

# Constitution

of

## University of Huddersfield Students' Union

(An Unincorporated Association)

Document and Version Control					
Date of Union GM Approval	8-12-09	Date of University Approval	08-12-09	Future Review Date	By 08-12-14

## Constitution Table of Contents

Name and Objects.....	3
Powers .....	4
Members .....	9
Referenda.....	10
General Meetings.....	10
Trustees .....	12
Delegation to committees .....	16
The Executive Committee.....	17
Byelaws.....	18
Proceedings of Trustees.....	18
Students' Union Council .....	20
Indemnity .....	22
Definitions and Interpretations .....	22
Bye Law One: Membership and Provision for Opting Out.....	27
Bye-Law Two: The Executive Committee / Officer Trustees .....	29
Bye Law Three: The Students' Union Council.....	35
Bye Law Four: Union Forums .....	40
Bye Law Five: Debating Rules & Order of Business .....	42
Bye Law Six: Union Policy & Resolutions.....	46
Bye Law Seven: Member Involvement in Elections, Referenda and Petitions.....	47
Bye Law Eight: Union Committees.....	53
Bye Law Nine: Members' Complaints Procedure.....	58
Bye Law Ten: Members' Disciplinary Procedure .....	60
Bye Law Eleven: Student Activities .....	63
Bye Law Twelve: Site Associations Constitutions.....	66
Bye Law Thirteen: Financial Regulations .....	68

## **The Constitution of University of Huddersfield Students' Union**

### **Background**

- A. University of Huddersfield Students' Union (the "Union") is a students' union within the meaning of the Education Act 1994. The Union is devoted to the educational interests and welfare of its Members.
- B. The Union will seek at all times to:
- (i) ensure that the diversity of its membership is recognised and that equal access is available to all Members of whatever origin or orientation;
  - (ii) pursue its aims and objectives independent of any political party or religious group; and
  - (iii) pursue equal opportunities by taking positive action within the law to facilitate participation of groups discriminated against by society.
- C. This Constitution has been structured to give the Board of Trustees reasonable authority to manage the affairs of the Union in a professional manner. The Members enjoy the right, which must be exercised in accordance with charity law, to elect a proportion of the Trustees and to dismiss all of the Trustees. The Board of Trustees will give the utmost consideration to the views of Members.
- D. Under the Education Act 1994, University of Huddersfield has a statutory duty to ensure that the Union operates in a fair and democratic manner and is held to proper account for its finances. The Union therefore works alongside University of Huddersfield in ensuring that the affairs of the Union are properly conducted and that the educational and welfare needs of the Union's Members are met.

### **Definitions and Interpretation**

1. The meanings of any defined terms used in this Constitution are set out in Clause 103. If any dispute arises in relation to the interpretation of this Constitution or any of the Byelaws, it shall be resolved by the President.

### **Name**

2. There shall be a students' union in the name of University of Huddersfield Students' Union (and in this Constitution it is called "the Union").

### **Objects**

3. The Union's objects are the advancement of education of Students at University of Huddersfield for the public benefit by:
- 3.1 promoting the interests and welfare of Students at University of Huddersfield during their course of study and representing, supporting and advising Students;

- 3.2 being the recognised representative channel between Students and University of Huddersfield and any other external bodies; and
- 3.3 providing social, cultural, sporting and recreational activities and forums for discussions and debate for the personal development of its Students.

### **Powers**

4. To further its objects, but not to further any other purpose, the Union may:
  - 4.1 provide services and facilities for Members;
  - 4.2 establish, support, promote and operate a network of student activities for Members;
  - 4.3 support any RAG or similar fundraising activities carried out by its Members for charitable causes, including the provision of administrative support, banking facilities and acting as a holding trustee of any funds raised;
  - 4.4 alone or with other organisations:
    - 4.4.1 carry out campaigning activities;
    - 4.4.2 seek to influence public opinion; and
    - 4.4.3 make representations to and seek to influence governmental and other bodies and institutionsregarding the reform, development and implementation of appropriate policies, legislation and regulations provided that all such activities shall be confined to the activities which an English and Welsh charity may properly undertake and provided that the Union complies with the Education Act and any guidance published by the Charity Commission;
  - 4.5 write, make, commission, print, publish or distribute materials or information or assist in these activities;
  - 4.6 promote, initiate, develop or carry out education and training and arrange, provide or assist with exhibitions, lectures, meetings, seminars, displays or classes;
  - 4.7 promote, encourage, carry out or commission research, surveys, studies or other work and publish the useful results;
  - 4.8 provide or appoint others to provide advice, guidance, representation and advocacy;
  - 4.9 co-operate with other charities and bodies and exchange information and advice with them;
  - 4.10 become a member, affiliate or associate of other charities and bodies;

- 4.11 support, set up or amalgamate with other charities with objects identical or similar to the Union's objects, and act as or appoint Trustees, agents, nominees or delegates to control and manage such charities;
- 4.12 purchase or acquire all or any of the property, assets, liabilities and engagements of any charity with objects similar to the Union's objects;
- 4.13 raise funds and invite and receive contributions from any person provided that the Union shall not carry out any taxable trading activities in raising funds;
- 4.14 borrow and raise money on such terms and security as the Union may think suitable (but only in accordance with the restrictions imposed by the Charities Act 1993);
- 4.15 purchase, lease, hire or receive property of any kind including land, buildings and equipment and maintain and equip it for use;
- 4.16 sell, manage, lease, mortgage, exchange, dispose of or deal with all or any of its property (but only in accordance with the restrictions imposed by the Charities Act 1993);
- 4.17 make grants or loans of money and give guarantees;
- 4.18 set aside funds for special purposes or as reserves against future expenditure;
- 4.19 invest and deal with the Union's money not immediately required for its objects in or upon any investments, securities, or property;
- 4.20 delegate the management of investments to an appropriately experienced and qualified financial expert provided that:
  - 4.20.1 the investment policy is set down in writing for the financial expert by the Trustees;
  - 4.20.2 every transaction is reported promptly to the Trustees;
  - 4.20.3 the performance of the investment is reviewed regularly by the Trustees;
  - 4.20.4 the Trustees are entitled to cancel the delegation at any time;
  - 4.20.5 the investment policy and the delegation arrangements are reviewed at least once a year;
  - 4.20.6 all payments due to the financial expert are on a scale or at a level which is agreed in advance and are notified promptly to the Trustees on receipt; and
  - 4.20.7 the financial expert may not do anything outside the powers of the Trustees;
- 4.21 arrange for investments or other property of the Union to be held in the name of a nominee (being a company or a limited liability partnership registered or having an established place of business in England and Wales) under the control of the

- Trustees or a financial expert acting under their instructions and to pay any reasonable fee required;
- 4.22 lend money and give credit to, take security for such loans or credit and guarantee or give security for the performance of contracts by any person or company;
- 4.23 open and operate banking accounts and other facilities for banking and draw, accept, endorse, negotiate, discount, issue or execute negotiable instruments such as promissory notes or bills of exchange;
- 4.24 trade in the course of carrying out any of its objects;
- 4.25 establish or acquire subsidiary companies to carry on any taxable trade;
- 4.26 subject to Clause 5 (Limitation on private benefits), employ and pay employees and professionals or other advisors;
- 4.27 grant pensions and retirement benefits to employees of the Union and to their dependants and subscribe to funds or schemes for providing pensions and retirement benefits for employees of the Union and their dependants;
- 4.28 pay out of the funds of the Union the cost of any premium in respect of any indemnity insurance to cover the liability of the Trustees (or any of them) which by virtue of any rule of law would otherwise attach to them in respect of any negligence, default, breach of trust or breach of duty of which they may be guilty in relation to the Union provided that no such insurance shall extend to:
- 4.28.1 any claim arising from any liability incurred by the Trustees to pay a fine imposed in criminal proceedings or a sum payable to a regulatory authority by way of a penalty in respect of non-compliance with any requirement of a regulatory nature (however arising);
  - 4.28.2 any liability incurred by the Trustees in defending any criminal proceedings in which the Trustees are convicted of an offence arising out of any fraud or dishonesty, or wilful or reckless misconduct; or
  - 4.28.3 any liability incurred by the Trustees to the Union that arises out of any conduct which the Trustees knew (or must reasonably be assumed to have known) was not in the interests of the Union or in the case of which they did not care whether it was in the best interests of the Union or not; and
- 4.29 do all such other lawful things as shall further the Union's objects.

## **5. Limitation on private benefits**

- 5.1 The income and property of the Union shall be applied solely towards the promotion of its objects.
- 5.2 Except as provided below no part of the income and property of the Union may be paid or transferred directly or indirectly by way of dividend, bonus or otherwise by

way of profit to any Member of the Union. This shall not prevent any payment in good faith by the Union of:

- 5.2.1 any payments made to any Member in their capacity as a beneficiary of the Union;
- 5.2.2 reasonable and proper remuneration to any Member for any goods or services supplied to the Union provided that if such Member is a Trustee Clause 5.3 shall apply;
- 5.2.3 interest on money lent by any Member to the Union at a reasonable and proper rate; and
- 5.2.4 any reasonable and proper rent for premises let by any Member to the Union.

5.3 Except as provided below no Trustee may sell goods, services or any interest in land to the Union; be employed by, or receive any remuneration from, the Union; or receive any other financial benefit from the Union. This shall not prevent any payment in good faith by the Union of:

- 5.3.1 any payments made to any Trustee or Connected Person in their capacity as a beneficiary of the Union;
- 5.3.2 reasonable and proper out of pocket expenses of the Trustees;
- 5.3.3 reasonable and proper remuneration to any Officer Trustee or Connected Person for any goods or services supplied to the Union on the instructions of the Trustees provided that:
  - (a) for the avoidance of doubt, the authorisation under this provision shall extend to the remuneration of Officer Trustees and Connected Persons under contracts of employment with the Union;
  - (b) subject to Clause 5.3.3(a), the authorisation under this provision shall not extend to the service of acting as Trustee;
  - (c) if the person being remunerated is a Trustee the procedure described in Clause 87 (Conflicts of Interest) must be followed in considering the appointment of the Trustee and in relation to any other decisions regarding the remuneration authorised by this provision;
  - (d) if the person being remunerated is a Connected Person the procedure described in Clause 87 (Conflicts of Interest) must be followed by the relevant Trustee in relation to any decisions regarding such Connected Person;
  - (e) subject to Clause 5.6, this provision may not apply to more than half of the Trustees in any financial year (and for these purposes such provision shall be treated as applying to a Trustee if it applies to a person who is a Connected Person in relation to that Trustee); and

- (f) at all times the provisions of the Education Act are complied with;
  - 5.3.4 interest on money lent by any Trustee or Connected Person to the Union at a reasonable and proper rate;
  - 5.3.5 any reasonable and proper rent for premises let by any Trustee or Connected Person to the Union;
  - 5.3.6 reasonable and proper premiums in respect of indemnity insurance effected in accordance with Clause 4.28;
  - 5.3.7 any payments made to any Trustee or Officer under the indemnity provisions set out at Clause 101; and
  - 5.3.8 any payments authorised in writing by the Charity Commission.
- 5.4 In Clauses 5.2 and 5.3, references to the Union shall be read as references to the Union and/or any Subsidiary Company.
- 5.5 For any transaction authorised by Clause 5.3 or Clause 5.4, the Trustee's duty (arising under the Companies Act 2006) to avoid a conflict of interest with the Union shall be applied provided the relevant provisions of Clause 5.3 or Clause 5.4 have been complied with.
- 5.6 Where a vacancy arises on the Board of Trustees with the result that Clause 5.3.3 applies to more than half of the Trustees, the Union may continue to pay remuneration to its Officer Trustees and any Connected Persons receiving remuneration in accordance with Clause 5.3.3 provided that the Union uses all reasonable endeavours to fill the vacancy as soon as possible.

### **Incorporation**

6. The Members at a general meeting or by Referendum may authorise the Trustees to transfer the assets and liabilities of the Union to a limited liability entity established for exclusively charitable purposes with the same or similar objects, and to dissolve the Union at any time following the transfer if it is considered appropriate to do so.

### **Dissolution**

7. If any property remains after the Union has been wound up or dissolved and all debts and liabilities have been satisfied, it shall not be paid to or distributed among the Members of the Union. It shall instead be given or transferred to some other charitable institution or institutions having similar objects to those of the Union and which prohibits the distribution of its or their income and property among its or their members to an extent at least as great as this Constitution imposes upon the Union. The institution or institutions which are to benefit shall be chosen by the Trustees of the Union at or before the time of winding up or dissolution.

### **Amendments to the Constitution**

8. The Trustees and University of Huddersfield shall review this Constitution every five years, with effect from the date that this Constitution comes into effect.

9. No amendment of this Constitution shall be made which would have the effect of the Union ceasing to be a charity.
10. Clause 3 (Objects) and Clause 5 (Limitation on private benefits) may not be amended without the prior written consent of the Charity Commission.
11. Save where the amendment to the Constitution is a consequential amendment due to a change in the Bye-Laws (for example, the number or heading names of Clauses), the Constitution may be amended by:
  - 11.1 a resolution of the Members passed at a general meeting by at least 75% of those present and voting; or
  - 11.2 a resolution passed by a 75% majority of the Members voting in a Referendum provided that at least 1000 Members cast a vote in the Referendum
  - 11.3 provided that in either case the University of Huddersfield approves the amendments (as required for the purposes of compliance with Section 22 of the Education Act).

## **Membership**

### **Members**

12. The Members of the Union shall be as follows:
  - 12.1 each and every Student who has not opted out by notifying University of Huddersfield of his or her wish not to be a Member of the Union; and
  - 12.2 the Officer Trustees of the Union.
13. Membership shall not be transferable and shall cease on death. A Member shall automatically cease to be a Member of the Union if:
  - 13.1 he or she ceases to be a Student;
  - 13.2 he or she ceases to be an Officer Trustee and is no longer a student of the University of Huddersfield;
  - 13.3 he or she opts out of membership by giving written notice to the Union in accordance with the Bye-Laws; or
  - 13.4 in the case of Members other than the Officer Trustees, a resolution is passed at a meeting of the Trustees at which at least half of the Trustees are present resolving that the Member be expelled on the ground that his or her continued membership is harmful to or is likely to become harmful to the interests of the Union. Such a resolution shall not be passed unless the Member has been given at least 14 clear days' notice that the resolution is to be proposed, specifying the circumstances alleged to justify expulsion, and has been afforded a reasonable opportunity of being heard by or of making written representations to the Trustees.

14. Members' details shall be entered in a register of Members.
15. Members of the Union shall be entitled to the benefits set out in the Code of Practice, which is embedded in this constitution and the bye laws

### **Associate Members**

16. The Students' Union Council may elect to and remove from associate membership of the Union such persons as they consider to be fit. The Trustees shall determine the form of application for associate membership, and associate membership shall be subject to such rights and obligations as the Trustees consider appropriate.
17. Associate members shall not be Members for the purposes of this Constitution and shall not be entitled to vote on any matter.

### **Referenda**

18. A Referendum may be called on any issue by:
  - 18.1 a majority resolution of the Trustees;
  - 18.2 a unanimous resolution of the Executive Committee
  - 18.3 a majority vote of the Students' Union Council; or
  - 18.4 a Secure Petition signed by at least 300 Members for an ordinary referenda or 700 Members for an extraordinary referenda.
19. Subject to Clause 11.2, a resolution may only be passed by Referendum if at least 1000 Members cast a vote in the Referendum and a majority of the votes cast are in favour of the resolution.
20. Referenda shall be conducted in accordance with this Constitution and the Byelaws.
21. Subject to Clause 58, the Members may set Policy by Referenda. Policy set by Referenda may overturn Policy set either by the Members in general meeting or by the Students' Union Council.

### **General Meetings**

#### **Annual General Meeting**

22. The Union shall hold an annual general meeting once in each calendar year. Not more than 18 months shall pass between the date of one annual general meeting and the next. The annual general meeting shall be held at such time and place as the Trustees shall think suitable to allow the maximum number of Members to attend.

#### **Other General Meetings**

23. The Trustees may call a general meeting at any time. The Trustees shall call a general meeting on receiving a Secure Petition to that effect, signed by at least 100 Members having the right to attend and vote at general meetings.

### **Location of Meetings**

24. Annual and general meetings may be carried out at one single venue or simultaneously at a maximum of three separate venues with a video, audio or other real-time link between all of the venues.

### **Length of Notice**

25. A general meeting shall be called by at least 14 clear days' written notice.

### **Contents of Notice**

26. Every notice calling a general meeting shall specify the place, day and time of the meeting and the general nature of the business to be transacted. If the meeting is an annual general meeting, the notice must say so and the business to be transacted shall include:
  - 26.1 ratification of minutes of previous AGM;
  - 26.2 receiving the report of the Trustees on the Union's activities since the previous AGM;
  - 26.3 receiving the accounts of the Union for the previous financial year;
  - 26.4 appointment of the auditors;
  - 26.5 report of list of affiliations and associated fees/donations of the Union; and
  - 26.6 open questions to the Trustees by the Members.

### **Service of Notice**

27. Notice of general meetings shall be given to every Member and to the Trustees.

### **Quorum**

28. No business shall be transacted at any general meeting unless a quorum is present. 100 persons entitled to vote upon the business to be transacted, each being a Member (but excluding Trustees), shall be a quorum.
29. If such a quorum is not present within half an hour from the time appointed for the meeting, the meeting shall stand adjourned to the same day in the next week at the same time and place or to such other day, time and place as the Trustees may determine and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting the Members present shall be a quorum.

### **Chair**

30. The chair of Students' Union Council or in his or her absence the Deputy Chair shall preside as chair of the meeting. In the absence of the chair of Students' Union

Council and the Deputy Chair, the Members present and entitled to vote shall choose one of their number to be chair.

### **Attendance**

31. A Trustee may, even if not a Member, attend and speak at any general meeting.

### **Adjournment**

32. The chair may, with the consent of a meeting at which a quorum is present (and shall if so directed by the meeting), adjourn the meeting from time to time and from place to place, but no business shall be transacted at an adjourned meeting other than business which might properly have been transacted at the meeting had the adjournment not taken place. When a meeting is adjourned for fourteen days or more, at least seven clear days' notice shall be given specifying the time and place of the adjourned meeting and the general nature of the business to be transacted. Otherwise it shall not be necessary to give any such notice.

### **Votes of Members at General Meetings**

33. Every Member has the right to attend general meetings and the right to vote. A resolution put to the vote of a general meeting shall be decided on a show of hands, and every Member shall have one vote.
34. Every resolution put to the vote of a general meeting shall be decided by a simple majority of the votes cast unless this Constitution provides otherwise.

## **Trustees**

### **Appointment of Trustees**

35. The Trustees shall be made up of the following persons:
- 35.1 not more than 5 Officer Trustees, elected in accordance with Clause 36;
- 35.2 not more than 1 Alumni Trustees, appointed in accordance with Clause 41; and
- 35.3 not more than 4 External Trustees, appointed in accordance with Clause 44 & 45.

### **Officer Trustees**

36. Up to 5 Officer Trustees shall be elected by secret ballot by the Members of the Union at an election to be held in accordance with the Byelaws. The Officer Trustees shall be elected to posts set out in the Byelaws.
37. The Officer Trustees shall remain in office for a term of one year commencing in accordance with the Byelaws. The term of office may be shorter or longer on a transitional basis to coincide with an alteration of the year start or end. Subject to a transitional change in the year of office, an Officer Trustee may be re-elected for a maximum further term of one year by the Members of the Union at an election to be held in accordance with the Byelaws. For the avoidance of doubt, an Officer

Trustee's terms of office may be either consecutive or non-consecutive, but must not exceed a maximum period of two years.

38. Each Officer Trustee must be a Student or an Officer Trustee at the time of his or her election. An Officer Trustee shall become a Member of the Union on commencement of his or her appointment or re-appointment as an Officer Trustee. Such membership shall cease when the Officer Trustee ceases to be an Officer Trustee.
39. The Officer Trustees shall be deemed to be "major union office holders" for the purposes of Section 22 of the Education Act.
40. At the same time as commencing the term of office as a Trustee, the Officer Trustee will enter into a contract of employment with the Union for a term to be determined by this Constitution. The duties and method of remuneration of each Officer Trustee shall be as set out in the Byelaws.

### **Alumni Trustees**

41. One Alumni Trustee shall be appointed by a simple majority vote of the Appointments Committee provided that the appointment of the Alumni Trustee is ratified by a 75% majority vote of the Students' Union Council. For the avoidance of doubt, such appointment shall not take effect until it has been ratified by the Students' Union Council.
42. Unless their appointment is terminated in accordance with Clauses 48 to 52, the Alumni Trustee shall remain in office for a term of up to four years commencing in accordance with the Byelaws.
43. Alumni Trustees may serve for a maximum of two terms, which may be either consecutive or non-consecutive.

### **External Trustees**

44. Up to three External Trustees shall be appointed by a simple majority vote of the Appointments Committee provided that the appointment of each External Trustee is ratified by a 75% majority vote of the Students' Union Council. For the avoidance of doubt, such appointment shall not take effect until it has been ratified by the Students' Union Council.
45. One External Trustee will be a senior member of University Staff appointed by the University.
46. Unless their appointment is terminated in accordance with Clauses 48 to 52, External Trustees shall remain in office for a term of up to four years commencing in accordance with the Byelaws.
47. External Trustees may serve a maximum of two terms, which may be either consecutive or non-consecutive.

### **Disqualification, Resignation and Removal of Trustees**

48. The office of a Trustee shall be vacated if:
- 48.1 he or she becomes prohibited by law from being a charity trustee;
  - 48.2 in the case of an Officer Trustee, he or she ceases to be an employee of the Union;
  - 48.3 he or she resigns by notice to the Union (but only if at least six Trustees will remain in office when the notice of resignation is to take effect);
  - 48.4 the Trustees reasonably believe he or she is suffering from mental or physical disorder and is incapable of acting as a Trustee and they resolve that he or she be removed from office;
  - 48.5 he or she fails to attend three consecutive meetings of the Trustees and in the opinion of the Trustees there are no mitigating circumstances for that failure and the Trustees therefore resolve that he or she be removed for this reason; or
  - 48.6 he or she is removed from office under Clauses 49 to 52.

#### **Removal of Trustees by the Members or the Students' Union Council**

49. The office of a Trustee shall be vacated if:
- 49.1 a motion of no confidence in the Trustee is passed by a simple majority of the Members voting in a Referendum, provided that at least 1000 Members cast a vote in the Referendum. Such a motion shall only be triggered by a Secure Petition of no confidence signed by at least 300 Members; or
  - 49.2 a motion of no confidence in the Trustee is passed by a two thirds majority in a vote of the Students' Union Council.

#### **Removal of Trustees by the Board**

50. The office of Alumni Trustee or External Trustee shall be vacated if a majority resolution of no confidence is passed by the Trustees. For the avoidance of doubt, the Trustee concerned and any Trustee who has a conflict of interest in relation to the matter shall not vote on this resolution and the quorum shall be adjusted accordingly in accordance with Clause 79.

#### **Rights of Removed Trustee**

51. A resolution to remove a Trustee in accordance with Clause 50 shall not be passed unless the Trustee concerned has been given at least 14 clear days' notice in writing that the resolution is to be proposed, specifying the circumstances alleged to justify removal from office, and has been afforded a reasonable opportunity of being heard by or making written representations to the Trustees.
52. A Trustee removed from office in accordance with Clause 50 shall be entitled to appeal the decision to remove him or her to an Appeals Panel within 14 days of the resolution. The Appeals Panel shall be made up of a nominee of University of Huddersfield, one independent person and a chief executive/general manager and Officer of another students' union. The independent person shall be a Member who

is not a Trustee or a member of the Students' Union Council. The selection of the members of the Appeals Panel and its procedures shall be set out in the Byelaws. The Union may consult with NUS in relation to the appeals process and in particular the appointment of independent persons to the Appeals Panel.

### **Replacement of Trustees**

53. If an Officer Trustee resigns, is disqualified or removed from office the vacancy shall be filled in accordance with the Byelaws. Any person elected under this Clause may be required to assume the responsibilities of the Officer Trustee.
54. If an Alumni Trustee or an External Trustee resigns, is disqualified or removed from office, an Alumni Trustee or an External Trustee (as appropriate) shall be appointed to the vacancy in accordance with Clause 41 or 44 respectively.

### **Powers of the Trustees**

55. The Board of Trustees shall be responsible for the management and administration of the Union and (subject to the Education Act, this Constitution and the Byelaws) may exercise all the powers of the Union. A meeting of the Trustees at which a quorum is present may exercise all powers exercisable by the Trustees.
56. No alteration of this Constitution or the Byelaws shall invalidate any prior act of the Trustees which would have been valid if that alteration had not been made.
57. The Board's powers under Clause 55 shall include but not be limited to responsibility for:
  - 57.1 the governance of the Union;
  - 57.2 the budget of the Union; and
  - 57.3 the strategy of the Union.
58. The Board of Trustees may override any decision and Policy made by the Members in general meeting or Referendum or by the Students' Union Council which the Trustees consider (in their absolute discretion):
  - 58.1 has or may have financial implications for the Union;
  - 58.2 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);
  - 58.3 is not or may not be in the best interests of the Union or all or any of its charitable objects; or
  - 58.4 will or may otherwise affect the discharge of any or all of the responsibilities referred to in Clause 57.
59. The continuing Trustees or a sole continuing Trustee may act notwithstanding any vacancies in their number. However, if and so long as the number of Trustees is less than the number fixed as the quorum in Clause 79, the Trustees may only act to

increase the number of Trustees (including by arranging an election) so that there is a quorum.

60. All acts done by a meeting of Trustees, or of a committee of the Trustees, shall be valid, even if it is later discovered that any Trustee who participated in the vote:

60.1 was not properly appointed;

60.2 was disqualified from holding office;

60.3 had vacated office; or

60.4 was not entitled to vote.

### **Delegation of Trustees' powers**

61. The Trustees may, by power of attorney or otherwise, appoint any person to be the agent of the Union for such purposes and on such conditions as they determine.

62. The Trustees may delegate any of their powers or functions to any committee or the implementation of any of their resolutions and day-to-day management of the affairs of the Union to any person or committee in accordance with the conditions set out in this Constitution.

### **Delegation to committees**

63. In the case of delegation to committees:

63.1 the resolution making that delegation shall specify those who shall serve or be asked to serve on such committee (though the resolution may allow the committee to make co-options up to a specified number);

63.2 subject to Clause 66, the composition of any such committee shall be entirely in the discretion of the Trustees and may comprise such of their number (if any) as the resolution may specify;

63.3 the deliberations of any such committee shall be reported regularly to the Trustees and any resolution passed or decision taken by any such committee shall be reported forthwith to the Trustees and for that purpose every committee shall appoint a secretary;

63.4 all delegations under this Clause shall be revocable at any time; and

63.5 the Trustees may make such regulations and impose such terms and conditions and give such mandates to any such committee or committees as they may from time to time think fit.

64. The Trustees shall establish the following committees (which is a non-exhaustive list) in accordance with their powers under Clauses 62 and 63:

64.1 Executive Committee (as further described in Clause 68);

- 64.2 Finance, Staffing and Risk Committee;
- 64.3 Nominations and Remuneration Committee;
- 64.4 Management Committee;
- 64.5 Student Activities Executive; and
- 64.6 Site Associations as detailed in the Byelaws.

### **Delegation of day-to-day management powers to Chief Executive**

- 65. In the case of delegation of the day-to-day management of the Union to the Chief Executive:
  - 65.1 the delegated power shall be to manage the Union by implementing the policy and strategy adopted by and within a budget approved by the Trustees and if applicable to advise the Trustees in relation to such policy, strategy and budget;
  - 65.2 the Trustees shall provide the Chief Executive with a description of his or her role and the extent of his or her authority;
  - 65.3 the Chief Executive shall report regularly to the Trustees on the activities undertaken in managing the Union and provide them regularly with management accounts sufficient to explain the financial position of the Union; and
  - 65.4 the Trustees shall provide the Chief Executive with a performance management structure to aid his or her work plan and development.

### **Bank Account**

- 66. For the avoidance of doubt, the Trustees may (in accordance with Clauses 62 and 63) delegate all financial matters to any committee provided that such committee shall include at least one Trustee. The Trustees may empower such committee to resolve upon the operation of any bank account according to such mandate as it shall think fit provided that the signature of at least one Trustee shall be required for cheques above a certain amount as set out in the Bye-Laws and provided always that no committee shall incur expenditure on behalf of the Union except in accordance with a budget which has been approved by the Trustees.

### **Proceedings of Committees**

- 67. The meetings and proceedings of any committee shall be governed by the provisions of this Constitution regulating the meetings and proceedings of the Trustees so far as the same are applicable and are not superseded by any Byelaws made by the Trustees and the Students' Union Council.

### **The Executive Committee**

- 68. Unless the Trustees determine otherwise, the Executive Committee shall be made up of:

- 68.1 the Officer Trustees;
69. The Executive Committee shall meet in accordance with the Byelaws. The Executive Committee's responsibility shall not include the duties of the Trustees as set out in Clause 55 but shall include representation and campaigning work and the implementation of Policy save in so far as these responsibilities have not been delegated to another committee.
70. The Chief Executive and the Union's senior management team have the right to attend and speak at meetings of the Executive Committee, but do not have voting rights. The Executive Committee may move a resolution to hold a meeting or hear an item of business without Union staff present.

### **Byelaws**

71. The Trustees and the Students' Union Council shall have the power from time to time to jointly make, repeal or amend Byelaws as to the management of the Union and its working practices provided that such Byelaws shall not be inconsistent with this Constitution. Provided that any amendment to, or repeal of Byelaws 2 (sections 2.1 & 2.2), 3, 8 & 13, will also require the prior approval of the University.

### **Proceedings of Trustees**

72. Subject to the provisions of this Constitution and the Byelaws, the Trustees may regulate their proceedings as they think fit.

### **Trustees' meetings**

73. The Trustees shall hold a minimum of four meetings in any Academic Year.
74. Two Trustees may, and the Chief Executive at the request of Two Trustees shall, call a meeting of the Trustees.
75. Guests or observers can attend meetings of the Trustees at the discretion of the Chair.

### **Length of notice**

76. A Trustees' meeting shall be called by at least seven clear days' notice unless either:
- 76.1 all the Trustees agree to shorter notice; or
- 76.2 urgent circumstances require shorter notice.

### **Contents of notice**

77. Every notice calling a Trustees' meeting shall specify the place, day and time of the meeting and the general particulars of all business to be considered at such meeting.

### **Service of notice**

78. Notice of Trustees' meetings shall be sent to each Trustee by post or by electronic communication.

### **Quorum**

79. The quorum for Trustees' meetings shall be six and such quorum must include at least two Officer Trustees and two External Trustees. Where the resolution or issue under discussion concerns a matter in respect of which some or all of the Trustees have a conflict of interest, the quorum shall be four.

### **Chair and Deputy Chair**

80. The Trustees shall appoint an External Trustee to be Chair of the Trustees and may at any time remove him or her from office.
81. The President shall be the Deputy Chair of the Trustees and will work closely with the Chair to ensure the student voice is heard and articulated on the Board of Trustees.
82. In the absence of the Chair and the Deputy Chair, another Trustee appointed by the Trustees present shall preside as chair of the meeting.

### **Decision making by Trustees at meetings**

83. Questions arising at a meeting shall be decided by a majority of votes. In the case of an equality of votes, the Chair shall be entitled to a casting vote in addition to any other vote he or she may have.

### **Virtual meetings**

84. A Trustees' meeting may be held by telephone or by televisual or other electronic or virtual means agreed by resolution of the Trustees in which all participants may communicate simultaneously with all other participants.

### **Trustee decisions without a meeting**

85. The Trustees may take a unanimous decision without a Trustees' meeting by indicating to each other in writing, including without limitation by electronic communication, that they share a common view on a matter. Such a decision may, but need not, take the form of a resolution in writing, copies of which have been signed by each Trustee or to which each Trustee has otherwise indicated agreement in writing.
86. A Trustees' resolution which is made in accordance with Clause 85 shall be as valid and effectual as if it had been passed at a meeting of the Trustees duly convened and held, provided the following conditions are complied with:
- 86.1 approval from each Trustee must be received by one person being either such person as all the Trustees shall have nominated in advance for that purpose or such other person as volunteers if necessary ("the Recipient"), which person may for the avoidance of doubt, be one of the Trustees;

- 86.2 following receipt of response from all of the Trustees, the Recipient shall communicate to all of the Trustees by any means whether the resolution has been formally approved by the Trustees in accordance with this Clause;
- 86.3 the date of the decision shall be the date of the communication from the Recipient confirming formal approval; and
- 86.4 the Recipient prepares a minute of the decision in accordance with Clause 93.

### **Conflicts of Interest**

- 87. Whenever a matter is to be discussed at a meeting or decided in accordance with Clause 85 and a Trustee has a Personal Interest in respect of that matter then he or she must:
  - 87.1 declare his or her interest to the Trustees;
  - 87.2 remain only for such part of the meeting as in the view of the other Trustees is necessary to inform the debate;
  - 87.3 not be counted in the quorum for that part of the meeting or decision-making process and
  - 87.4 withdraw during the vote and have no vote on the matter.
- 88. If any question arises as to whether a Trustee has a Personal Interest, the question shall be decided by a majority decision of the other Trustees.
- 89. In particular, Clause 87 shall apply to any matter that may directly or indirectly relate to the position of an Officer Trustee who is or is to be remunerated as an employee by the Union.

### **Students' Union Council**

- 90. The Students' Union Council shall have the authority to:
  - 90.1 represent the voice of the Students;
  - 90.2 subject to Clause 58, set the Policy of the Union and refer Policy to Referenda of the Members (in accordance with the Bye-Laws);
  - 90.3 make, repeal and amend the Bye-Laws jointly with the Trustees in accordance with Clause 71;
  - 90.4 receive a quarterly report from the Trustees; and
  - 90.5 appoint associate members in accordance with Clause 16 and the Byelaws.
- 91. The composition and proceedings of the Students' Union Council shall be set out in the Byelaws. No Member may hold more than one seat on the Students' Union Council at any one time.

## **General**

### **Irregularities**

92. The proceedings at any meeting or the passing of a written resolution or the making of any decision shall not be invalidated by reason of any accidental informality or irregularity (including any accidental omission to give or any non-receipt of notice) or by reason of any business being considered which is not specified in the notice.

### **Minutes**

93. The Trustees shall keep minutes of:
- 93.1 all proceedings at general meetings of the Union and of meetings of the Trustees, and of committees of Trustees, including the names of the Trustees present at each such meeting; and
- 93.2 all resolutions of the Members and of the Trustees and any such minute, if purported to be signed by the chair of the meeting at which the proceedings were had, or by the chair of the next succeeding meeting, shall, as against any Member or Trustee of the Union, be sufficient evidence of the proceedings or the resolution.
94. The minutes of the meetings referred to in Clause 93 above shall normally be considered open and shall be available to the Members on the Union's website, except where those minutes relate to any reserved or confidential matters, including without limitation staff-related or disciplinary matters. Copies of the minutes shall also be kept in the Union's offices.

### **Accounts and Reports**

95. The Trustees shall comply with the requirements of the Education Act and the Charities Act 1993 as to keeping financial records, the audit or examinations of accounts.
96. The Members of the Union have the right to ask the Trustees questions in writing about the content of any documents referred to in Clause 95.

### **Notices**

97. Subject to Clause 98, any notice to be given to or by any person pursuant to this Constitution shall be in writing.
98. The Union may give any notice to a Member either:
- 98.1 personally;
- 98.2 by sending it by post in a prepaid envelope addressed to the Member at his or her address;
- 98.3 by leaving it at the address of the Member;
- 98.4 by electronic communication to the Member's address; or

98.5 by posting it on the Union's website.

99. A Member present at any meeting of the Union shall be deemed to have received notice of the meeting and, where requisite, of the purpose for which it was called.

100. Proof that an envelope containing a notice was properly addressed, prepaid and posted shall be conclusive evidence that the notice was given. A notice shall be deemed to be given at the expiration of 48 hours after the envelope containing it was posted or, in the case of a notice contained in an electronic communication, at the expiration of 48 hours after the time it was sent or in the case of a notice posted on the Union's website at the expiration of 48 hours after it was posted.

### **Indemnity**

101. Without prejudice to any indemnity to which a Trustee may otherwise be entitled, every Trustee shall and every other Officer or auditor of the Union may be indemnified out of the assets of the Union against any liability incurred by him or her in defending any proceedings, whether civil or criminal, in which judgment is given in his or her favour or in which he or she is acquitted or in connection with any application in which relief is granted to him or her by the court from liability for negligence, default, breach of duty or breach of trust in relation to the affairs of the Union, and against all costs, charges, losses, expenses or liabilities incurred by him or her in the execution and discharge of his or her duties or in relation thereto.

### **Trustees' Indemnity Insurance**

102. The Trustees shall have power to resolve pursuant to Clause 4.28 to effect Trustees' indemnity insurance, despite their interest in such policy.

### **Definitions and Interpretations**

103. In this Constitution, the following terms shall have the following meanings:

	<b>Term</b>	<b>Meaning</b>
103.1	"Academic Year"	the period between 1 <sup>st</sup> August in one Year to 31 <sup>st</sup> July in the next Year determined by the Union as the period during which Students are required to be registered with University of Huddersfield. Each Academic Year is for the time being divided into three terms;
103.2	"Alumni Trustee"	a Trustee appointed in accordance with Clause 41 who must have graduated from University of Huddersfield for a period of at least five years and for the avoidance of doubt shall not be deemed to be either a major union office holder or a sabbatical union office holder for the purposes of

		Section 22 of the Education Act;
103.3	“Board of Trustees” or “Board”	the Board of Trustees of the Union;
103.4	“Bye-Laws”	the bye-laws setting out the working practices of the Union made from time to time in accordance with Clause 71;
103.5	“Chair”	the chair of the Board of Trustees, who shall be appointed by the board from the external and alumni members in accordance with clause 80;
103.6	“Chief Executive”	the chief executive of the Union who is appointed by the Board of Trustees;
103.7	“clear days”	in relation to the period of a notice, that period excluding the day when the notice is given or deemed to be given and the day for which it is given or on which it is to take effect;
103.8	“Code of Practice”	the code of practice relating to University of Huddersfield’s obligations under Section 22 of the Education Act;
103.9	“Connected Person”	any person falling within one of the following categories and where payment to that person might result in the relevant Trustee obtaining benefit: (a) any spouse, civil partner, parent, child, brother, sister, grandparent or grandchild of a Trustee; or (b) the spouse or civil partner of any person in (a); or (c) any other person in a relationship with a Trustee which may reasonably be regarded as equivalent to such a relationship; or (d) any company or LLP or firm of which a Trustee is a paid director, member, partner or employee, or shareholder holding more than 1% of the capital;
103.10	“Constitution”	this constitution of the Union;
103.11	“Deputy Chair”	the deputy chair of the Board of Trustees, who shall be appointed in accordance with Clause 81

103.12	“Education Act”	the Education Act 1994;
103.13	“Electronic Communication”	shall mean a communication sent in Electronic Form(as defined in s1168 of the Companies Act 2006;
103.14	“the Executive Committee”	means the Officer Trustees;
103.15	“External Trustee”	a Trustee appointed in accordance with Clause 44 who for the avoidance of doubt shall not be deemed to be either a major union office holder or a sabbatical union office holder for the purposes of section 22 of the Education Act;
103.16	“in writing”	means written, printed or transmitted writing including by Electronic Communication;
103.17	“Members”	members of the Union being Students at University of Huddersfieldas further defined in Clause 12.1 and the Officer Trustees;
103.18	“Nominations & Remuneration Committee”	the committee set up in accordance with the Bye-Laws that will include the President, the Chief Executive, one Officer Trustee, an external Trustee and the University Trustee;
103.19	“NUS”	National Union of Students;
103.20	“Office”	the head office of the Union;
103.21	“Officer Trustee”	a Trustee elected in accordance with Clause 36;
103.22	“Personal Interest”	a financial interest or an interest that does not arise in the ordinary course of being a Member or a Trustee (for example, being a member of a club or society);
103.23	“Policy”	representative and campaigning policy set by Referenda or the Students' Union Council in accordance with Clauses 18 to 21 and Clause 90.2 respectively;
103.24	“President”	the President of the Union, as elected by

		the Members in accordance with the Bye-Laws;
I03.25	“RAG”	the Raise and Give society which develops Students by providing them with an opportunity to raise funds for charitable causes;
I03.26	“Referendum”	a ballot in which all Members of the Union are entitled to cast a vote, the protocol for which is set out in the Bye-Laws;
I03.27	“Secure Petition”	a written request to the Union which shall be fixed in a pre-arranged place or places or held securely on-line;
I03.28	“Student”	any individual who is formally registered for an approved programme of study provided by University of Huddersfield. For the avoidance of doubt, University of Huddersfield shall determine whether or not an individual has student status;
I03.29	“Students' Union Council”	the Student body elected by and from Students constituted in accordance with this Constitution and the Bye-Laws of the Union;
I03.30	“Subsidiary Company”	any company in which the Union holds more than 50% of the shares, controls more than 50% of the voting rights attached to the shares or has the right to appoint a majority of the board of the company;
I03.31	“Trustee” and “Trustees”	the Officer Trustees, the Alumni Trustees and the External Trustees including the University Trustee;
I03.32	“Union”	University of Huddersfield Students' Union; and
I03.33	“University of Huddersfield”	University of Huddersfield, incorporated by Privy Council on 10 <sup>th</sup> November 1993
I03.34	“University Trustee”	a Trustee appointed by the University of Huddersfield in accordance with clause 45

104. Words importing the singular shall include the plural and vice versa and words importing the masculine shall include the feminine and the neuter and vice versa.
105. Any reference to a statute, statutory provision or subordinate legislation ("legislation") shall (except where the context otherwise requires) be construed as referring to such legislation as amended and in force from time to time and to any legislation which (either with or without modification) re-enacts, consolidates or enacts in rewritten form any such legislation.

## **Bye Law One: Membership and Provision for Opting Out**

### **1 There shall be the following categories of membership to the Union:**

- 1.1 Ordinary Members;
- 1.2 Associate Members;
- 1.3 Life Members;
- 1.4 Honorary Life Members.

### **2 Ordinary Members shall automatically include:**

- 2.1 all registered students of the University;
- 2.2 all students attending courses provided by the University of Huddersfield on a collaborative provision or joint delivery basis;
- 2.3 the Officer Trustees of the Union.

### **3 Ordinary Members, shall have the right:**

- 3.1 to use all the services and facilities provided by the Union;
- 3.2 to engage in all activities provided by the Union;
- 3.3 to attend and speak at all Union meetings and to vote at all General Meetings;
- 3.4 to stand, nominate and vote in Union elections, subject to the regulations laid down in the Bye Laws of this Constitution (except current Sabbatical Officers who may not nominate);
- 3.5 to become entitled to such other privileges as the Board of Trustees or a General Meeting may decide.

### **4 Life and Honorary Life Membership**

- 4.1 Life Membership shall be granted to past members of the Union subject to payment of fees determined by the Management Committee and their application being accepted by a simple majority vote at an Executive Committee meeting.
- 4.2 Honorary Life Membership shall be granted to persons who have given exceptional service to the Union or its members, and subject to their application being accepted by a two-thirds majority vote at a Union Council.

### **5 Associate Members shall be:**

- 5.1 permanent members of staff of the Union;
- 5.2 staff members of the University, upon payment of such subscriptions as determined by the Management Committee from time to time.

### **6 Associate Members, Life Members and Honorary Life Members shall have the right to:**

- 6.1 use all services and facilities provided by the Union;
- 6.2 engage in all activities provided by the Union.

**They do not have the right to:**

- 6.3 attend or speak at any Union Meeting, except where otherwise indicated in this document;
- 6.4 vote at any Union Meeting, except where otherwise indicated in this document;
- 6.5 stand for office, nominate another, or vote in an election.

**7 Provision for Opting Out**

- 7.1 Under the Education Act 1994, all students have the right to opt out of membership of the Union, without it affecting their rights to use the Union and its facilities. Students wishing to opt out must inform the University of their wishes (normally during the enrolment process)

**8 Students who opt out have:**

- 8.1 the right to join any clubs and societies and participate in student activities, however they have no right to hold any office or take part in the election of Officers to that club and society;
- 8.2 the right to access Union welfare services;
- 8.3 the right to use Union trading services except for the bar which operates on a members only basis, opted out students may be signed in;
- 8.4 do not have the right to participate in the democratic activities of the Union (i.e. participate in any part of the election or referenda process.)

## **Bye-Law Two: The Executive Committee / Officer Trustees**

### **1 Definition**

1.1 The Executive Committee shall be the five Officer Trustees.

1.2 There shall be the following Officer Trustees:

- President;
- Vice President Communications and Democracy;
- Vice President Education;
- Vice President Welfare and Equalities;
- Vice President Student Activities.

### **2 Officer Trustees Summary Terms & Conditions**

2.1 Officer Trustees shall remain in office in accordance with clauses 36-40 and 52-53 of the Constitution.

2.2 An Officer Trustee must be a Student Ordinary Member at the time of their election.

2.3 Officer Trustees will be employed for one year using the normal Union employment contract and have the associated rights and responsibilities of an employee.

2.4 Officer Trustees will be remunerated on the Unions' Scale Point 10 which will be subject to normal inflationary pay increases.

2.5 Any changes to Officer Trustees remuneration will be considered by the Nominations & Remuneration Committee.

2.6 All Officers shall hold office for one year from midday on the last day of the University's academic year of their election until midday on the last day of the following academic year. On taking up their post, each Officer will sign a contract and code of practice governing their behaviour and conduct whilst in office.

2.7 In addition the outgoing President should be enabled to attend Graduation ceremonies falling immediately after their term of office. This honorary extension of the outgoing President's term does not allow the outgoing President to have executive responsibilities. Daily remuneration should be paid for this honorary responsibility outside the standard term of office.

### **Multiple Accountabilities and Line Management**

2.8 With regard to representative and campaigning matters, the Officer Trustees are accountable to the student membership through Students' Union Council, General Meetings and referenda.

2.9 With regard to Trustee responsibilities, Officer Trustees are responsible to the Board of Trustees.

2.10 With regard to employment matters, the President will be the designated line manager of the other four Officer Trustees. In the case of the President, who is formally accountable to the Board of Trustees, the Chair of the Board will act as line manager.

### **3 Duties of all elected Officers:**

3.1 Carry out all duties and responsibilities in accordance with the Union's Constitution and policies.

- 3.2 Always behave in a manner that maintains the good reputation of the Union and the office to which they have been elected.
- 3.3 Strive to represent fairly the opinions and issues of their constituencies and Huddersfield students as a whole.
- 3.4 Represent the Union and its members' interests in a professional manner, both internally to the University and externally.
- 3.5 To promote and defend the rights of members.
- 3.6 To work in accordance with and in furtherance of, Union policy.
- 3.7 Attend University meetings to represent Huddersfield Students.
- 3.8 Carry out any other duties as may be assigned to them from time to time by Union Council, Executive Committee and/or Board of Trustees, which are reasonably consistent with that Officer's position.
- 3.9 Consider the development of the Union's provision to the student body as an integral part of their role.
- 3.10 Attend Executive, Students' Union Council and other Union meetings as appropriate and report to those meetings on their activities and actions.
- 3.11 To work towards and support the Union's "Go Out and Listen Strategy"

**4 Duties and Responsibilities of Officer Trustees**

- 4.1 To be Trustees of the organisation.
- 4.2 To be responsible both to and for the Executive Committee as a whole.
- 4.3 To ensure Students' Union Council is kept up to date on the actions of the Executive Committee.
- 4.4 To support, Union Councillors and student volunteers in the fulfilment of their roles
- 4.5 To liaise with external organizations appropriate to individual roles.
- 4.6 To be impartial and not publicly take sides in representative elections.
- 4.7 To promote involvement in all Union activities
- 4.8 To lead and develop the Union's "Go Out and Listen Strategy"
- 4.9 To support designated students, volunteers, Officers within Union Forum and Student Activity Groups: as set out below:

President	VP Education	VP Welfare and Equalities	VP Communications and Democracy	VP Student Activities
Executive Committee	Course Representatives	Welfare Campaigns Forum	Students' Union Council	Student Activities Executive
Environment & Ethics Forum	Part Time Students Forum	LGBT Students Forum	Union Chair	Societies Forum
UCO and UCB Site Associations	Post Graduate and Mature Students Forum	Faith Groups Forum	Huddersfield Student	Sports Forum
	Education Campaigns Forum	International Student Forum	Radio Hudd	Charities / Volunteering and Rag Forum
		Students with Disabilities Forum		All Clubs and Societies
		Women's Forum		
		BME Student Forum		

## **Officer Job Descriptions**

### **5 President Job Description**

#### University Representation

- 5.1 To co-ordinate, the work of the Executive Committee and represent University of Huddersfield students at all levels of the University and also locally and nationally.
- 5.2 To lead and line manage the Union's Executive Committee.
- 5.3 To co-ordinate campaigns undertaken by the Executive Committee.
- 5.4 To maintain and develop contact with UCO/UCB and the other University collaborative partners. To allocate an Officer Trustee to sit on each site committee.
- 5.5 To represent the Union at University Council and Senate.
- 5.6 To be responsible for ensuring representatives of the Union's membership attend all relevant University meetings, either through directing and/or briefing elected Officers or student representatives or, in event of their absence, attending themselves.
- 5.7 To lead the executive team to development and deliver a "Go Out and Listen Strategy".

#### External Representation

- 5.8 To be the principal point of contact for liaison with NUS.
- 5.9 To represent University of Huddersfield students by leading the delegation at NUS National Conference.
- 5.10 To represent the students to local community organizations, to oversee student representation at relevant community meetings and to oversee the Union community strategy.

#### Union Strategy and Development

- 5.11 To be responsible, in conjunction with the Vice-Presidents and through the Chief Executive, for monitoring and influencing progress towards strategic plan goals and effective running of the organisation
- 5.12 To ensure that regular Executive Committee meetings are held according to the Constitution of the Union and to chair those meetings accordingly.
- 5.13 To be the principal spokesperson for the Union dealing with media enquiries.

#### Finance and Commercial

- 5.14 To be lead executive overseeing Union finances
- 5.15 To be responsible for overseeing commercial and financial policies of the Union and representing student interests accordingly.
- 5.16 To monitor and authorise the expenditure of budgets of Union Forums within budget agreed by executive committee.
- 5.17 To act as NUSSL Liaison Officer and represent Huddersfield Students at NUSSL events

### **6 Vice-President Communication & Democracy Job Description**

#### Representation Democracy and Scrutiny

- 6.1 To represent the Union on University committees related to general student issues.
- 6.2 To be responsible for ensuring the democratic processes of the Union are open and accessible to members, particularly elections, referenda, general meetings, Students' Union Council and the Constitution.
- 6.3 To liaise with the relevant Union staff to ensure that adequate initial training and on-going support is available for all Union Councillors and Union representatives.
- 6.4 To maintain the policy file and ensure the Students' Union is operating in line with policy.
- 6.5 To work with the Union Chair to ensure an active and vibrant Union Council.

#### Communications and Media

- 6.6 To be responsible for overseeing the communications of the Union with its membership.
- 6.7 To support and develop the student media activities within the Students' Union, including Huddersfield Student, Radio Hudd and the Union website
- 6.8 To work with the marketing department to develop a sustainable and effective communications strategy that promotes participation and involvement in the Students Union.
- 6.9 To work closely with the Marketing department in the production of all Students' Union publications e.g. Handbook, Website, Huddersfield Student.
- 6.10 To act as the Managing Editor of the Students' Union newspaper and to represent students' and Students' Union views accordingly.
- 6.11 To act as the Managing Editor of the Students' Union radio station and to represent students' and Students' Union views accordingly

## **7 Vice-President Welfare & Equalities Job Description**

#### Representation

- 7.1 To represent students on relevant University committees.
- 7.2 To be responsible for overseeing welfare Policy within the Union and representing students accordingly

#### Campaigning

- 7.3 To lead the campaign and lobbying work of Union on student housing, student safety, student health (sexual, mental, healthy lifestyles etc), student finances, equality and diversity
- 7.4 To work actively with external agencies on matters affecting student welfare and safety

#### Equality and Diversity

- 7.5 To be the lead Officer on issues of equality and diversity.
- 7.6 To monitor and update Union policy on equality and diversity matters.
- 7.7 To ensure University services and policies fully reflect the diversity of student needs.
- 7.8 To promote and campaign for equal opportunities within the University, Union and the wider community.
- 7.9 To support the allocated Union Forums to be active and ensure their voice is heard

### Welfare Services Development

- 7.10 To take an active role in the development of the welfare services.
- 7.11 To ensure that the welfare budget for the Student Advice and Information Centre is used efficiently and effectively.
- 7.12 To ensure that issues raised by students about the work of the Student Advice and Information Centre are dealt with quickly and effectively.
- 7.13 To take responsibility for ensuring the provision of Union welfare services, including issues of student safety.
- 7.14 To work to ensure that, students are aware of Union welfare and safety services.
- 7.15 To work with the relevant Union Staff, to keep the Union informed of current issues in Higher Education relevant to the Union's membership.

## **8 Vice-President Education Job Description**

### Representation

- 8.1 To represent students' views and liaise with the University and external bodies on educational matters.
- 8.2 To oversee student support and representation on educational issues.
- 8.3 To coordinate Course Representatives training and support across the University.
- 8.4 To lead and co-ordinate Union Campaigns on Education matters
- 8.5 To be responsible for overseeing education and academic policy within the Union and representing students accordingly.
- 8.6 To liaise with the relevant Union staff to ensure that adequate initial training and on-going support is available for all academic/student representatives.
- 8.7 To be responsible for the development of academic representation strategy in conjunction with the Membership Services staff.
- 8.8 To ensure the Union addresses academic issues affecting the quality of education received by the membership, and to work to raise awareness of those issues amongst the membership where appropriate
- 8.9 To represent the Students' Union on designated University Committees
- 8.10 To be responsible for all School representatives and to ensure that they liaise with all academic representatives within their Faculty
- 8.11 To work with the relevant Union support Staff, particularly the Membership Services Manager, to keep the Union informed of current issues in Higher Education relevant to the Union's membership.

## **9 Vice-President Student Activities Job Description**

- 9.1 To represent and oversee all the Union Activity Groups.
- 9.2 To collaboratively work as part of the Activities Executive to establish and oversee the funding procedures for Activity Groups.
- 9.3 To work with activities development staff in the Union and University.
- 9.4 To oversee the development of the range of facilities available for Union Activities.
- 9.5 To oversee the Varsity competition alongside student representatives from partner institutions
- 9.6 To represent Members to the University on Union Activity matters, including sitting on the relevant committees of the University.
- 9.7 To represent Members at regional and national organizations on all issues relating to student activities.

- 9.8 To chair meetings of the Student Activities Executive and as necessary Activities Forums.
- 9.9 To oversee the organisation of all activities for sports and societies.
- 9.10 To ensure that all trips and activities both on and off the campus are properly arranged with due regard to health and safety requirements and financial implications.
- 9.11 To ensure the availability of training and ongoing support to all club and society officials.
- 9.12 To extend training opportunities to other members of clubs and societies where appropriate.
- 9.13 To take an active interest in all clubs and societies and their activities.
- 9.14 To ensure that all clubs and societies are properly run and their financial affairs are in order
- 9.15 To be ultimately responsible for the organisation of Freshers' Fair and Re-Freshers' Fair.
- 9.16 To be the lead sabbatical responsible for organising Union's Annual Awards ceremony

## **10 Other Elected Officer Job Descriptions**

- 10.1 The Executive will develop and publish Job Descriptions for the following roles subject to the approval of Students' Union Council and the Board of Trustees:
  - Newspaper editor
  - Radio Hudd Station Coordinator
  - Rag and Charities Officer
- 10.2 In addition to the above job descriptions, the Union Executive should develop written agreements that set out the detailed practical arrangements for organising the activities of the Newspaper, Radio Hudd and RAG. These written agreements should be approved by Students' Union Council and the Board of Trustees and may be incorporated into byelaws.

## **Bye Law Three: The Students' Union Council**

### **I Introduction to Students' Union Council**

- 1.1** Students' Union Council is a cross-campus, Union forum where policy is generated, discussed and voted upon by elected representatives and where discussions around the student experience take place. Students' Union Council is made up of a cross section of the Union's membership and includes representatives from all across the student body. Policy can be generated and formulated by the various Union forums, which are free and open to join, who then direct the policy upwards for debate. Students' Union Council is also the place where Officers, both full and part time, can be held to account.

### **2 Students' Union Council Membership**

- 2.1** All ordinary members of the Union are welcome to attend meetings of Students' Union Council and have the right to put forward motions and hold Officers to account but have no voting rights.
- 2.2** No member may hold more than one seat on Students' Union Council at any one time.
- 2.3** Members shall be:
- the Union Council Chair;
  - the five Officer Trustees;
  - two Union Councillors in the first year of study to be elected at the earliest opportunity at the start of each academic year;
  - five Union Councillors not in first year of under-graduate study to be elected in term 2 to serve for the following academic year;
  - one representative from each of the University of Huddersfield Schools to be elected in term 2 to serve for the following academic year;
  - the site chair from University Campus Barnsley;
  - the site chair from University Campus Oldham;
  - a representative from University Campus Barnsley;
  - a representative from University Campus Oldham;
  - Chairs / Convenors of the following Union Forums:
    - Lesbian, Gay, Bisexual and Transgender (LGBT) Chair / Convenor;
    - Students with Disabilities Chair / Convenor;
    - Postgraduate & Mature Students Chair / Convenor;
    - Part-Time Students Chair / Convenor;
    - International Students Chair / Convenor;
    - Women's Chair / Convenor;
    - Black and Minority Ethnic Students Chair / Convenor;
    - Ethics and Environment Chair / Convenor;
    - Inter Faith Forum Chair / Convenor;
    - Education Chair / Convenor;
    - Welfare Chair / Convenor;
    - Students Activities Chair / Convenor.

- 2.4 Students' Union Council shall also consist of the following other representatives:
- a Charities and Volunteering Representative Elected by the RAG committee;
  - a Societies Representative elected from Activities Forum;
  - a Sports Representative elected from Activities Forum;
  - the Huddersfield Student Newspaper Editor;
  - the Radio Hudd station co-ordinator;
- 2.5 All these positions /forums may only be changed with the joint approval of Students' Union Council and the Board of Trustees
- 2.6 The Executive Committee will be responsible for supporting, overseeing and ensuring the operation of each of these Chairs and their forums.

### **3 Duties of Students' Union Council Members**

- 3.1 To act at all times in accordance with Union policy and subject to the constitution to be bound by the mandates of the Board of Trustees, the Annual General Meeting and Students' Union Council meetings.
- 3.2 To attend all meetings of Students' Union Council for the duration of the meeting.
- 3.3 To attend the AGM and GM Meetings.
- 3.4 To prove their attendance at all meetings by signing the attendance sheet.
- 3.5 To actively promote the Union and its campaigns.

### **4 The Role of the Students' Union Council Chair**

- 4.1 The Chair runs the meeting of Students' Union Council.
- 4.2 The Chair will remain impartial and shall run the meetings with an agenda of being unbiased and neutral.
- 4.3 The Chair may not vote unless the vote is tied, in which case they shall have a casting vote.
- 4.4 The Chair shall also produce a report of Students' Union Council activities and progress to AGM.
- 4.5 The Chair shall have the power to bring discussions and debates to an end should they run over a certain amount of time or it is felt that the debate is going nowhere.
- 4.6 The Chair shall have the power to close the meeting until further notice should the need arise.

### **5 Accountability**

- 5.1 When representing the Union all elected Officers and Union Council members may be held to account for their actions and behaviour
- 5.2 A member of the Students' Union may hold elected Officers accountable at the following meetings:
- General Meetings
  - Students' Union Council
- 5.3 The membership may use the following methods to hold an elected Officer accountable:

- A question and answer session for the elected Officers. This must be included as an item on the agenda of any meeting the Union holds
- A motion of censure on an Elected Officer
- A motion to commend an Elected Officer
- A motion of no confidence in an Elected Officer

## **6 Apologies and Attendance**

- 6.1 All members of the Students' Union Council or any other Sub Committee must submit apologies in writing before the meeting to the Chair if they are unable to attend.
- 6.2 Any member of Students' Union Council or any other Sub-Committee shall cease to hold office if they have been absent from 2 consecutive meetings, without apologies.
- 6.3 In the case of the Annual General Meeting, apologies from all elected Officers should be submitted to the President or Union Chair.

## **7 Resignation**

- 7.1 Any resignation must be in writing to the Executive Committee. Resignations shall take effect immediately and be reported to Students' Union Council and the Board of Trustees.

## **8 Meetings of Students' Union Council**

- 8.1 Students' Union Council shall meet once a month during term time on a date that shall be agreed by the Chair and Union President that will maximise participation.
- 8.2 At the first Students' Union Council of the academic year, there shall be a formal opening speech from both the President and the Chair.

## **9 The Powers and Duties of Students' Union Council**

- 9.1 To represent the voice of students
- 9.2 To comply with the agendas set out in this Constitution and act in accordance with the policy of the Union.
- 9.3 To be responsible for formulating representative and political policy for the Union and shall have the power to vote on these issues.
- 9.4 To hold the Executive Committee to account for its representational work receiving regular reports.
- 9.5 To set up sub-committees and monitoring groups.
- 9.6 To ratify the appointment of External, University and Alumni Trustees to the Board of Trustees.
- 9.7 To consider and vote upon a motion of no confidence in any Trustee.
- 9.8 To request information from the Board of Trustees.
- 9.9 To form and disband Union representative forums.
- 9.10 To withdraw or suspend the membership rights of any member.
- 9.11 To elect from the membership of Students' Union Council a Deputy Chair at the first meeting of the Academic year.

## **10 Limitations of the Powers and Duties of Students' Union Council**

- 10.1 Students' Union Council will not have the power to set policy on any issue pertaining to the financial or strategic direction of the Union or the management of

the charity. Such matters will be referred to the Board of Trustees for consideration.

- 10.2 Students' Union Council will not have the power to alter or change the Constitution. If a motion calls for a change in the Constitution, Students' Union Council must refer the decision to the Executive Committee to arrange for ratification at a General Meeting or by referenda.

## **11 Quorum**

- 11.1 The quorum for Students' Union Council shall be 50% of elected members plus one. The meeting cannot make decisions on any matter until this has been established.
- 11.2 All Executive Officers must do their best to attend.

## **12 Agenda Items**

- 12.1 All items for discussion and decision shall be submitted to the Council Chair ten (10) working days before the meeting.
- 12.2 The Council Chair shall place the motions in order of importance. Importance shall be determined by how relevant to the student experience the motion is and the time scale involved for the motion to be completed.
- 12.3 All motions shall require the proposal of at least two (2) full Union members. These shall be known as the proposer and the seconder.

## **13 Voting in Students' Union Council**

- 13.1 Should the need for a vote arise the Chair of Council shall call for a simple show of hands
- 13.2 The order for voting shall be:
- Those in favour
  - Those against
  - Any abstentions
- 13.3 The results of all votes shall be publicised along with the minutes
- 13.4 Any member may contest the vote and can ask for another round of speeches and another vote as long as the proposal for such an action receives approval from over 50% of Council.

## **14 How to call an Emergency Students' Union Council**

- 14.1 An emergency Students' Union Council may be called by:
- A resolution from the Union Executive Committee
  - A Secure Petition of 100 full members of the Union, submitted to the President or VP Communications and Democracy.
- 14.2 The Council Chair and the President or VP Communications and Democracy shall arrange for the Emergency Students' Union Council to be held within ten working days.
- 14.3 Only the issue specified in the application shall be discussed at the Emergency Students' Union Council.
- 14.4 Meetings will be conducted according to the Debating Rules.

## **15 Removal from Office**

- 15.1 A proposal to remove any member from office shall be treated as a motion under the debating rules.
- 15.2 The elected Officer that the motion is proposed against has the right to make the first speech against the motion and a summation speech.
- 15.3 The meeting should then vote on the proposal to remove an Officer from office. The vote needs a two-thirds majority to pass.
- 15.4 A removal from office will immediately remove the Officer from his/her role. Where an employment relationship exists this will be referred to the Board of Trustees who will arrange to consider the formal dismissal from employment.

## **16 Minutes**

- 16.1 All minutes of Students' Union Council will be made public after the meeting and shall be displayed in the Union and in available media.

## **Bye Law Four: Union Forums**

### **1 Definition**

- 1.1 Union Forums shall be defined as groups, networks or meetings where members regularly come together to exchange views and participate in activity, which will stimulate members' interest and inform Students' Union Council in areas of common concern.
- 1.2 Union Forums shall seek to maintain work within specific terms of reference and will be guided by the Forum Chair who is a full member of Union Council. Union Forums may be formed with the approval of Students' Union Council and shall include:
- Lesbian, Gay, Bisexual and Transgender (LGBT);
  - Students with Disabilities;
  - Postgraduate & Mature;
  - Part-Time Students;
  - International Students;
  - Women's;
  - Black and Minority Ethnic;
  - Ethics and Environment;
  - Inter Faith;
  - Education;
  - Welfare;
  - Students Activities.
- 1.3 In the case of the Lesbian, Gay, Bisexual and Transgender Forum, Women's Forum, Black and Minority Ethnic Forum, Postgraduate and Mature Forum, International Students Forum, Students with Disabilities Forum, and the Part-Time Students Forum the chair must be a student self-defining as a member of the group they are leading.

### **2 Forum Purposes**

- 2.1 To promote the views, interests and organize activities of common concern for members of the Forum.
- 2.2 To make proposals and recommendations to Students' Union Council on specific issues.
- 2.3 To direct and inform the Union's policy and campaign activity.
- 2.4 To elect a Chair in line with the provisions of Bye Law 7, clause 8.

### **3 Provisions Applicable to all Union Forums**

- 3.1 All Union Forums shall keep summary notes of their proceedings and submit them to Students' Union Council if required for approval.
- 3.2 A quorum for a Forum may be requested by Students' Union Council but in normal circumstances shall not be required.
- 3.3 Each Forum shall be convened by the Forum Chair and in the absence of such a person by an appropriate Executive Officer or otherwise approved by the Executive Committee.

- 3.4 Any ordinary member of the Union shall be entitled to speak or vote at a Forum meeting or debate at the discretion of the Chair.

#### **4 Duties of Union Forums**

- 4.1 To promote and oversee the running of any activities or campaigns organised by the Forum.
- 4.2 To produce detailed proposals for campaigns and activities including budgets where appropriate.
- 4.3 To always seek to recruit volunteers to participate in campaigns and activities.
- 4.4 To liaise with other organizations who represent the interests of its members.
- 4.5 To consider market research or student feedback in relation to the student experience to inform the future developments and campaign issues.
- 4.6 To provide information and report on activity to Union Council.

#### **5 Duties of Forum Chairs and Convenors**

- 5.1 To form Union Forum in accordance with the terms of their position as outlined within the Constitution and Byelaws and chair its meetings.
- 5.2 To represent the views of students within their particular portfolio to Students' Union Council and where appropriate the Executive Committee and University.
- 5.3 To report twice per term the key activities of their Forum. This report will be available to Students' Union Council and on the Union website
- 5.4 To formally propose policy to Students' Union Council on behalf of the Forum within their portfolio.
- 5.5 To promote participation by ordinary members in Forum meetings and activities, publicise all meetings.
- 5.6 To attend, where relevant, conferences of the National Union of Students as a representative of the Union.

#### **6 Funding Union Forums Activity**

- 6.1 The Finance, Risk and Staffing Committee will allocate a total budget each year to support the work of forums.
- 6.2 To be eligible for financial support Forum Chairs/Convenors should submit an activity plan and budget request by 31st July each year to fund the following years work. The Executive committee will consider these activity plans and allocate resources not exceeding the total campaigns and forums budget.

## **Bye Law Five: Debating Rules & Order of Business**

### **1 Introduction**

- 1.1 Debating can take place in many of the Unions' democratic processes, such as in Students' Union Council, General Meetings and during our referenda and elections process. This section will set out how to start a debate, run them well and get the most out of them.

### **2 Debates should be run as follows:**

- 2.1 Only one Motion shall be discussed at any one time.
- 2.2 Every Motion shall have a proposer and a seconder. The proposer shall speak on the Motion first. After the Proposer has finished the motion shall then be open for discussion and may be withdrawn only with the consent of the meeting and proposer. Any amendments to the Motion will be raised after the proposer has spoken.
- 2.3 If there are amendments, the first set of changes to a Motion shall be proposed immediately after the motion has been proposed.
- 2.4 The Chair shall invite the proposer of the changes to make a speech for the proposed amendments and then offer the original proposer of the motion to either accept the changes or make a speech against the changes.
- 2.5 Should the original proposer of the motion accept the change then the debate moves on with the alterations to the motion added and recorded.
- 2.6 In the event of the original proposer, rejecting the changes and opting to make a speech against the amendments the Chair shall balance the number of speeches for and against the amendments. The Chair shall then invite questions, before the vote is taken.
- 2.7 The proposer of the changes shall have the right to sum up before a vote is taken on them.
- 2.8 The current proposer of the motion shall have the right to sum up immediately before the vote is taken.
- 2.9 No new information or points of information shall be raised or introduced during the summing up speech.
- 2.10 In the event of any changes being carried, which were not accepted by the proposer of the original motion, the changed motion shall be taken on by the proposer of the changes, who will become the proposer of the motion.
- 2.11 When all changes have been voted upon, the motion shall be discussed and voted upon.
- 2.12 Motions shall be decided by a simple majority, except where otherwise specified in the Constitution.

### **3 Emergency Motions**

- 3.1 Emergency Motions may be moved if and only if they deal with matters which have arisen since the date for submission of motions has closed and if a two-thirds majority vote for the discussion of this motion. The motion should be submitted in writing to the Chair before the start of the meeting.

### **4 Points of Order and Points of Information**

- 4.1 A Point of Order is a matter raised during consideration of a motion and may be raised at any time, except during a vote unless it relates to the way the vote is being conducted. A point of order can include:
- A request for a count to ensure that there are enough people at the meeting to reach quorum.
  - A request for a ruling from the Chair on the conduct of the meeting
  - A request for a Constitutional interpretation
  - A request that a person who is not a full member of the Union shall be allowed to speak
- 4.2 Points of order, which take precedence over any other business, may be raised by any member.
- 4.3 A Point of Information may be raised at any time, except during a vote. A Point of Information is a known and published fact, which might support information presented by the current speaker on the debate. Before this extra information is presented, the current speaker must be given the choice of whether to accept or decline it.
- 4.4 Points of information may be raised by any member providing that the speaker occupying the floor signifies their intention to give way.

## **5 Procedural Motions**

- 5.1 A motion on how the meeting proceeds can be proposed by any member of the meeting at any time apart from during a vote.
- 5.2 If a member wishes to submit a procedural motion it can be submitted to the Chair at any time during the meeting except during the time of a vote.
- 5.3 Procedural motions can include and cover such issues as:
- Changing the order of business (can only be put after apologies and prior to substantive business of meeting commencing)
  - Having no confidence in the Chair
  - Having another round of speeches
  - Moving straight to a vote
  - Adjourning the meeting
  - Having a secret ballot
  - Request for a recount on a vote
  - Referring the issue under discussion to another body e.g. the Union Executive Committee
  - To not vote on the issue under discussion
- 5.4 After the procedural motion has been proposed, there might be a speech against it. If there are no further speeches for and against there will be a vote. The procedural motion will be passed if it succeeds in getting a simple majority of those voting.

## **6 The Order of Business for Annual General Meetings shall be as follows:**

- 6.1 counting of quorum;
- 6.2 apologies for absence;
- 6.3 minutes of the previous AGM and any GM held since the previous AGM;
- 6.4 matters arising from the Minutes;

- 6.5 the President's report concerning the Executive Committee;
- 6.6 questions to the Executive Committee;
- 6.7 the Board of Trustees' report;
- 6.8 questions to the Board of Trustees;
- 6.9 presentation of audited accounts;
- 6.10 questions on the audited accounts;
- 6.11 appointment of auditors;
- 6.12 review of affiliations;
- 6.13 ordinary business;
- 6.14 emergency business;
- 6.15 time and date of the next meeting.

**7 Order of Business for an Extraordinary General Meeting shall be as follows:**

- 7.1 counting of quorum;
- 7.2 apologies for absence;
- 7.3 matters to be raised.

**8 Order of Business for the Board of Trustees shall be as follows:**

- 8.1 counting of quorum;
- 8.2 apologies for absence;
- 8.3 minutes of the previous Board meeting;
- 8.4 matters arising from the minutes;
- 8.5 proposals to amend the Constitution, Schedules and Bye Laws;
- 8.6 President's report and questions to the President;
- 8.7 General Manager's report and questions to the General Manager;
- 8.8 Minutes and reports from sub-committees set out in Clause 64 of Constitution
- 8.9 Ordinary business;
- 8.10 emergency business;
- 8.11 time and date of the next meeting.

**9 Order of Business for Students' Union Council shall be as follows:**

- 9.1 counting of quorum;
- 9.2 apologies for absence;
- 9.3 minutes of the previous Union Council;
- 9.4 matters arising from the minutes;
- 9.5 President's report from the Executive and questions to the President;
- 9.6 reports and minutes from Committees
  - Executive
  - Nominations & Remuneration Committee
  - Student Activities Executive
- 9.7 ordinary business (motions and other business.);
- 9.8 emergency business;
- 9.9 time and date of the next meeting.

**10 Order for all other Union Committee Meetings shall be as follows:**

- 10.1 counting of quorum;
- 10.2 apologies for absence;
- 10.3 minutes of the previous meeting;
- 10.4 matters arising from them;

- 10.5 ordinary business;
- 10.6 emergency business;
- 10.7 time and date of the next meeting.

## **11 Changing Order of Business**

- 11.1 After apologies for absence, there may be a procedural motion to change the order of business, from the set order; this may be carried out at the Chair's discretion, or by any other person if a simple majority so wish. One speech in favour of changing the order and one speech against will be heard, and then it shall be moved to a vote.

## **12 Submission of Agenda Items and Emergency Business**

- 12.1 All items for the agendas of General Meetings and Students' Union Council must be submitted at least 7 working days before the meeting, with supporting paperwork, to allow circulation of the agenda and the opportunity for members to properly evaluate the papers.
- 12.2 For all other Union Committee meetings the agenda items, together with supporting paperwork must be submitted at least 2 working days before the meeting.
- 12.3 Any member wishing to raise a matter of emergency business at any Union committee shall notify and discuss this with the Chair at least 24 hours before the meeting begins. The Chair will rule whether the item is permissible. If the meeting is quorate, then the voting members present must agree by a simple majority whether to allow the emergency item on to the agenda. Normally, only one item of emergency business will be allowed for each meeting, unless the voting members present vote to allow more than one item.
- 12.4 An item is considered an emergency item if it concerns an issue that has occurred after the deadline for ordinary business, and cannot conceivably wait until the next meeting. It should not be used for ordinary items that were submitted late, or items that a member wishes to limit consideration or discussion of.
- 12.5 The Chair of a meeting may veto any item submitted for a meeting, either as an ordinary business item, or an emergency business item, as out of order for one of the following reasons;
  - the item is vexatious;
  - the item substantially replicates another item already on the agenda;
  - the item is not within the remit of the committee to discuss;
  - the item requires supporting paperwork and this has not been submitted;
  - the item is not an emergency item; or
  - any other substantial reason that the Chair considers appropriate.
- 12.6 A member who has had an agenda item refused for any of the reasons outlined can appeal to the Board of Trustees, clearly setting out the reasons for the appeal, and the full details of the agenda item. The Board of Trustees will rule on whether or not the item should have been accepted, and any further action to be taken, and their decision will be final.

## **Bye Law Six: Union Policy & Resolutions**

### **1 Policy Making Principles & Authority**

- 1.1 Representative and campaigning policy and resolutions are set by Referenda, General Meetings or the Students' Union Council.
- 1.2 Referenda are superior to General Meetings and Students' Union Council and can overturn their policy decisions. General Meetings are superior to Students Union Council and can overturn their policy decisions, but not those of referenda.
- 1.3 Policy is only subject to the authority of the Board of Trustees on the grounds of financial considerations, charity or education law or other legal requirements (including ultra vires) or reputation or risk to the Union.
- 1.4 Policy and resolutions shall be binding on all Committees, Officers, Officials or employees acting on behalf of the Union.
- 1.5 Policy and resolutions shall not contradict the Students' Union Constitution or any education or charity legislation.
- 1.6 Any policy or resolution rejected will not be discussed again for one year from the date of rejection; this includes simply rephrasing or dressing the motion in another guise.
- 1.7 If a rejected motion is suspected of being redressed or resubmitted, the decision to remove or continue with the motion shall lay with the Students' Union Council Chair.

### **2 Policy**

- 2.1 Policy shall legislate on fundamental principles related to the aims and objectives of the Students' Union and shall exclude reactive political statements related to current affairs
- 2.2 Policy shall last for three years unless rescinded by a higher body. The policy may be re-adopted after it has expired.

### **3 Resolutions**

- 3.1 Resolutions shall legislate on political principles/stances related to current affairs and shall exclude fundamental principles related to the aims and objective of the Students' Union.
- 3.2 Resolutions shall last for one year unless rescinded by a higher body. Any resolution may be re-adopted after it has expired.

### **4 Policy & Resolution File**

- 4.1 The VP Communications and Democracy is responsible for maintaining and publishing a current policy file.
- 4.2 The Union Chair and VP Communications and Democracy will set out to Students' Union Council whether motions are considered Policies or Resolutions

## **Bye Law Seven: Member Involvement in Elections, Referenda and Petitions**

### **1 Introduction**

- 1.1 All ordinary members have the opportunity to influence the policy, direction and leadership of the Union. Ordinary members have the opportunity to nominate, support, stand and vote in elections for the leadership positions within the Union. Ordinary members can set policy through participating in General Meetings, Students' Union Council and Referenda. Ordinary members can petition for policy matters to be considered by a referenda or general meeting.

### **2 Cross Campus elections shall be held for the following positions:**

- 2.1 Sabbatical Officer Trustees;  
2.2 Union Council Chair;  
2.3 Newspaper Editor;  
2.4 Radio Hudd Coordinator;  
2.5 Chair and Ordinary Members of each Site Association Committee; \*  
2.6 2 First year Union Councillors, elected in term 1  
2.7 5 Student Union Councillors elected in term 2;  
2.8 School Representative Members of Union Council\*;  
2.9 delegation members to NUS conference.

\*Shall only be elected from members who study at that site or within that school.

### **3 Returning Officer**

- 3.1 There shall be an external and independent Returning Officer, who shall be appointed annually by the Board of Trustees at their first meeting of each academic year, and their name shall be notified in writing to the University Secretary. All powers and responsibilities for the running of the Union elections shall be delegated to the Returning Officer and any decisions made by the Returning Officer shall be final.

#### **3.2 Powers & Duties of Returning Officer:**

- 3.3 To appoint from the staff of the Union, such persons as required to act as Deputy Returning Officers, who shall carry out the duties that the Returning Officer empowers them to do.
- 3.4 To ensure that elections are carried out in a fair and democratic manner and conform with the constitution of the Union and all relevant legal requirements.
- 3.5 To submit an annual written report to the Board of Trustees which should include a summary and commentary on the election process for that particular year.
- 3.6 To investigate any infringement of election rules or complaints regarding candidate conduct. Any Complaints shall be made in writing to the Returning Officer. If he or she finds that there has been an infringement they may:
- warn the candidate that any future infringement will result in a fine or disqualification; or
  - fine the candidate from and up to the maximum of his or her publicity budget; or
  - disqualify the candidate.

- 3.7 To set out detailed election arrangements, regulations and rules in line with the constitution and bye laws that ensure a fair and open process that encourages participation in the democratic process.
- 3.8 To agree an election timetable with the Students Union President by 31st August each year in line with the outline elections timetable.
- 3.9 To publicise and promote the elections to encourage participation in the democratic process, including posting of official notices.
- 3.10 To convene an elections committee that will support and steward the elections process.
- 3.11 To review literature and veto any literature that they deem to be offensive, defamatory towards other candidates or in breach of the Students' Unions equal opportunities policies.
- 3.12 To arrange candidate training and briefings.
- 3.13 To display notices of elections at all campuses and on the Union website.

#### **4 Eligibility to Participate in elections**

- 4.1 All Ordinary members will be eligible to participate in Union elections. Ordinary members will be able to:
  - Vote;
  - stand as a Candidate in elections;
  - nominate Candidates in elections.
- 4.2 Ordinary Members who have been permanent members of Union staff in the last 5 years will be ineligible to stand for Officer Trustee Posts
- 4.3 The voting procedure shall be in the form of a single transferable vote system (for single posts) and Alternative Transferable Vote (for multiple vacancy posts) as detailed by the Electoral Reform Society. Referenda shall be by a simple yes/no vote.
- 4.4 Individuals wishing to stand require the support of 20 ordinary Union members, who should sign and detail their name, student number and address on the nominations form.
- 4.5 Candidates shall attend training and briefing sessions arranged by the Returning Officer, failure to do so may result in their disqualification as a candidate.
- 4.6 Ordinary members shall not be allowed to stand for more than one position during election, except for NUS delegate elections.
- 4.7 An Ordinary member may only nominate one candidate in each election. Nomination of more than one candidate in an election will invalidate each individual nomination.
- 4.8 All candidates for Trustees posts shall sign a declaration confirming their eligibility to be a Trustee, failure to do so or subsequent disclosure of ineligibility to be a Trustee will result in their automatic removal from their Trustee post.

#### **5 Outline Election Timing**

- 5.1 Elections will be held in term 1 for the following posts:
  - 2 First year Union Councillors.

5.2 Elections will be held in term 2 for the following posts:

- Sabbatical Officer Trustees of the Union;
- Union Council Chair;
- Newspaper Editor
- Radio Hudd Co-ordinator;
- Chair and Ordinary Members of each Site Association Committee;
- Union Councillors
- School Representative Members of Union Council;
- delegation members to NUS conference.

5.3 Ordinary Referenda may be held at the same time.

#### 5.4 **Bye Elections and Occasional Vacancies**

5.5 Vacancies that arise during term 2 and 3 affecting next academic year will be put to a bye election in term 1 of the following year

5.6 Vacancies that occur at other times will be considered by the Returning Officer and executive who will agree an appropriate course of action

5.7 The Returning Officer shall set an election timetable, which enables the following activities.

<b>Week / Date</b>	<b>Activity</b>
31 August each year	Election timetable agreed by President and Returning Officer.
Weeks 1 & 2	Nominations open and promoted, candidate training and briefing sessions arranged.
End of Week 2	Nominations close.
Week 3	Candidates confirmed & election materials prepared.
<b>Week 4</b>	Campaigning and ballot (minimum of 2 days of campaigning & balloting).

#### 6 **NUS Conference Delegate Elections**

6.1 All delegates to NUS Annual conference must be elected by cross campus ballot.

6.2 The President will normally be delegation leader. Where the President is not elected the sabbatical Officer with highest vote will be designated delegation leader. Where no sabbatical Officers are standing the candidate receiving the highest vote will be designated delegation leader.

#### 7 **Campaigning and Candidate Conduct and Rules**

7.1 Any Sabbatical Officer Trustees should be impartial during any election process.

7.2 Any Sabbatical Officer Trustee, who is standing in elections, shall take one week's leave coinciding with the campaigning and voting period with the exception of NUS conference delegation elections.

- 7.3 All candidates will be required to provide a manifesto not exceeding one page of A4 including their name, photograph and summary manifesto.

## **8 Other Elections (Not cross Campus)**

### **8.1 Union Forum Chairs / Convenors**

- 8.2 Union Forums are intended to be informal and encourage participation and the student voice to be heard. Union Forum elections should be open and democratic and in line with the Union's model regulations for Student Activity Groups.
- 8.3 Forums shall agree election processes with VP Communications and Democracy who should act as Returning Officer for all forum elections.
- 8.4 Student Activities Groups Elections will be held in accordance with their constitution

## **9 General Provisions for requesting Ordinary Referenda**

- 9.1 Ordinary Referenda may be held twice a year at the same time as term 1 and term 2 elections.
- 9.2 Business for Ordinary Referenda may be submitted by any full member and will be put to the next ordinary referenda if receiving:
- a majority resolution of the Trustees
  - a unanimous resolution of the Executive Committee;
  - a majority vote of Union Council;
  - support of at least 300 members in a secure petition.
- 9.3 Motions for Referenda can be withdrawn only by the person proposing the motion unless they are being withdrawn on specific legal advice in which case the Returning Officer may withdraw the motion.

## **10 Extraordinary Referenda Request mechanism**

- 10.1 An Extraordinary Referendum may be called on the presentation of a Secure Petition of 700 Ordinary Student Members. The petition will state the dates, which must be during term time, on which voting will take place and the question that is proposed for referenda.
- 10.2 An Extraordinary Referendum must be held not less than eleven working days and not more than fifteen working days after the date of the request has been submitted to the appointed Union office (the deadline for petition signatures).
- 10.3 The business of an Extraordinary Referendum shall be restricted to the motion or business for which the referendum was called.
- 10.4 Motions for Extraordinary Referendum can be withdrawn only by the person proposing the motion unless they are being withdrawn on specific legal advice in which case the Returning Officer may withdraw the motion.

## **11 Requirements for Referenda Motions**

- 11.1 Motions proposed to either Ordinary or Extraordinary Referenda must comply with the following Byelaws.

- 11.2 Individual motions must be no longer than 400 words in total length excluding the title.
- 11.3 Motions must clearly state what the motion resolves for the Union. The title must reflect this. The title may be subject to change under rule 12.5 of this Byelaw.
- 11.4 Motions for Referenda must include, separately from the word count, the name and student numbers of a Proposer and a Seconder. Where the Proposer of a motion is a Union Councillor their position may be stated.
- 11.5 Where appropriate, motions must clearly state any relevant changes proposed to Constitution or Byelaws either within the body of the motion or as supporting information.
- 11.6 No motion may be taken to Ordinary or Extraordinary Referendum that concern the allocation of resources to any current or future student activity group unless the business has first been to the Activities Executive and Union Council. A student activity group is here taken to mean any group of self-organised students.
- 11.7 Motions may not deny any other groups or members rights or privileges as protected under constitution and the Byelaws. This includes the legal responsibilities of the University and Union stated in such working agreements as the [Code of Practice on Freedom of Speech](#).
- 11.8 Content of motions may be amended by the Returning Officer prior to Referendum voting on the grounds of legality or unproven factual accuracy. Such an enforced amendment may be made at any time including after a Secure Petition.
- 11.9 No motion, business or question can be taken to either an Ordinary or Extraordinary Referendum more than once in the same academic year. Students' Union Council and / or the Returning Officer can decide whether a proposed motion is repetitive of motions submitted previously in the same academic year and therefore whether this rule applies.

## **12 Acceptance of Motions by Returning Officer**

- 12.1 The Returning Officer is advised to block only the passage of motions or amendments under the following criteria :
- 12.2 Where student safety may be put at risk.
- 12.3 Where passage of the motion would endanger the future of the organisation due to breach of the law, undue financial risk or serious risk to the reputation of the organisation.
- 12.4 Where the motion or amendment has no relevance to Students.
- 12.5 The Returning Officer is responsible for agreeing final motion titles and should ensure that the title accurately reflects the proposal contained within the motion.

## **13 General Provisions for Secure Petitions**

- 13.1 A Secure Petition only meeting all the following rules will result in a motion being put to Ordinary or Extraordinary Referenda.
- 13.2 A Secure Petition may be requested by any member wishing to put a motion to Referenda.
- 13.3 A request for a Secure Petition for Referenda can be made at any point during term time.
- 13.4 A request for a Referenda Secure Petition must include a full copy of the proposed motion and names and student numbers of the members proposing and seconding the motion.
- 13.5 Requests for a Secure Petition should be made to Union Executive in writing.

- 13.6 The Union executive will arrange the staffing of the petition to be available for members to sign by the start of the following working day at latest.
- 13.7 The petition will be hosted at the Union Reception and within designated offices at Oldham and Barnsley and supervised by Union staff.
- 13.8 Petitions will be available for members to sign between 9.00am until 5.00pm each weekday and until 12.00pm on the day of the Petition deadline.
- 13.9 A Secure Petition should be open for a maximum of one week / 5 working days.
- 13.10 Members wishing to sign the petition will have to show their Student ID and record their name and Student Number.
- 13.11 Quorum for Secure Petitions for Ordinary Referendum is 300 valid members' signatures.
- 13.12 Quorum for Secure Petitions for Extraordinary Referendum is 700 valid members' signatures.
- 13.13 At the Petition deadline, the Returning Officer will confirm the total number of students who have signed the Petition.
- 13.14 Any member will be able to scrutinize the completed petition. If duplicate signatures or invalid student numbers are discovered then they shall all be discounted from the Petition.
- 13.15 Arrangements to retain a copy of the petition will be made by Chief Executive.
- 13.16 Lobbying may take place to encourage people to sign the petition.

#### **14 General Provisions for Referenda Campaigning, Debate and Voting**

- 14.1 The Returning Officer will publish annual provisions for conduct of referenda in line with the constitution. These shall include:
  - 14.2 Provision for campaigning rules and timetable consistent with the normal election processes
  - 14.3 Provision for establishing a yes and no campaign and allocation of funding.
  - 14.4 Provision of a Referenda debate meeting open to all ordinary members of the Students Union, establishment of standing orders and appointment of independent debate chair
  - 14.5 Provision for Referendum voting to take the form of a secret cross campus ballot in which members are asked to vote either yes or no in answer to a clearly defined motion or motions.
  - 14.6 Provision that Referendum voting shall last not less than one working day and no more than four working days.
  - 14.7 That the quorum for a Referendum is 1000 Ordinary Student Members per motion.
  - 14.8 That dates for Ordinary Referenda shall be published at the start of the academic year and will be at the same time as term 1 and term 2 elections.

## **Bye Law Eight: Union Committees**

### **1 Executive Committee**

- 1.1 The membership shall be the five Officer Trustees.
- 1.2 The Chair will be the President.
- 1.3 Quorum will be half the elected membership plus one.
- 1.4 Shall meet at least fortnightly during term time.

### **Executive Committee Powers and Duties**

- 1.5 To be responsible for the representation and campaigning work and the implementation of Union policy.
- 1.6 To hold each other, both collectively and individually, responsible for their work
- 1.7 To undertake research and listening activities to ensure that the student voice is heard
- 1.8 To ensure Students' Union Council is kept up to date on the actions of the Executive Committee.
- 1.9 To liaise with external organisations appropriate to individual roles.
- 1.10 To be impartial and not publicly take sides in representative elections.
- 1.11 To support students, volunteers and Officers within designated Union Forum and Student Activity Groups:

### **2 Finance, Staffing & Risk Committee**

- 2.1 The membership shall be:
  - the President;
  - a further Officer Trustee nominated by the President;
  - one External Trustee;
  - the Chief Executive;
  - a further member of the SMT nominated by the Chief Executive and approved by the committee;
  - one other person who in the view of the committee would bring relevant experience and advice.
- 2.2 The Chair will be the President.
- 2.3 Quorum will be 2 Trustees and 2 Staff Members.
- 2.4 Shall meet at least 6 times per year.
- 2.5 To be responsible to the Board of Trustees for monitoring the Union's financial management, risk management, development, services and any staffing related issue.

### **Finance Powers and Duties**

- 2.6 To agree and recommend annually for approval by the Board of Trustees, the Union budget containing estimates of all income and expenditure accruing to the Union by cost centre and in summary form, including estimates of investments and provisions.
- 2.7 To receive and monitor the Union's management accounts with a commentary prepared by the Union's management team.

- 2.8 To agree, monitor and review the Union's medium and long term financial plans.
- 2.9 To review annually financial regulations and procedures of the Union and monitoring their application.
- 2.10 To review and then forward annual audited accounts to the Board of Trustees.
- 2.11 To undertake detailed scrutiny and approval of significant capital projects including the goals of the project, the case for investment and risk factors involved; the means by which they will be financed initially and recurrently, and evaluation of projects after completion.
- 2.12 To work within the Union's Financial Regulations, which define clearly the level of capital expenditure which requires the approval of the Finance, Risk & Staffing Committee and that which requires the approval of the Board and/or the University.
- 2.13 To agree and execute a process to tender the audit contract for the Union and recommend the appointment of auditors to the Board of Trustees and AGM.
- 2.14 To receive and review a periodic cash flow forecasts for the Union.
- 2.15 To set and review reserves and investment policy to maximise income.
- 2.16 To receive and consider evaluation reports on initiatives undertaken in commercial services including their impact.

#### **Staffing Powers and Duties**

- 2.17 To approve the Union wide pay award (e.g. cost of living and feedback on negotiations)
- 2.18 To agree any significant changes to remuneration systems.
- 2.19 To agree amendments to employee policies.
- 2.20 To receive the results of the staff satisfaction survey and agree any subsequent action to be taken.
- 2.21 To receive reports concerning employment statistics e.g. disability, equal ops, working time directive, absence and agree any subsequent action to be taken.
- 2.22 To oversee compliance with current employment legislation.
- 2.23 To agree and approve any substantive variations in job descriptions and terms.
- 2.24 To undertake a periodic review of the strategic staffing needs of the Students' Union.

#### **Extraordinary Staffing Matters**

- 2.25 The following matters will be considered by the Nominations & Remuneration Committee and will exclude any members who are beneficiaries or have a conflict of interest:
- 2.26 to agree the appointment, remuneration, terms and conditions of the Chief Executive;
- 2.27 to agree the remuneration and employment terms and conditions of the Sabbatical Officer Trustees.

#### **Risk Powers and Duties**

- 2.28 To ensure that the Union complies with all relevant laws and regulations, and that an internal system of accountability is formally set up.
- 2.29 To review and consider appropriate methods of controlling the Union's activities (financial and otherwise).
- 2.30 To co-opt an external auditor to provide expertise and professional support.

- 2.31 To review the risk profile of the Union and any existing audit framework (both internal and external).
- 2.32 To structure and recommend appropriate levels of internal and external audit systems.
- 2.33 To monitor the performance of existing audit systems and to present regular reports to the Trustee Board in respect of the results of any auditing exercise.
- 2.34 To advise on and ensure that audit checks are carried out in all key areas of the Union's operations: in particular, legal, financial and tax management, investment policies and performance, health and safety and insurance.
- 2.35 To promote a culture of accountability throughout the Union's operations and among its staff and members.
- 2.36 To review and advise the Board in respect of any matter which threatens or carries a risk for the Union.
- 2.37 To institute and monitor any special or ad-hoc audit or investigation, and to provide a report of its findings to the Trustee Board.
- 2.38 To offer first point of contact for the more urgent or sensitive concerns raised in respect of the Union's integrity, financial and otherwise.
- 2.39 To liaise with external auditors and promote a more efficient and coordinated audit process involving internal and external auditors.
- 2.40 To appoint other professional advisers where necessary and request specialist advice as may be required to perform its role effectively.
- 2.41 To make other decisions of a financial nature but only as delegated by the Board.

### **General**

- 2.42 To consider any such other matters as may from time to time be referred to it by the Board of Trustees or Management Committee.
- 2.43 To provide minutes of meetings or reports to the Board of Trustees.

## **3 The Nominations & Remuneration Committee**

- 3.1 The Membership shall be:
  - the President;
  - one Officer Trustee (nominated by the President);
  - one External Trustee;
  - the University Trustee;
  - the Chief Executive in an advisory capacity.
- 3.2 Quorum shall be two Officer Trustees and two External Trustees.
- 3.3 The Nominations & Remuneration Committee will meet as required and report to the Board.

### **Powers and Duties**

- 3.4 To carry out regular skills, experience and diversity audits of the Board and identify the skills, experience, characteristics and backgrounds that are needed to provide high quality effective governance
- 3.5 To make arrangements to ensure all Trustees receive appropriate training
- 3.6 To undertake search activities which identify candidates with the right experience and knowledge.

- 3.7 To conduct a search for External Trustees as directed by the Board of Trustees. The Nominations & Remuneration Committee will put in place arrangements for advertising and interviewing applicants. The Nominations & Remuneration Committee will produce a candidate profile of each nominee with a recommendation to the Board of Trustees as to which candidates should be appointed, this should then be referred for ratification by Union Council
- 3.8 To seek candidates for the position of Returning Officer as a vacancy arises and ensure that any or all nominated candidates are suitable. They will recommend a candidate for appointment to the Board of Trustees.
- 3.9 To make any other appointments or related activities which are delegated to it by the Board of Trustees.
- 3.10 To agree the appointment, remuneration, terms and conditions of the Chief Executive.
- 3.11 To agree the remuneration, employment terms and conditions of the sabbatical Officer Trustees.
- 3.12 To oversee and make provision for appraisal arrangements of Senior Staff and Officer Trustees

#### **4 The Management Committee**

- 4.1 Membership shall be:
- the five Officer Trustees;
  - the Chief Executive;
  - up to three managers of the Union, nominated by the Chief Executive.
- 4.2 The Management Committee will meet regularly, normally at least every two weeks during term time.
- 4.3 The chair will be the Chief Executive.

#### **4.4 Powers and Responsibilities**

- 4.5 To ensure that the strategic, operational and financial plans agreed by the Board of Trustees are implemented.
- 4.6 To receive reports from each of the Union's departments and review their activity against agreed strategic, operational and financial plans.
- 4.7 To ensure services and operations are operated in line with Union Policy.
- 4.8 To discuss and make decisions on operational issues relating to the Unions activities and services.
- 4.9 To make recommendations to the Board of Trustees on strategic matters which require significant investment of the Union finances or staff time.
- 4.10 To provide the Board of Trustees with summary reports on the departments at regular intervals and on any exceptional matter which might require the Board's attention.
- 4.11 To provide minutes of meetings to the Board of Trustees
- 4.12 To provide a forum for consultation on Health and Safety Matters
- 5 To monitor student involvement in the Students Union and make recommendations for future development

#### **6 Student Activities Executive**

- 6.1 Membership shall be:
- the VP Student Activities;

- the VP Communications and Democracy;
- one further Officer Trustee nominated by the President;
- the Chair of the Activities Forum;
- two Representatives of Activities Forum;
- one member of staff nominated by the Chief Executive

6.2 Shall be chaired by VP Student Activities.

6.3 Quorum is 50% plus 1 of the elected membership.

6.4 Shall meet not less than 3 times in each academic term.

## **6.5 Duties and Responsibilities**

6.6 To consider issues which affect Student Activity Groups as a whole.

6.7 To develop and extend the provision of Student Activity Groups,

6.8 To develop and approve the Student Activities Handbook, regulations and application packs in accordance with the constitution and byelaws including the arrangements for funding Student Activity Groups.

6.9 To ensure that Student Activity Groups comply with the rules and regulations.

6.10 To consider applications for new Student Activity Groups.

6.11 To review and approve the budget applications made by Student Activity Groups and to allocate individual Student Activity Group budgets in line with allocation within agreed Union budget.

6.12 To prepare and submit a budget of Student Activity Groups' expenditure based on individual groups' activity plans, for approval of Finance Staffing and Risk Committee.

6.13 To review and track the Union's Student Activity Groups' inventory and be aware of the location of all Sports and Societies equipment.

6.14 To refer complaints and disciplinary matters related to Student Activity Groups to the President.

6.15 To ensure that Health and Safety regulations for Student Activity Groups are adhered to and safety standards met.

6.16 To arrange the inspection of Student Activity Groups' equipment at the start of each academic year and undertake safety checks.

6.17 To set a framework of membership fees for Student Groups.

## **Bye Law Nine: Members' Complaints Procedure**

### **I General Information**

- 1.1 This complaints procedure is applicable only to members of the University of Huddersfield Students' Union. It is designed to be complementary to the University of Huddersfield Complaints Procedure.
- 1.2 Complaints cannot be anonymous nor made by third parties
- 1.3 If a third party is named as part of any complaint, the Union must notify them as to their inclusion.
- 1.4 Confidentiality will be maintained by the person dealing with the complaint and the complainant will not be discriminated against or suffer recriminations as a result of making a complaint, although the Union reserves the right to take action as necessary against anyone who makes a complaint which is subsequently found to be malicious or vexatious.
- 1.5 All complaints will be dealt with under this procedure. However, where a complaint is in direct relation to a service provided by the Union and managed by staff, the President or relevant Executive Officer may refer the complaint to the appropriate Senior Manager who will respond appropriately.

### **2 Verbal Complaint**

- 2.1 Verbal complaints will be deemed informal complaints.
- 2.2 The following procedural points summarise this policy:
  - Approaches may be made to any Union Officer or staff member where the complaint relates to an area or service under their responsibility.
  - The person responsible for the area or issue will seek to resolve the complaint without recourse to the formal procedure.
  - If an unsatisfactory result is achieved because of the informal complaint, then the complainant should make a formal complaint as detailed below.

### **3 Formal Complaints**

- 3.1 Formal complaints must be made in writing and addressed to the President.
- 3.2 If the complaint is about the President, then the letter should be addressed to another member of the executive committee
- 3.3 The letter of formal complaint should include:
  - Complainants' name and contact address or telephone number.
  - The nature of the complaint.
  - Action taken by the complainant to resolve the situation.
  - Any action taken by the Union to resolve the situation.
  - Preferred course of action to resolve the complaint .
- 3.4 Receipt of formal complaints must be acknowledged in writing by the Union within ten working days.
- 3.5 Investigations into the complaint will be conducted by the President or, if the complaint is about that individual, another member of the executive committee.

Either may appoint a staff member in agreement with the Chief Executive to undertake work supporting the investigation.

3.6 If the complaint is in relation to any staff member of the Union then the matter shall be referred to the Chief Executive who will investigate and may invoke the Staff Grievance and Disciplinary Procedures of the Union.

3.7 The Union may consider invoking the members' disciplinary procedures, if complaints are found to be vexatious or malicious. A vexatious or malicious complaint is defined as a complaint which is trivial or untrue, having been put forward so as to abuse the process of the complaints procedure including, for example, attempts to defame the name or character of another person.

#### **4 Investigation of Complaints**

4.1 Complaints will be aimed to be resolved within twenty working days of receipt of the written complaint.

4.2 The complainant must be notified of any undue delay in resolving the complaint as soon as possible, within five days after the delay becomes apparent.

4.3 The complainant will be notified of the result of the complaint in writing as soon as possible after the conclusion of the investigation.

4.4 If the complaint is upheld, the following courses of action are available:

- If the complaint is against the Union the investigating Officer will advise the complainant in writing of the course of action to be taken to rectify the complaint
- If the complaint is about a Trustee, then it will be dealt with according to the relevant provisions of the Constitution and byelaws.
- If the complaint is about a member of staff, then it will be referred to the appropriate senior manager who will take the appropriate action.
- If the complaint is against any member of the Union other than a staff member or Trustee then it will be dealt with using the Members Disciplinary Procedure

4.5 Should the result of the investigation not be satisfactory to the complainant then they may write to the Board of Trustees, who will identify an external Trustee or university appointed Trustee, who have not been involved with the complaint, to investigate further.

4.6 Should the result of the Trustee investigation not be satisfactory to the complainant they may write to the University Secretary who will arrange for the matter to be considered by an independent member appointed by University Council.

## **Bye Law Ten: Members' Disciplinary Procedure**

### **I Student Code of Conduct**

1.1 Clubs, societies and members of the Union shall be expected to abide by this constitution and its schedules at all times. The Union has agreed the following code of conduct relating to the behaviour of members and guests while on Union premises and engaged in Union activities. Members and opted out students shall be liable for the conduct of any guests on the premises and may be subject to disciplinary proceedings accordingly. The following offences may lead to disciplinary proceedings:

- breach of Union equal opportunities policies and principles;
- wilful, reckless or negligent damage to, or loss of, Union property or property under the control of the Union;
- conduct detrimental to the reasonable enjoyment of the Union facilities by any other member(s) of the Union or their guests;
- threatening or violent behaviour on Union premises;
- imparting to the press, television or radio, or any agency thereof, any expressly confidential material about the Union or any of its members or Officers, unless prior permission has been granted by the Executive Committee;
- breach of any of the regulations of the Union, including any rules and regulations pertaining to any club or society;
- illegal entry to the Union's functions or facilities;
- conduct tending to prejudice the external relations of the Union;
- conduct detrimental to the public reputation of the Union;
- illegal activities whilst on Union property, at Union events, or acting on behalf of the Union;
- failure to discharge a debt to the Union;
- incurring unauthorised expenditure on behalf of the Union and/or misappropriation of Union funds or property;
- this list is neither intended to be inclusive nor exhaustive, and the Union reserves the right to investigate any other conduct which may give rise to disciplinary action.

### **2 Members Disciplinary Procedure**

2.1 The Union's Members Disciplinary Procedure has authority over any premises managed by the Union, any Union activities, including the activities of any Student Activity Groups, or any misconduct, which takes place outside Union premises but is connected with the Union and is likely to affect the reputation of the Union.

2.2 If a member or student activity group is deemed to have breached the rules of the Union, and their conduct has not been able to be addressed appropriately elsewhere, their conduct shall be examined by a panel of three Union Executive Committee members known as the Members Disciplinary Committee.

2.3 The Members Disciplinary Committee shall be convened within seven working days of the alleged offence being reported. The member shall be given written notification of the time, date and place of the hearing, together with written notification of the alleged breach, at least three days before the hearing. The

- member has the right to be accompanied by a representative who is an ordinary member of the Students Union.
- 2.4 In cases involving the misuse of Union facilities or resources or behaviour likely to cause potential danger or offence to students, staff or other persons, the member or club or society may be suspended from the use of particular Union facilities or resources until the Members Disciplinary Committee has reached a decision. Any suspension would be agreed between the President and Chief Executive
- 2.5 No person shall sit on the Members Disciplinary or Appeals Committees if they are a witness, potential witness, the complainant or directly connected with the member or Student Activity Group being charged.
- 2.6 The person bringing the charge or his/her representative may call witnesses to give evidence as appropriate. They may ask questions of the witnesses. The member or his/her representative may also ask questions of the witnesses.
- 2.7 The member or his/her representative may call their own witnesses to give evidence and present any relevant documents to the panel. They may ask questions of the witnesses. The person bringing the charge or his/her representative may also ask questions of the witnesses.
- 2.8 The Committee may undertake investigations, call further witnesses, ask questions of any witnesses, the person bringing the charge or their representative, the member or club or society or their representative.
- 2.9 The Members Disciplinary Committee shall then deliberate on the matter and decide on the appropriate action to be taken. The Committee shall base its decision on evidence presented and examined in the presence of the person bringing the charge and the member, club or society being charged. Evidence of any earlier misconduct shall not be presented until after the decision has been reached on the facts of the case, but then may be admitted and considered in deciding on any sanction. The ultimate sanction shall be the suspension of Union membership for a set period.
- 2.10 The Members Disciplinary Committee may refer any matter to the University, or any other appropriate body as it sees necessary.

### **3 Appeals**

- 3.1 The Members Disciplinary Committee must inform the member of their right of appeal and that any appeal should be made in writing to the President within seven days setting out the grounds of appeal.
- 3.2 The President will convene a Members Appeals Committee. This Committee will be made up of three Members selected from the appeals panel. This should include at least one woman, one man, and a member of the Executive who has not been involved in the Members Disciplinary Committee. Where this is not possible, due to conflict of interest or other reason, any vacant place on the Members Appeals Committee will be filled by a member of the appeals panel, and appointed by the President. The member shall be notified in writing at least seven days in advance of the meeting.
- 3.3 The appeals committee shall hear the reason for the appeal and the rationale behind the original decision. They shall also hear any new evidence that has emerged since the disciplinary meeting. The matter shall be put to the vote and the decision shall be final.
- 3.4 The hearing shall normally take place in private. A record shall be kept for use in any appeal. The decision of the disciplinary or appeals committee will be posted on a Union notice board if requested by the subject of any charge.

3.5 If the member is still not happy, then they may consider use of the Complaints process by writing to the Chair of Board of Trustees requesting a Trustee led investigation.

#### **4 Appeals Panel Composition**

4.1 A list of those Union members wishing to sit on appeals committee shall be maintained by the Executive, these will normally be drawn from members of Students' Union Council.

## **Bye Law Eleven: Student Activities**

### **1 Definition of Student Activities**

- 1.1 The Student Activities of the Union comprises any Student Activity Groups formed and coordinated under the direction of the Union and monitored by Student Activity Executive including but not limited to the following categories : Faith and Cultural; General Interest; Political and Campaigning; Performing; Media; Sport; Outdoor Activities; Martial Arts and Dance; Departmental and Volunteering & Fundraising.

### **2 Student Activities Group Rules**

- 2.1 The Activities Executive shall have the power to form Union Student Activity Groups, at the request of members, which will fall under the activity groups listed above.
- 2.2 Student Activity Groups will always remain constituent parts of the Union and are subject to the day-to-day rulings of Students' Union Council and the Board of Trustees.
- 2.3 Student Activity Groups shall have a constitution which includes all the provisions in the model Constitution and which cannot be amended to counter the spirit and intentions of these provisions.
- 2.4 Changes to the model constitution shall be approved by the Activities Executive and are subject to Board approval.

### **Resources and Finances**

- 2.5 Student Activity Groups shall have the right to use space in the Union building.
- 2.6 The Student Activities Executive will publish annually the arrangements for funding Student Activity Groups.
- 2.7 Student Activity Groups shall be eligible to receive financial assistance from the Union in the term following their creation and should submit an activity and budget when forming.
- 2.8 To be eligible for financial assistance existing Student Activity Groups should provide an annual activity and budget plan to the Student Activities Executive by 31st July of each year detailing plans for the academic year ahead.

### **Student Group Membership**

- 2.9 Membership of Student Activity Groups shall only be open to members of the Union and opted out students, except at the discretion of the Student Activities Executive and on payment of an appropriate fee.
- 2.10 Associate, life and honorary life members and opted out students joining Student Activity Groups shall be specifically excluded from holding office on a committee or other positions of responsibility within the group. The only exclusion to this rule would be where a specific level of experience or qualification is required that no member holds to lead the activity safely.

### **Formation and Dissolution of Student Activities Groups**

- 2.11 Activity formation applications should be presented to the Activities Executive for approval.

- 2.12 Applications for formation should state the name, aims and objectives of the proposed group and include the name, address, University card number and signatures of the President/Captain, Treasurer and Secretary.
- 2.13 Applications for formation should be accompanied by a draft constitution and a petition in support of the group listing the names, student numbers and signatures of at least 20 Union members who would wish to join that group.
- 2.14 Any group whose membership falls below 15 members will have their activities and funds frozen for six months until their activity membership exceeds that number. If after six months the activity group still has fewer than 15 members then it will be no longer recognised by the Union and dissolved. This may be varied at the discretion of the Students' Activities Executive.
- 2.15 On dissolution, all assets and monies of the group revert to the Union.
- 2.16 Any data held by the Union about the group will adhere to the Union data policy and the data protection act.

### **2.17 Responsibilities of the Club/Society**

- 2.18 The leader (captain/President/chair) of the group has the responsibility to ensure that the Union has up to date details of the committee and must provide the Union with required information.
- 2.19 The Union will keep membership lists in order to assess Student Activity Groups' viability. This information will not be disclosed to any third party unless required to do so by law or regulatory authority.
- 2.20 The Student Activity Groups must have a President/captain/chair, secretary and treasurer in office elected in accordance with their constitution.
- 2.21 Committee members and leaders will be held accountable for the actions of their group and will be subject to a disciplinary action at the discretion of the Activities Executive.
- 2.22 Student Activity Groups must use the Student Union Finance facilities for all financial transactions and must abide by the Union's financial procedures.
- 2.23 Student Activity Groups may not hold any external bank account.
- 2.24 Student Activity Groups must maintain an inventory of all assets and equipment.
- 2.25 Student Activity Groups must send at least 10% of membership or two representatives, whichever is the greater, to General and Annual General Meetings, Failure to do so may result in a reduction in budget allocation at the discretion of the Student Activities Executive.
- 2.26 To send one representative to each student activities forum

### **2.27 Standing Student Activity Groups**

- 2.28 There shall be a number of standing Student Activities Groups who will be subject to the provisions Student Activity Group Rules and any written agreements formulated by the executive and approved by the Board of Trustees and Student Union Council. The sustainability of these will be evaluated annually by the Student Activities Executive
- 2.29 Standing Student Activity Groups shall include
- Radio Hudd (Student Radio Station)
  - Huddersfield Student (Newspaper)
  - RaG (Raise and Give charitable fundraising)
  - Huddersfield Volunteering & Student Community Action

**3 Activities Forum Arrangements**

- 3.1 General Provisions for Forums are contained within Byelaw 5 Union Forums
- 3.2 The Student Activities Forum membership will be one representative from all recognised Student Activities Groups.
- 3.3 It shall elect a chair / convenor at the start of each year who will be a member of Students' Union Council and member of the Student Activities Executive.
- 3.4 It shall elected two representative to the Student Activities Executive.
- 3.5 The Vice President Student Activities will convene and make arrangements for forum meetings until a chair is elected.
- 3.6 The Vice President Student Activities may at their discretion make arrangements for the Activities Forum to meet in sections (i.e. Societies Forum, Sports Forum).

## **Bye Law Twelve: Site Associations Constitutions**

### **1 Establishment of Site Associations**

- 1.1 Each University Centre may have a Site Association;
- 1.2 The site associations shall report to the Executive Committee and will be a standing representative committee of the Executive Committee
- 1.3 A Site Association will be formed when a group of members at a University Campus or a collaborative provision institution, which does not currently have an Association, makes an application to the Executive Committee.
- 1.4 The Association shall be called 'The Site Association for (the respective site)' and should agree any informal names with the Union Executive committee.
- 1.5 The objects of the Association shall be the same as those for the Students' Union,
- 1.6 Constitutions of Site Associations shall be agreed and amended by the Board of Trustees in accordance with the Constitution of the University of Huddersfield Students' Union.
- 1.7 Copies of the Constitution of Site Associations shall be displayed on the site Union Notice Board, and shall be readily available to all students from the Site Office.

### **2 Membership of Site Association**

- 2.1 All students enrolled on courses that are based on that site are members of the Site Association.
- 2.2 The privileges of membership are as follows;
  - to speak and vote at Association Meetings;
  - to stand, vote and nominate in Association elections;
  - to use the facilities provided by the Association;
  - to attend Association Committee meetings.

### **3 Composition of the Committee shall be as follows:**

- 3.1 There shall be a Chair, and three to six Site Committee Members who are all elected in accordance with the constitution and bye laws
- 3.2 The quorum for a Site Committee Meeting shall be 50% of the number of elected members of the Committee plus one.
- 3.3 Any member of the Site Committee member not attending three consecutive Site Committee meetings, without sending written apologies, shall be deemed to have resigned.
- 3.4 Elections for vacancies on the Site Committee shall be handled in accordance with provision of Bye Law 7

### **4 Powers and Duties of the Site Committee**

- 4.1 The day-to-day management of the Association's affairs shall be the responsibility of the Committee.
- 4.2 The Site Committee shall be responsible to the members of the Association for the co-ordination with the central Union and the management of the internal affairs, as stated in the Constitution of the University of Huddersfield Students' Union;
- 4.3 The Chair of the Committee shall co-ordinate activities of the membership on the Site. The Chair shall also chair all meetings of the Committee. The Chair shall, in the case of a tie, have a second or casting vote at a Committee meeting.

- 4.4 To submit an annual activity plan and budget to the Union Executive for consideration.
- 4.5 To undertake activity agreed with Union Executive

## **5 Site Committee Meeting Rules**

- 5.1 The procedure for meetings will be as follows;
- 5.2 4 working days' notice, posted on the Union notice board, containing the agenda, shall be given in the case of a Committee meeting;
- 5.3 There shall be a minimum of one Committee meeting per term. The first meeting shall be called by the President;
- 5.4 An Extraordinary Site Meeting may be called by the Committee or by a request of 15 members of the Association. The petition must contain the precise business to be tabled at the meeting.

## **Bye Law Thirteen: Financial Regulations**

### **1 Financial Year**

- 1.1 The financial year shall commence on 1 August of each year.

### **2 Committee Purposes**

- 2.1 Finance, Staffing and Risk Committee (FSRC) is responsible for ensuring the sound financial management of the Students' Union
- 2.2 The Management Committee is responsible for ensuring that the strategic, financial goals and procedures as agreed by FSRC and the Board of Trustees are implemented within the Students Union Operations.
- 2.3 FSRC will meet at least 6 times per year to review any financial aspect of the Students' Union.
- 2.4 Management Committee shall meet fortnightly through the academic year. Notice of Business for all such meetings shall be given in writing to all members of not less than 24 hours prior to the meeting.
- 2.5 The Chair of either committee may at his or her discretion clear the meeting of non committee-members, where matters of a sensitive or confidential nature are discussed or a vote is taking place.

### **3 Finance Staffing and Risk Committee Responsibilities**

- 3.1 The Finance, Staffing and Risk Committee shall ensure that:
- 3.2 the Union keeps accounts and accounting records in accordance with normal professional accounting principles;
- 3.3 a sound system of internal financial management and control is maintained. This shall include establishing and maintaining written procedures governing all financial procedures including authority and controls relating to;
- the making of financial commitments;
  - payments;
  - receipts;
  - cash;
  - stocks of trading assets
- 3.4 the Union's financial affairs are conducted and planned to ensure long term financial sustainability;
- 3.5 the University is informed and consulted with at least 8 weeks notice in advance prior to entering into any transaction involving;
- the purchase, sale, charging or leasing by or to the Union or its Trustees (or any company controlled by the Union or its Trustees) of any land or buildings or any interest in land
  - the acquisition or disposal by the Union or its Trustees (or any company controlled by the Union or its Trustees) of any interest in any company;
  - capital expenditure on individual items exceeding the sum of £25,000 excluding VAT;
  - borrowing or lending money for a period in excess of 12 months;
- 3.6 The Union shall give notice to the University forthwith if the Union has any intention to:

- enter into discussions; or
- commence negotiations; or
- consider proposals

in relation to supporting, setting up, or amalgamating with any other charities with objects identical or similar to the Union's objects. Following receipt of such notice the Union will consult with the University and take account of all reasonable submissions that the University makes

- 3.7 the Union gives no guarantees or indemnities incurring contingent liabilities other than in the normal course of business;
- 3.8 the Union maintains adequate insurance cover;
- 3.9 the Union adheres to the provisions within the Memorandum of Co-operation between the Union and the University.
- 3.10 monthly financial statements containing details of income and expenditure and comparison of actual performance against budget are presented to the Management Committee and FSRC.
- 3.11 summary accounts and financial statements containing details of income and expenditure and comparison of actual performance against budget shall be presented to each meeting of the Board of Trustees

#### **4 Budgets**

- 4.1 The Chief Executive shall submit a draft budget for the next financial year for the approval of FSRC. The draft budget shall be forwarded to the University Director of Finance not later than 31 July for submission to the University Senior Management Team
- 4.2 The draft budget shall be considered by the full Board of Trustees prior to finalisation
- 4.3 A final budget shall be approved by FSRC, which shall be forwarded to the University Director of Finance not later than 30 September for submission to the University Senior Management Team. Budgets shall be provisionally valid until approved by the University Senior Management Team.
- 4.4 Each Site Association and Union Forum shall annually be granted a sum by the FSRC for the conduct of their affairs. (Activity Plans and Budgets to be submitted by 31<sup>st</sup> July each year to Executive Committee to make recommendation to FSRC)
- 4.5 A recognised Student Activities Group is entitled to receive an annual grant from the Union, if approved by Student Activities Executive, and subject to the oversight of FSRC.

#### **5 Signatories**

- 5.1 All cheques, transfers of money, and all such like transactions shall be signed by the Chief Executive or a member of staff nominated by the Chief Executive and countersigned by the President or a Sabbatical Officer nominated by the President. Where the amount is in excess of £5,000 there shall be an additional countersignature of a Sabbatical Officer.
- 5.2 The FSRC will annually approve a detailed written system of financial control.

5.3 All contracts and like agreements should be signed by the Chief Executive and the President. This may be delegated by the Chief Executive and the President to their respective nominees (or to a single person nominated by both of them) in the case of contracts or agreements where the total commitment does not exceed £500 in value or where the contract or agreement may be terminated at any time by not more than three months notice and, if so terminated the total commitment does not exceed £500 in value.

5.4 Ordering of goods and services

5.5 No individual goods or services whatsoever to a cost exceeding £5,000 shall be ordered unless specific authorisation has been sought and obtained from the FRSC/Management Group, (this may be within the scope of an annual budget and plan). All orders shall be on official Union order forms and authorised in accordance with the written established procedures

## **6 Audited financial statements and financial Information**

6.1 The Union shall appoint external auditors at each Annual General Meeting.

6.2 Audited Accounts shall be prepared in accordance with generally accepted accounting principles within 3 months of the end of the financial year.

6.3 Audited Accounts shall be submitted for the approval of the Annual General Meeting and shall be submitted to the University within 4 months of the end of the financial year.

6.4 Audited Accounts shall include a list of external organisations to which the Union is affiliated, and confirmation that no donations have been made to any external organisations.

6.5 Copies of these Audited Accounts shall be available to all students enrolled at the University, on application to Union Reception.

6.6 Audited Accounts shall be provided to the University Director of Finance by 30<sup>th</sup> October of each year.

## **7 Internal Audit**

7.1 The Board of Trustees or the Finance Staffing and Risk Committee may from time to time request the services of the University's Internal Audit Service to review or investigate any aspects of the Union's operations, services, facilities or procedures. Any such request shall be subject to the approval of the Vice Chancellor and may be granted on such reasonable terms, financial or otherwise, as he/she shall think fit. The request shall be made in the first instance to the Director of Finance of the University.

7.2 The University Council, in exercise of its statutory responsibilities including those under the Education Act 1994, may require the University's Internal Audit Service (or other appropriate persons) to review or investigate at the University's expense any aspects of the Union's operations, services, facilities or procedures. The Union shall co-operate with any such review or investigation.