissal without notice or pay in lieu of notice (summary dismissal) which includes removal from office and as a Trustee and a student member.

1.69 The following are examples of matters that are normally regarded as gross misconduct, however this list is a guide and not exhaustive:

- 1.69.1 Theft or fraud;
- 1.69.2 Physical violence or bullying;
- 1.69.3 Deliberate damage to Union buildings, fittings, property or equipment, or the property of a colleague, contractor, customer or member of the public;
- 1.69.4 Serious misuse of Union property or name;
- 1.69.5 Deliberately accessing internet sites containing pornographic, offensive or obscene material;
- 1.69.6 Repeated or serious failure to obey instructions, or any other serious act of insubordination;
- 1.69.7 Unlawful discrimination or harassment;
- 1.69.8 Bringing the Union into serious disrepute;
- 1.69.9 Being under the influence of alcohol, illegal drugs or other substances during working hours;
- 1.69.10 Causing loss, damage or injury through serious negligence;
- 1.69.11 Serious or repeated breach of health and safety rules or serious misuse of safety equipment;
- 1.69.12 Unauthorised use or disclosure of confidential information or failure to ensure that confidential information in your possession is kept secure;
- 1.69.13 Accepting or offering a bribe or other secret payment;
- 1.69.14 Conviction for a criminal offence that in the Union's opinion may affect its reputation or its relationships with its staff, stakeholders, customers or the public, or otherwise affects your suitability to continue to work for it;
- 1.69.15 Possession, use, supply or attempted supply of illegal drugs;
- 1.69.16 Serious neglect of duties, or a serious or deliberate breach of your contract or operating procedures;
- 1.69.17 Knowing breach of statutory rules affecting your work;
- 1.69.18 Unauthorised use, processing or disclosure of personal data contrary to the Union's Data Protection Policy;
- 1.69.19 Harassment of, or discrimination against, employees, contractors, clients or members of the public, related to gender, marital or civil partner status, gender reassignment, race, colour, nationality, ethnic or national origin, disability, religion or belief or age [contrary to the Union's EDI policy];
- 1.69.20 Refusal to disclose any of the information required by your employment or any other information that may have a bearing on the performance of your duties;
- 1.69.21 Giving false information as to qualifications or entitlement to work (including immigration status) in order to gain employment or other benefits;
- 1.69.22 Knowingly taking parental, paternity or adoption leave when not eligible to do so or for a purpose other than supporting a child;
- 1.69.23 Making a disclosure of false or misleading information under our Whistleblowing Policy maliciously, for personal gain, or otherwise in bad faith;

- 1.69.24 Making untrue allegations in bad faith against a colleague;
- 1.69.25 Victimising a colleague who has raised concerns, made a complaint or given evidence or information under our Grievance Procedure, Disciplinary Procedure or otherwise;
- 1.69.26 Serious misuse of the Union's information technology systems (including misuse of developed or licensed software, use of unauthorised software and misuse of e-mail and the internet);
- 1.69.27 Undertaking unauthorised paid or unpaid employment during your working hours;
- 1.69.28 Unauthorised entry into an area of the premises to which access is prohibited
- 1.69.29 Breach of the confidentiality rules set out in this Code.

1.70 This list is intended as a guide and is not exhaustive.

### **Code of Conduct for Trustees**

- 1.71 The Union will have a Trustee code of conduct that will define the minimum expected standards for Trustees and it will be made available to all members of the Trustee board as part of their induction.
- 1.72 The code of conduct shall be discussed by the Board of Trustees, amended if necessary and signed by all Trustees either annually or in the event new Trustees are appointed

### Expectations

- 1.73 The code of conduct must include the following expectations:
  - 1.73.1 Trustee Standards;
  - 1.73.2 Level of legal and organisational compliance;
  - 1.73.3 Conflicts of interest;
  - 1.73.4 Boardroom etiquette;
  - 1.73.5 Board of Trustees development; and
  - 1.73.6 Examples of actions that may constitute a breach of the code.
- 1.74 In addition to the Union's Trustee Code of Conduct Trustees must adhere to their obligations as set out by the UK Government's regulator for Charities.

# Complaints

## Scope

- 1.1 In accordance with the 1994 Education Act, this is the Union's complaints procedure.
- 1.2 These complaints procedures are for the use of students members; Associate Members, Sabbatical officers, elected officers; Union staff; or opted-out members who have a complaint about their treatments by individuals associated with the Union by membership status; elected office or employment.
- 1.3 In addition, an opted-out member may complain under these procedures if they feel that they have been unfairly disadvantaged by reason of having exercised their right to opt-out of Union Membership.
- 1.4 Complaints from University staff members or members of the public shall initially be dealt with informally by the relevant Union staff member, Sabbatical Officer or Trustee, and may be formally considered by the Senior Management Team or any other committee that the Trustee Board deem to be appropriate, but are not required to otherwise follow this procedure.
- 1.5 Complaints may be lodged against an individual or a group of members.
- 1.6 Complaints will be considered under this procedure when they relate to:
  - 1.6.1 dissatisfaction with the Union's operations or services;
  - 1.6.2 conduct of another member contradictory to the Codes of Conduct;
  - 1.6.3 conduct of a Union staff member, Sabbatical officer or Trustee
  - 1.6.4 any other issues which cannot be dealt with under alternative procedures, provided that the complaint is within the Union's jurisdiction to act.
- 1.7 A complaint shall not be considered under this procedure if:
  - 1.7.1 it is not within the Union's jurisdiction to act, in that it is not relevant to Union activity, operations or services and does not affect the membership rights and privileges of the complainant as set out in the Articles and the Membership Byelaws;
  - 1.7.2 it would be more appropriately considered under an alternative procedure.
  - 1.7.3 Complaints about Union representation and campaigning policy, these should be pursued through the correct democratic process as set out in the Byelaws.
  - 1.7.4 A complaints is regarding conduct during elections which will be dealt with under the Elections bye-law.
- 1.8 The Union will treat all complaints and any subsequent disciplinary action with confidentiality and has an expectation that all parties involved will ensure that confidentiality will be kept throughout any investigatory or disciplinary process including the content of meetings.



## Referral

- 1.9 At any stage of this procedure, it may become evident that referral to an alternative procedure is the most appropriate action. In such circumstances and at an informal stage of the process, the complainant should be advised that this is the case, and signposted to the relevant procedure at the earliest opportunity. If at a formal stage, the Chief Executive (or their nominee) shall refer the complaint to the alternative procedure on the complainants behalf.
- 1.10 For the avoidance of doubt, where members also hold elected office within the Union, including Sabbatical officers, additional procedures may also apply depending on the nature of the complaint.
- 1.11 More appropriate procedures may include but are not limited to:
- 1.11.1 the democratic processes for complaints about the representative performance and conduct of elected representatives, Trustees and Sabbatical Officers; as set out in the Articles and Byelaws
  - 1.11.2 the democratic processes for debating representative and campaigning policy;
  - 1.11.3 the Student Group Rules for complaints about the performance or conduct of student group committee members in their elected roles;
  - 1.11.4 the Elections Bye-Law for complaints about elections;
  - 1.11.5 the Union Staff Handbook or Union Student Staff Handbook for complaints about Union staff members;
  - 1.11.6 the University complaints procedures for complaints relating to the University;
  - 1.11.7 the Advice Service Office Manual for complaints relating to the advice service;
  - 1.11.8 action taken by the Trustee Board as appropriate.
- 1.12 In some circumstances, more than one procedure may apply, in which case complainants should be advised of their options.
- 1.13 The person handling the complaint, at either a formal or an informal stage, may seek advice from the Senior Management Team to ensure they are able to refer the complaint appropriately, but must be mindful to respect the confidentiality of the complainant.

## Informal Stage

- 1.14 Informal complaints may be initially made informally (verbally or in writing) to any Union staff member, Trustee or Sabbatical Officer, who will decide the appropriate course of action which will usually include one or more of the following:
- 1.14.1 attempt to resolve the complaint informally themselves with the appropriate supervision of a Senior Manager; or
  - 1.14.2 advise the member to ask a more appropriate person to resolve the complaint informally, and who that person might be; or
  - 1.14.3 advise the complainant to escalate the complaint to a formal stage if the complaint is deemed too serious to resolve informally; or

- 1.14.4 refer the complainant to a more appropriate procedure; or
- 1.14.5 advise the complainant to seek support from the Union Advice Service.
- 1.15 In the instance of any safeguarding or duty of care concerns, they will immediately inform the Safeguarding Lead or in the absence of the Safeguarding Lead they will inform their manager, and advise the complainant that they are going to do this.
- 1.16 Informal attempts to resolve complaints could include mediation, conflict resolution, an apology, an appropriate refund/reimbursement, or any other informal action designed to resolve the complaint.
- 1.17 If, for any reason, a complainant feels unable to make a complaint informally as referred to above, or they are dissatisfied with progress or outcome of making a complaint informally, they may make a formal complaint.
- 1.18 If a complainant feels unable to seek advice from an individual, because their complaint relates to or concerns that individual, or for any other reason, they should seek advice from the Chief Executive or another member of the Senior Management Team.

#### Formal Stage

- 1.19 If an individual wishes to raise a formal complaint they should do so by emailing the Chief Executive who will nominate an Appropriate Complaints Officer from the Union staff team. If the complaint relates to or concerns the Chief Executive, the individual can raise a formal complaint by emailing the President who will nominate an Appropriate Complaints Officer from the Union staff team.
- 1.20 Statements of formal complaints should include:
  - 1.20.1 the nature of the complaint;
  - 1.20.2 details of the circumstances in which it has arisen;
  - 1.20.3 details of any steps taken so far to have the complaint dealt with; and
  - 1.20.4 details of the steps the member considers should be taken to deal with the complaint.
- 1.21 The individual should also attach to their e-mail or otherwise clearly identify any documents they wish to be taken into account in the consideration of their complaint.
- 1.22 The Appropriate Complaints Officer will consider requests for confidentiality in dealing with a complaint.
- 1.23 If a complaint is submitted anonymously, the Appropriate Complaints Officer will usually investigate taking into consideration the seriousness of the allegations and the level of detail provided within the complaint itself.
- 1.24 The Appropriate Complaints Officer may deal with the complaint as they consider appropriate in all the circumstances. On receipt of a complaint, the Appropriate Complaints Officer will respond to the complainant within 10 working days setting out how complaint will be considered.

- 1.25 The complaint will be considered in one or a combination of the following ways as appropriate:
- 1.25.1 the Appropriate Complaints Officer may investigate the complaint themselves; or
  - 1.25.2 may refer the complaint for investigation to another individual on their behalf; or
  - 1.25.3 may refer the matter to be dealt with under other procedures.
- 1.26 In some circumstances, a complaint may relate to various issues which require several procedures to be followed simultaneously in order for the complaint to be considered appropriately. In such circumstances the Appropriate Complaints Officer shall determine the most appropriate course of action.
- 1.27 In case of referral to be dealt with under any other Union procedure, it may not be possible deal with a complaint within a specific timeframe but the member will be kept informed of the anticipated timescale.
- 1.28 In the course of any investigation of the complaint the Appropriate Complaints Officer may, but need not, invite the complainant a meeting with them and/or other specified individuals to discuss the individual's complaint.
- 1.29 If the matter has not been referred to be dealt with under any other Union procedure as referred to above, the Appropriate Complaints Officer will take a decision in relation to the complaint and notify the complainant by email of such decision by no later than 10 working days of the complaint being received, or by such later reasonable time notified to the member. This decision may be:
- 1.29.1 To dismiss the complaint;
  - 1.29.2 To propose a resolution;
  - 1.29.3 That there may be a case to answer and should therefore be referred to another procedure, such as a disciplinary procedure.
- 1.30 If the complainant is dissatisfied with the Appropriate Complaints Officer's proposed resolution, the Appropriate Complaints Officer may take a decision to dismiss the complaint or that there is a case answer.
- 1.31 If the matter has been referred to be dealt with under any other Union procedure as referred to above, the complainant will be notified of the final decision under that procedure, and the complainant will not be entitled to any review under this Complaints Bye-Law.

#### Complaints principles

- 1.32 Students may be accompanied by, or represented by, another LSBU student at an investigation meeting. Alternatively, students are entitled to advisory support with informal or formal complaints under this procedure from the Union Advice Team or an LSBU staff member, provided that conflicts of interest and the general provision of advisory support to the member is managed in line with Union Advice Team policy and at the discretion of relevant team managers.

- 1.33 Under no circumstances may any members be accompanied by, or represented by, any other persons including external legal advisors, and contributions from such persons cannot be considered. Meetings and communications under this procedure, including at an informal stage, will only involve the appropriate participants and will not proceed otherwise.
- 1.34 Members may at any time withdraw their complaint or decline referral to an alternative procedure. However, if the complaint causes safeguarding or duty or care concerns, or significant legal or reputation risk for the Union, appropriate action will be taken in line with the relevant procedures (such as Safeguarding Procedures), which could compromise the confidentiality of the complainant. In such circumstances, a complainant will be advised that their confidentiality will be breached and the reasons why.
- 1.35 The person dealing with a complaint shall be empowered to request appropriate additional information from any relevant parties to assist in the investigation.
- 1.36 Decisions made and the reasons for such decisions shall be communicated in a clear and timely manner to members.
- 1.37 In the case that a call for a motion of no confidence does not meet the requirements as set out in the Union's Byelaws, the Chair of the Union Council will contact the proposer to explain the requirements which have not been met, and will refer them to the correct democratic processes set out in the Articles and Byelaws.

# Disciplinary Procedures

## Disciplinary process for Members

### Scope

- 1.1 Alleged breaches of the Codes of Conduct Bye-Law by Student Members, Sabbatical Officers, Associate Members and Opted-out students shall be considered under this bye-law, as well as any other circumstances deemed appropriate by the President or nominee, Chief Executive, Senior Management Team or Trustee Board.
- 1.2 Items not considered under this bye-law may include:
  - 1.2.1 Breaches of the Election Rules;
  - 1.2.2 Breaches of the Union Staff Handbook or Union Student Staff Handbook
  - 1.2.3 Complaints that should be address by the University;
  - 1.2.4 Circumstances leading to withdrawal of advice services as outlined in the Advice Service Office Manual;
  - 1.2.5 Any issue outside of the Union’s jurisdiction to act, in that the issue is not relevant to Union activity, operations or services and does not affect the membership rights and privileges of the complainant as set out in the Articles and the Membership Byelaws; and
  - 1.2.6 Any other issue which would be more appropriately considered under an alternative procedure.
- 1.3 It may be necessary to consider matters under this procedure in addition to alternative procedures.
- 1.4 The procedures in this bye-law may be triggered by:
  - 1.4.1 a complaint referred to these procedures by the Appropriate Complaints Officer
  - 1.4.2 an incident report referred to these procedures by the President or nominee, Chief Executive, Executive Team or Trustee Board;
  - 1.4.3 a decision to refer any issue to these procedures by the President or nominee, Chief Executive, Executive Team or Trustee Board.
- 1.5 Written notice of a referral to these procedures will be made in writing to the complainant and respondent at the earliest opportunity, outlining the reasons why the referral has been made (including a brief outline of the allegations made) and explaining that they will receive written communication from the Chair of the Disciplinary Panel or nominee within 5 working days.

### Disciplinary Panel Membership

- 1.6 The membership of a Disciplinary Panel shall be established by the Chief Executive and shall include:
  - 1.6.1 The Chief Executive or nominee who shall act as Chair.

- 1.6.2 Two additional members of the Senior Management Team or the Trustee Board.
- 1.6.3 No member of the panel shall have been involved with the matter under consideration.
- 1.7 At least one member of the panel shall be a Sabbatical Officer unless conflicts of interest prevent all Sabbatical Officers from participating.

#### Investigation Lead and Secretary

- 1.8 The Chair of the Disciplinary Panel shall nominate a relevant Union Staff Member to be the Investigation Lead. As long as there is no conflict of interest, this will usually be a manager.
- 1.9 The Investigation Lead is responsible for:
  - 1.9.1 collecting evidence and statements in relation to the issue in question (note that some or all of these may have already been collected during investigations under other procedures);
  - 1.9.2 circulating their summary investigation report to the Disciplinary Panel, the complainant and the respondent at least 10 working days in advance of the hearing;
  - 1.9.3 presenting their summary findings and recommendations to the Disciplinary Panel Hearing;
  - 1.9.4 undertaking any other investigatory activities required by the Chair.
- 1.10 Such recommendations to the panel shall not extend to punishments or sanctions.
- 1.11 Investigations should last no longer than 10 working days without good reason and agreement from the Chair of the Disciplinary Panel.
- 1.12 The Chair of the Disciplinary Panel shall nominate a relevant Union Staff Member to be the Disciplinary Panel Secretary.
- 1.13 The Secretary shall be responsible for:
  - 1.13.1 arranging the hearing time, date and location;
  - 1.13.2 liaising with attendees to support their attendance at the hearing, including any required access needs and refreshments;
  - 1.13.3 taking minutes of the meeting and circulating them to the Disciplinary Panel Members;
  - 1.13.4 storing the minutes securely;
  - 1.13.5 undertaking any other administrative activities required by the Chair.
- 1.14 The Secretary shall not participate in the questioning and decision-making discussions at the hearing or before.

#### Disciplinary Panel Hearing

- 1.15 The Panel shall operate in accordance with the following procedure:

- 1.15.1 The Panel shall initially meet with the Investigation Lead only. The Investigation Lead will present a brief summary of their findings and the panel can question them, and then the Investigation Lead leaves.
  - 1.15.2 The Panel shall then call the complainant and respondent into the hearing and introduce themselves.
  - 1.15.3 The Chair shall outline the procedure.
  - 1.15.4 The complainant shall present details of the complaint and their witnesses.
  - 1.15.5 The respondent and the panel shall have an opportunity to question them before each witness leaves.
  - 1.15.6 The respondent shall present their response and their witnesses.
  - 1.15.7 The complainant and the panel shall have the opportunity to question them before each witness leaves.
  - 1.15.8 The complainant shall be given the opportunity to make a final statement.
  - 1.15.9 The respondent shall be given the opportunity to make a final statement.
  - 1.15.10 The members will leave and the panel will decide on the outcome. They may call the Investigation Lead back into the hearing if required.
  - 1.15.11 The chair will close the hearing and write to each member within 5 working days outlining the decision and the reasons for the decision, and their right to appeal.
- 1.16 In the event that it is not appropriate to have both complainant and respondent present at the same time, the procedure will be the same but with only the complainant or the respondent and respective witnesses present.
- 1.17 In such circumstances, the complainant must submit a written statement which must be available to the respondent at least three days prior to the meeting. Should any new evidence emerge in the meeting the Chair will determine its relevance, and if deemed relevant the Chair will make every effort to give the other party a chance to respond to it.
- 1.18 It shall be the responsibility of the complainant and respondent to make arrangements for the attendance of any witnesses that they wish to call, and for somebody to support them in line with this bye-law.
- 1.19 Any written statements, evidence, and names of witnesses who are to be called, shall be given to the Chair of the Disciplinary Panel five working days prior to the hearing and should be made available to the complainant, respondent and members of the Disciplinary Panel no less than three days prior to the hearing.
- 1.20 If the complainant or respondent fail to attend the hearing, the Disciplinary Panel may, with the agreement of all panel members, rearrange the hearing. Alternatively, the panel may proceed to consider the complaint in their absence.
- 1.21 Disciplinary Panels shall have the power to:
- 1.21.1 Dismiss the complaint.
  - 1.21.2 Issue a verbal or written warning.
  - 1.21.3 Request a verbal or written apology.

- 1.21.4 Exclude any persons from the Union's premises permanently or for a specified time.
- 1.21.5 Exclude any persons from Union activities or services permanently or for a specified time.
- 1.21.6 Revoke membership of the Union or any student group permanently or for a specified time.
- 1.21.7 Revoke any privilege, benefit or entitlement created under the Articles and Byelaws permanently or for a specified time.
- 1.21.8 Refer the matter to the University for further disciplinary action or the police for investigation.
- 1.21.9 Refer the matter to any other committee or procedure for further action.
- 1.21.10 Invoke a sanction which is not covered by this list, but which is reasonable and relevant to the context of the complaint.

### Disciplinary Appeal Panels

- 1.22 The complainant or respondent may appeal against the decision of the Disciplinary Panel within 5 working days on the following grounds:
  - 1.22.1 There was procedural impropriety in the original hearing which could reasonably and significantly have altered the outcome of proceedings;
  - 1.22.2 That the decision of the panel was disproportionate.
- 1.23 Notice of appeal, specifying on which of the above grounds the appeal is made, should be given in writing to the Chief Executive within ten days of notification of the panel decision.
- 1.24 The Chief Executive shall either dismiss the appeal if it does not meet the grounds for appeal above, or refer the appeal to the Disciplinary Appeal Panel.
- 1.25 Disciplinary Appeals Panels shall have the power to consider the appeal only based on the grounds stated in this bye-law. The disciplinary panel may:
  - 1.25.1 Overturn all or part of the decision of the Disciplinary Panel.
  - 1.25.2 Uphold the decision of the Disciplinary Panel.
- 1.26 The Disciplinary Appeals Panel shall be the Chief Executive or another relevant senior manager and the President or another sabbatical officer.
- 1.27 A University staff member may act in an advisory and non-voting capacity.
- 1.28 No member of the panel shall have been involved with the matter under consideration.
- 1.29 The Appeals Panel shall discuss the appeal within 10 working days and reach a decision which shall be final.
- 1.30 The decision of the Appeals Panel shall be final.
- 1.31 The same rights and responsibilities as the original panel shall apply to the Appeal Panel.



## Member Disciplinary Procedure Principles

- 1.32 Students may be accompanied by, or represented by, another LSBU student at a disciplinary meeting. Alternatively, students are entitled to advisory support with informal or formal complaints under this procedure from the Union Advice Team or an LSBU staff member, provided that conflicts of interest and the general provision of advisory support to the member is managed in line with Union Advice Team policy and at the discretion of relevant team managers.
- 1.33 Under no circumstances may any members be accompanied by, or represented by, any other persons including external legal advisors, and contributions from such persons cannot be considered. Meetings and communications under this procedure, including at an informal stage, will only involve the appropriate participants and will not proceed otherwise.
- 1.34 Members may at any time withdraw their complaint or decline referral to an alternative procedure. However, if the complaint causes safeguarding or duty or care concerns, or significant legal or reputation risk for the Union, appropriate action will be taken by the relevant Union staff member, Sabbatical Officer or Trustee which could compromise the confidentiality of the member. In such circumstances, a member will be advised that their confidentiality will be breached and the reasons why.
- 1.35 The Panel and the staff member leading any further investigation shall be empowered to request appropriate additional information from any relevant parties to assist in the investigation.
- 1.36 Decisions made and the reasons for such decisions shall be communicated in a clear and timely manner to members at all times.
- 1.37 The Panel shall be empowered to require the complainant and respondent to attend and make a statement regarding the complaint, except in exceptional circumstances such as cases of individual harassment or attack where the complainant may be granted the right to make a written statement only or attend the hearing separately from the respondent.
- 1.38 The Chair may request additional information from the complainant or respondent in advance of or following a hearing.
- 1.39 A record of proceedings and the decision of the Panel shall be recorded by the Secretary, who shall attend the Panel Hearing. Minutes shall be available to the complainant and respondent on request and shall be sent within 10 working days of the request being communicated to the panel Chair.
- 1.40 If any member breaches the terms of any sanction, the Chair of the Disciplinary Panel shall be empowered to:
- 1.40.1 Extend the sanction for a period not exceeding the full length of the original or
  - 1.40.2 Refer the matter to the University for consideration under the University Discipline Regulations.

- 1.41 The Panel's meeting shall be held in private except for the presence of those presenting evidence at a given moment.
- 1.42 The investigation and the Panel are not legal proceedings.
- 1.43 The respondent should be given adequate opportunity and right to reply to any allegations before the Panel make their decision.

#### Precautionary action and suspension

- 1.44 Where a member is being investigated under this bye-law, they or other members involved may be suspended as a precautionary measure if it is considered that it is necessary to protect the complainant, the integrity of the investigation and/or other members from harm. Precautionary action will be reasonable and proportionate and may include:
  - 1.44.1 imposing conditions on any members (for example, requiring them not to contact any other members and/or certain witnesses);
  - 1.44.2 suspending a member from participating in Union activities or services, such as student groups and events;
  - 1.44.3 excluding a member (for example, prohibiting a member from entering Union premises).
- 1.45 These actions are a precautionary measure only. It is not a penalty or sanction and does not indicate that the Union has concluded that the accused member has committed a breach of the Member Code of Conduct. Any precautionary actions taken will be reviewed on a regular basis.
- 1.46 Where precautionary actions are taken, the member has no right of appeal.
- 1.47 The respondent shall be given written notice from the Chair outlining the terms of and reason for any suspension without prejudice enforced to allow an investigation to take place within three working days of the suspension taking effect. There shall be no appeal to this suspension.
- 1.48 The decision of the Disciplinary Panel shall be deemed upheld until the outcome of the Disciplinary Appeal panel is resolved.

#### **Disciplinary process for Sabbatical Officers**

- 1.49 In the instance of a Sabbatical Officer having a case to answer in relation to an alleged breach of a Union code of conduct, the Chief Executive (or nominee) and Chair of Trustees (or Deputy Chair of Trustees) will determine the appropriate disciplinary procedure to use.
- 1.50 Disciplinary issues concerning the conduct or performance of sabbatical officers as Union employees will be pursuant to the Union's staff disciplinary procedures as set out in the Union's Support Staff handbook.
- 1.51 Disciplinary issues concerning the conduct of sabbatical officers as student members or student leaders will be dealt with under Membership disciplinary procedures.

- 1.52 Issues relating to the performance or conduct of sabbatical officers as elected representatives ('representative performance'), such as under-performing in their elected roles, will be dealt with by the Chair of Union Council through the s democratic processes set out in the Articles and Byelaws.

#### Provisions for removal of a Sabbatical Officer

- 1.53 If it is deemed following a staff disciplinary procedure, a student member disciplinary procedure or a successful motion of no confidence that the officer has committed misconduct, or failed to perform adequately in their role, the appropriate Disciplinary body will have the power to impose sanctions or further action on the officer which will range in severity depending on the context of the breach.
- 1.54 In the some of the more severe of these circumstances, it may not be possible for the officer to remain in post.

#### Staff Disciplinary process

- 1.55 If following the staff disciplinary or capability process, it is found that a sabbatical officer has committed gross or repeated misconduct, or is not able to carry out the duties of their role, their contract of employment *may* be terminated.
- 1.56 In accordance with the Articles; a sabbatical officer who has had their contract of employment terminated will be removed from office.

#### Student Member Disciplinary process

- 1.57 If following the student membership disciplinary process, it is found that a sabbatical officer has committed gross or repeated misconduct they *may* have their student membership removed.
- 1.58 In accordance with the Articles; a sabbatical officer who has had their student membership removed will be removed from office.

#### Vote of no confidence passed through correct democratic process

- 1.59 If following a vote of no confidence, the vote is passed, the Sabbatical Officer will be removed from office .
- 1.60 The removal of a Sabbatical Officer from office shall only take effect once the Union has carried out any steps it is required to take under the individual's contract of employment and/or the applicable disciplinary procedure and otherwise in accordance with good employment practice. While such steps are being taken, the officer may be suspended from their duties.
- 1.61 Where a Sabbatical officer is removed from office their status as a Member of the Union shall also terminate (save that they may become a Member again, if they become a Student).
- 1.62 Where a Sabbatical officer's contract of employment is terminated, they will be removed as a Trustee

# Referenda

## Calling a referendum

- 1.1 A Referendum shall be called by either of the following:
  - 1.1.1 A resolution of the Trustee Board;
  - 1.1.2 A simple majority vote of Union Council;
  - 1.1.3 A Secure Petition of at least 150 Members, presented to the President stating the intention to hold a referendum on a single issue only.

## Membership

- 1.2 Only Members of the Union shall be entitled to vote in Union Referenda.

## Powers

- 1.3 A vote of Referendum, by a simple majority, may do the following:
  - 1.3.1 Pass representative and campaigning Policy;
  - 1.3.2 Overrule a previous decision of a Student Members Meeting or the Union Council;
  - 1.3.3 Affiliate or disaffiliate the Union to or from any external organisation (subject to the Education Act 1994).
- 1.4 A vote of Referendum, by a two thirds majority, may pass a motion of no confidence in any Sabbatical Officer or Trustee

## Processes

- 1.5 On receipt of a call for Referendum, the President, or appropriate Student Officer, shall refer the question to the Returning Officer, as outlined in Regulation D, within 5 working days.
- 1.6 The Returning Officer shall confirm whether the call for Referendum is valid within and shall set the wording of the question within 5 working days of the President referring the question.
- 1.7 Any question put to Referenda must be a simple 'YES' or 'NO' question.
- 1.8 The Referendum shall take place 10 working days after the question is set by the Returning Officer.
- 1.9 It is the duty of the President to ensure promotion and publicity of Referenda is displayed prominently within Union premises and communicated to the Student Membership.
- 1.10 In the case of a Motion of No Confidence against a Student Officer, it shall be the responsibility of the Chair of Union Council to ensure promotion and publicity of the Referendum is displayed prominently within the Union premises and communicated to the Student Membership.

- 1.11 Any Student Member may campaign for or against the motion.
- 1.12 Any Student Member who wishes to campaign for or against the motion shall do so within the regulations set out in the Articles and Byelaws.
- 1.13 All Referenda shall be conducted in accordance with the Elections Bye-Law.

A vote of Referendum shall only be valid if of 5% of Student Members of the Union vote in accordance with data provided by the University

# Union Council

## Purpose of Union Council

1.1 The purpose of Union Council is set out in the Articles.

## Frequency and business of Union Council

1.2 There shall be at least five Union Council meetings within the Academic Year, the total number and draft schedule of meetings shall be agreed at the first Union Council meeting.

1.3 Additional meetings of the Union Council can be convened with 10 university days' notice by, either request by one third of the membership of Union Council, or by agreement of the majority of Sabbatical Officers and Union Council Chair.

1.4 Papers relating to an item of business circulated after the agenda may be tabled at the meeting subject to the approval of the Chair. Items for any other business should be discussed with the Chair in advance of the meeting. The Chair should inform the meeting of the items to be discussed at the start of the meeting. New items may be added to any other business once the meeting has commenced at the discretion of the Chair

1.5 Decisions shall be made by majority vote, unless stated differently in the Articles of Association or Byelaws.

1.6 Quoracy shall be 50% plus 1 of elected Union Council Members. If quorum has not been met within 15 minutes of the time that the meeting was scheduled to begin then the Chair shall adjourn the meeting.

1.7 Union Council is subject to oversight from the Board of Trustees.

## Chair and Vice-Chair of Union Council

1.8 Leadership of the Union during Union Council meetings shall be via a Chair, who shall also be the second Student Governor, who shall be elected in accordance with the Elections Bye-Law.

1.9 Vice-Chair shall be elected from amongst the Members of the Union Council at the first meeting of the academic year.

1.10 It is the responsibility of the Chair of Union Council to ensure the smooth running of meetings in accordance with the Byelaws.

1.11 The Chair of Union Council shall have no voting right during their term of office. If a vote of Union Council is tied the status quo shall remain.

1.12 The Chair may not submit motions, except Procedural Motions, or amendments to motions to Union Council during their elected term.

- 1.13 It is the duty of the Vice-Chair to assist and advise the Chair in their capacity. The Vice-Chair of Union Council shall assume the duties of Chair in the absence of Chair. In the absence of the Chair and Vice Chair, the President shall assume the duties of Chair.
- 1.14 The Chair will invite the Chief Executive (or nominee) to attend Union Council meetings
- 1.15 Should the Chair wish to comment on any point or contribute to a debate at any point they must first, with their agreement, pass the duties of the chair to the Vice-Chair.
- 1.16 When the Vice-Chair of Union Council or the President holds the duties of the chair they shall be considered to be the Chair. As such they may not comment on any point, contribute to a debate, or cast a vote.

### Membership

- 1.17 Union Council shall consist of the following directly elected members:
- 1.17.1 The Sabbatical Officers;
  - 1.17.2 The Part Time Officers;
  - 1.17.3 Student Forum Chairs (if in post)
  - 1.17.4 All members of Union Council must be current Student Members of the Union.
- 1.18 Any Student Member of the Union may attend Union Council but only Council Members may vote.
- 1.19 If a member of Union Council fails to attend and give their apologies to any three meetings in a row then they will be deemed resigned.

### Standing Agenda for Union Council

- 1.20 The standing agenda for Union Council shall be:
- 1.20.1 Welcome and apologies
  - 1.20.2 Chair's introduction
  - 1.20.3 Agree the accuracy and approve the minutes of the last meeting
  - 1.20.4 Note any matters arising from the minutes not covered on the agenda
  - 1.20.5 Officer Reports
  - 1.20.6 Items/papers/policies to receive, consider, discuss and approve
  - 1.20.7 Note items for information
  - 1.20.8 Any other business and date of the next meeting

### Motion of Recognition

- 1.21 Should it be felt that any Member of Union Council has performed their duties to a high standard or made an important contribution to the Union any other Council Member may submit a Motion of Recognition for that Member.

- 1.22 If debate is required, the debate should follow the procedures set out in this bye-law.
- 1.23 A Motion of Recognition can be passed by a simple majority vote.

#### Motion of Censure

- 1.24 Should it be felt that any Member of Union Council warrants reprimand but is not deserving of a Motion of No Confidence, any other Council Member may submit a Motion of Censure against them.
- 1.25 If debate is required, the debate should follow the procedures set out in this bye-law.
- 1.26 A Motion of Censure can be passed by a simple majority vote.

#### Motion of No Confidence against Sabbatical Officers and Trustees

- 1.27 In accordance with the Articles, a motion of no confidence in a Sabbatical Officer or a Trustee must be passed by a two thirds majority in a vote of the Union Council.
- 1.28 Such a motion shall only be triggered by a Secure Petition signed or agreed to by at least 150 Student Members.
- 1.29 Such a motion will be debated in accordance with the debating procedures set out in this bye-law.

#### Motion of No Confidence against Part-Time Officers, NUS Delegates and Student Forum Chairs

- 1.30 Should it be felt that a Part-Time Officer, NUS Delegate or Student Forum Chair should no longer remain in post as a consequence of failing to fulfil their role as an elected representative, any other Council Member may submit a Motion of No Confidence against that Union Council Member.
- 1.31 If debate is required, the debate should follow the procedures set out in this bye-law. Motions of No Confidence require a two thirds majority vote from Union Council Members.
- 1.32 If passed, a Motion of No Confidence against a Full-Time Sabbatical Officer shall be put to a Referendum as detailed in the Articles and Byelaws.
- 1.33 If passed, a Motion of No Confidence against a Part-Time Officer, Forum Chair, NUS Delegate or Student Trustee will result in the immediate removal from post of the elected representative concerned.

#### Submitting Motions to Union Council

- 1.34 Motions must be submitted in writing to the Chair no later than 10 working days before the Union Council meeting at which they are to be considered.



- 1.35 Any Motion of No Confidence, Censure, or Commendation relating to the Chair or any motion that the Chair cannot receive must be submitted instead to the President or Vice-Chair, who shall take on the responsibilities of the Chair in this regard.
- 1.36 Only Student Members of the Union may submit motions.
- 1.37 Motions to Union Council shall be added to the agenda for the next meeting and published at the same time as that agenda, at least 5 working days before the meeting in question.
- 1.38 Emergency Motions may be submitted in writing to Union Council if they deal with an issue that has arisen after the deadline for the submission of Motions and that cannot wait to be resolved until the next Union Council meeting.
- 1.39 Emergency Motions must be proposed and seconded in the same manner as other Motions, and shall be accepted at the discretion of the Chair, who shall consult the Vice-Chair and President unless either is a Proposer of the Motion, in which case the Chair shall consult with the Vice-President Education in their place. If the Emergency Motion is not accepted it must be included as the first motion to the next Union Council meeting.
- 1.40 Motions of No Confidence, Censure, or Commendation may not be submitted as Emergency Motions
- 1.41 Any motion that has been ruled out of order by the Chair shall be presented to the meeting as such.
- 1.42 The President will establish a Motion Template and all motions must be submitted using the Motion Template.

#### Amendments to Motions

- 1.43 Amendments to Motions may be submitted in writing to the Chair by midday at least two University days in advance of the Union Council meeting at which the motion that they amend is to be considered.
- 1.44 Amendments to Motions may also be proposed, at the discretion of the Chair, at the Union Council meeting that is considering the motion that they amend, although this cannot be done after the debate on the motion itself has begun.
- 1.45 Written Amendments submitted at least 6 working days in advance of the Union Council meeting at which the motion that they amend is to be considered shall be included in the agenda for that meeting in accordance with the Byelaws.
- 1.46 Any amendments ruled out of order by the Chair shall be presented to the meeting as such.

#### Orderly Conduct

- 1.47 It is the responsibility of the Chair to maintain order in Union Council meetings and to ensure that the time allowed for any meeting by its agenda is not exceeded.
- 1.48 The Chair may close the meeting or adjourn the meeting for up to 10 minutes if they believe it not to be in order.
- 1.49 The Chair may expel any attendee from a meeting for failure to adhere to its rules.
- 1.50 All attendees at Union Council meetings shall abide by the Union Articles, Regulations, and Policies.
- 1.51 At Union Council meetings the following speaking rules shall apply:
- 1.51.1 any attendee is called to speak, all other attendees shall be silent;
  - 1.51.2 Any attendee wishing to speak shall seek permission to do so from the Chair by raising their hand;
  - 1.51.3 At Union Council meetings such permission shall automatically be granted, through the Chair, to Union Council Members. Such permission shall be granted at the discretion of the Chair to any other attendee. Permission granted at the discretion of the Chair may be qualified so that the speaker may only present information to the meeting. However, if the Chair has granted permission, the speaker may speak in favour of or against any item;
  - 1.51.4 No person shall speak until the Chair grants permission to do so;
  - 1.51.5 The Chair shall decide the order of speaking unless a debate is being held, in which case the order outlined in the debating procedures within this Bye-Law be adhered to;
  - 1.51.6 At the request of the Chair each speaker shall introduce themselves before proceeding to speak;
  - 1.51.7 If the Chair requests a speaker to stop speaking they must do so.
  - 1.51.8 No person shall be allowed to make audio or visual recordings of the meeting in any fashion without the express permission of all attendees present.

### Procedural Motions

- 1.52 Any Union Council Member may call a Point of Order or Procedural Motion at any time during a Union Council meeting except during a vote, with the exception of Procedural Motion 10, which may be called during a vote. Only a Union Council Member may call Point of Order or Procedural Motion at a Union Council Meeting,
- 1.53 Any attendee wishing to raise a Point of Order or Procedural Motion shall raise their hand and state, respectively, 'Point of Order' or 'Procedural Motion'. Upon acknowledgement by the Chair the speaker shall state the nature of the Point of Order or Procedural Motion. Points of Order or Procedural Motions shall take precedence over all other business, except votes, which cannot carry on until they have been resolved.
- 1.54 Procedural Motions shall require a proposer and a seconder, which shall be sought by the Chair in the latter instance.

- 1.55 The Procedural Motions for Union Council meetings shall be, in order of precedence:
- 1.55.1 Of No Confidence in the Chair;
  - 1.55.2 To challenge to a decision of the Chair;
  - 1.55.3 For a temporary Chair (for a time specified by the proposer);
  - 1.55.4 That the meeting be delayed (for no longer than 10 minutes in any 60 minute period);
  - 1.55.5 That the motion be put;
  - 1.55.6 That the motion be voted on in parts;
  - 1.55.7 That the motion be referred to the next meeting;
  - 1.55.8 That the motion be referred to a specific Union committee for further consideration;
  - 1.55.9 That the motion be not put;
  - 1.55.10 That a given vote be conducted as a secret ballot of the meeting;
  - 1.55.11 That a particular agenda item be given a time extension (for a time specified by the proposer, who shall also specify whether the additional time extend the meeting or deduct time from another agenda item);
  - 1.55.12 That the order of business for the meeting be changed.
  - 1.55.13 That non-Student Members of the Union, or sections thereof, shall be excluded
- 1.56 Procedural Motions shall require a simple majority to be carried.

### Debating Procedures

- 1.57 When considering any motion before a Union Council meeting the Chair shall ensure that the following procedure is adhered to:
- 1.57.1 Introduction of the motion, its context, and amendments received by the Chair;
  - 1.57.2 Invitation for any further amendments to the motion;
  - 1.57.3 Declaration of the order in which the amendments are to be considered by the Chair;
  - 1.57.4 Opportunity for the proposer of the motion to accept any of the amendments. Should any amendment be accepted by the proposer of the motion the meeting shall be offered the opportunity to, by approval of a simple majority, move straight to the vote on the amendment;
  - 1.57.5 Debate, if the proposer of the motion wish to oppose any amendment, in the following order:
  - 1.57.6 Proposing speech of a time decided by the chair that shall not exceed three minutes for the amendment;
  - 1.57.7 Proposing speech of a time decided by the chair that shall not exceed maximum of three minutes for the unamended motion;
  - 1.57.8 An even number of speeches of a maximum of three minutes for the amendment and for the unamended motion;
  - 1.57.9 Speeches and questions around the amendment; to be addressed in the summary speeches;
  - 1.57.10 Summary speech of a maximum of three minutes for the unamended motion;
  - 1.57.11 Summary speech of a maximum of three minutes for the amendment;

- 1.57.12 Vote on the amendment;
- 1.57.13 Opportunity, if the motion is amended, for the proposer of the motion to withdraw their support for the motion, in which case speaking rights shall pass to any proposer of an accepted amendment who wishes to speak for the motion as amended;
- 1.57.14 Invitation for speakers to oppose the motion;
- 1.57.15 Move, if insufficient speakers are found for or against the motion, to the vote
- 1.57.16 Debate, if sufficient speakers are found for and against the motion, in the following order:
  - 1.57.17 Proposing speech of a maximum of five minutes for the motion;
  - 1.57.18 Opposing speech of a maximum of five minutes against the motion;
  - 1.57.19 An even number of speeches of a maximum of three minutes for and against the motion;
  - 1.57.20 Speeches and questions around the motion; to be addressed in the summary speeches;
  - 1.57.21 Summary speech of a maximum of three minutes against the motion;
  - 1.57.22 Summary speech of a maximum of three minutes for the motion;
  - 1.57.23 Vote on the motion.
  
- 1.58 The Chair shall at all times ensure a fair and balanced debate. All questions or comments shall be directed through the Chair who shall have the right to rule them out of order subject to any relevant Procedural Motion.
  
- 1.59 No attendee may speak more than twice on the same motion except:
  - 1.59.1 Having spoken in a debate on an amendment the proposer of a motion may then also speak on the motion as amended;
  - 1.59.2 In delivering a summary speech.
  
- 1.60 No attendee may speak for more than five minutes at one time subject to Procedural Motions.
  
- 1.61 The Chair reserves the right to guillotine the length of speeches and the time of debate as they see fit, as long as there is a fair and balanced debate at all times.

# Policy making process

## Scope

- 1.1 This bye-law sets out the process in which students can make new policies and how this will be regulated by the SU to ensure that policy remains relevant and important for students

## Process for submission

- 1.2 Any Member may submit a policy proposal through Union council, a general or members meeting or via an elected officer through the executive committee;
  - 1.2.1 Union Council meets up to 5 times a year, with an agenda call out process that will be laid out and accessible on the SU website through a form that needs completing
  - 1.2.2 General and Members meetings take place once a year, with an invite and call out for agenda items circulated to all members in accordance with the relevant article process
  - 1.2.3 The executive committee meets regularly and all Sabbatical Officers sit on the committee and are able to raise a policy which has been unable to reasonably wait until either the next Union Council or General/Members Meeting
- 1.3 Any Member can submit a policy proposal at any point in the academic year, or in emergency circumstances outside of the academic year
  - 1.3.1 The executive committee will meet to decide whether an issue submitted outside of the academic year is valid as an emergency.

## Process for review

- 1.4 Once a policy has been submitted, it will be reviewed by the chair of the relevant meeting
- 1.5 The chair will be supported by a relevant staff member, usually the Chief Executive of the Union or their delegated representative
- 1.6 The following tests will be used to determine whether the policy can go ahead and be discussed at the meeting
  - 1.6.1 What is the evidence basis for the policy?
  - 1.6.2 Why is this policy relevant to the Members of the Union?
  - 1.6.3 Are there any operational, financial or reputational risks from implementing the policy?
- 1.7 If a policy proposal meets the stated tests, it may then be added to the agenda of the relevant meeting for discussion and voting by the members of that meeting

- 1.7.1 For any policy to pass, it needs a simple majority vote, except for instances laid out in the articles
  - 1.7.2 Once the policy has passed, it must be ratified by the Board of Trustees at their next meeting, who will reserve the right to reject the policy at that stage
- 1.8 If a policy proposal is rejected, then the proposer may appeal the decision through the following process;
- 1.8.1 They can submit their appeal and the reasons why they feel the policy fits the tests to the Chair of the Board of Trustees
  - 1.8.2 The Chair of the Board of Trustees will meet with the Chief Executive of the Union, or their designated representative, and the chair of the Union Council to determine whether there are sufficient grounds to appeal the original rejection
  - 1.8.3 Whilst the Chair will seek wider opinion from the Chief Executive, Chair of Union Council or the student proposer themselves, the decision on the validity of the policy will lie solely with them

#### Policy lapse

- 1.9 All policy that is passed will lapse to be Union policy after 3 calendar years for the passing of the original policy
- 1.10 Policies will not automatically be renewed to remain Union policy, but will cease to be Union policy at that point
- 1.11 If Members want to reinstate the policy, they would need to submit the policy proposal again using the policy proposal process and the policy will need to meet the tests at the time of it's renewal

# Student Forums

## Purpose

- 1.1 Student Forums will be established to provide a space for members of the Union's student communities and networks to meet to discuss, debate and exchange views on particular matters relating to their student experience and the running of the Union.
- 1.2 Student Forums will be held for course reps; sports club committee members; society committee members; and members of student networks.
- 1.3 Additional forums can be established by a motion to Union Council passed by simple majority in accordance with the Union Council Bye-Law, by Referendum or by a majority vote of trustees.

## Frequency

- 1.4 Student Forums will meet no less than twice within the academic year at a time which enables the most members to attend.

## Membership

- 1.5 Every member of the Union who is a signed up member of the specific forum's student community or network will be a member of the forum.
- 1.6 Forums will be chaired by Sabbatical Officers or members of Union Council as follows:
  - 1.6.1 Sports clubs committees - VP Activities and Employability
  - 1.6.2 Non-academic society committees- VP Welfare & Equalities
  - 1.6.3 Course Reps and academic society committees - VP Education
  - 1.6.4 Student Networks - Part-time officer for that network
- 1.7 Chairs for newly established forums will be appointed by Chair of Union Council based on relevance of the student communities activity to the officer's remit.
- 1.8 In the absence of the Chair the Union President will act as Chair. In the absence of the Chair and the President, and where it is not reasonably practical to appoint another Sabbatical officer to act as Chair, an appropriate member of Support Staff can act as Chair. This will be appointed by the Chief Executive or their nominee.
- 1.9 Support staff from the Union will support the Chair with the administration of the forum, including booking meetings and taking minutes.

## Responsibilities

- 1.10 The aims of Student Forums are to:
  - 1.10.1 Facilitate communication and discussion between the members of the student community

- 1.10.2 Promote and extend involvement in Union societies throughout the membership.
  - 1.10.3 To provide a link between members of the student community and Union Council and the Union's Senior Management Team
  - 1.10.4 To provide a route for members of student communities to make recommendations to Union Council and the Union's senior management team
- 1.11 At each forum, up to two members will be nominated, along with the Forum Chair to meet with the Executive Team to discuss matters arising from the forums and relay any recommendations.
  - 1.12 Members of the Union's senior management team or their nominee will attend forums from time to time with the aim of relaying key operational and strategic information and to consult with members on relevant matters.
  - 1.13 At a minimum of one forum each academic year, members will be provided with an opportunity to discuss potential charities to be nominated as the Union's charity of the year.

#### RAG Working Group

- 1.14 The aim of the RAG working group is to:
  - 1.14.1 agree the Union's official charities for the academic year
  - 1.14.2 agrees the date of the Union's official RAG week
  - 1.14.3 communicate plans to their student community and feedback their communities plans to the working group
  - 1.14.4 identify opportunities for cross-community collaborative fundraising activity and events
  - 1.14.5 ensure all fundraising adheres to Charity law and financial regulations.
- 1.15 The RAG working group will meet as required but at least 3 times in the academic year.
- 1.16 At the first forum of the academic year, up to 2 members from each student community, with the exception of student networks, will be nominated to join the RAG (Raising and Giving) working group along with up to 4 part-time officers as nominated by Union Council, and members of the Union's senior management team.
- 1.17 The group will be chaired by VP Welfare & Equalities or a nominated member of Union Council.
- 1.18 In the event that the RAG working group cannot effectively carry out its purpose, the Unions Executive Team reserve the right to cancel RAG activity for the academic year, or delegate responsibility to planning to individual communities
- 1.19 For the avoidance of doubt; the RAG working group will not be able to effectively carry out its purpose if any of the following applies:
  - 1.19.1 There are no nominated members from any student community



- 1.19.2 There are less than 2 part-time officers nominated to be part of the group
- 1.19.3 Less than 3 charities are nominated
- 1.19.4 Less than 3 student members (in addition to the Chair) are at least 2 of the working group meetings
- 1.19.5 There is a lack of interest in holding fundraising activity amongst the majority of communities
- 1.19.6 The activity planned presents a risk to the organisation which can not reasonably be mitigated

# Affiliations

## Scope

- 1.1 This bye-law sets out the process for students to affiliate the Union to external organisations and for student groups and how students will review and approve affiliations on an annual basis.

## Affiliating to an External Organisation

- 1.2 Members of the Union can request to affiliate to an external organisation by submitting a motion in accordance with the policy making process
- 1.3 The Union can affiliate to an external organisation through a two-thirds majority vote in either a:
- 1.3.1 Student Members' Meeting;
  - 1.3.2 Union Council; or
  - 1.3.3 Referendum;

## Student Group Affiliations

- 1.4 Student groups of the Union can affiliate to external organisations, including political and religious organisations.
- 1.5 All affiliations must be approved by a two-third majority vote at the student groups General Meeting and are subject to ratification by the Union's Executive Committee
- 1.6 Further guidance for student group affiliations will be provided to students groups directly in a timely manner following elections and training

## Board of Trustees Responsibilities

- 1.7 The Board of Trustees may override any decision to affiliate to an external organisation, if the Trustees consider it (in their absolute discretions):
- 1.7.1 Has or may have any financial implications for the Union;
  - 1.7.2 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);
  - 1.7.3 Contravenes the charitable aims and objects of the Union;
  - 1.7.4 Does not further the aims of the student group; or
  - 1.7.5 Will or may otherwise affect the discharge of any or all of the responsibilities referred to in the Articles.

## Notice of Affiliations

- 1.8 Notice of new affiliations shall be made available on the Union's website stating the name of the organisation and details of any subscription or similar fee paid or proposed to be paid, and of any donation made or proposed to be made, to the organisation.

## Review of Affiliations

- 1.9 The Union shall make available annually to all members through the Members Meeting, a report containing a list of all external organisations to which the Union is currently affiliated to together with details of subscriptions or similar fees paid and donations made during the past year.
- 1.10 The Union shall annually submit to its members for approval a list of all affiliations including those of student groups to external bodies through either a:
  - 1.10.1 Student Members' Meeting; or
  - 1.10.2 Referendum.
- 1.11 Members of the Union may call a referendum on the question of continued affiliation to any particular organisation in accordance with the articles and relevant Byelaws