

# THE STUDENTS' UNION AT UWE

## BYE LAWS

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<b>BYE LAW 1. CONDITIONS AND BENEFITS OF MEMBERSHIP .....</b>	<b>2</b>
<b>BYE LAW 2. ELECTION RULES.....</b>	<b>4</b>
<b>BYE LAW 3. BOARD OF TRUSTEES .....</b>	<b>8</b>
<b>BYE LAW 4. OFFICER CODE OF CONDUCT, DUTIES AND REMUNERATION .....</b>	<b>12</b>
<b>BYE LAW 5. THE FINANCIAL RULES .....</b>	<b>17</b>
<b>BYE LAW 6. STUDENT DEMOCRACY .....</b>	<b>18</b>
<b>BYE LAW 7. THE STUDENTS' UNION AT UWE MEMBERSHIP DISCIPLINARY INCIDENT AND COMPLAINT PROCEDURE.....</b>	<b>23</b>
<b>BYE LAW 8. THE SOCIAL CLUB RULES.....</b>	<b>28</b>
<b>BYE LAW 9. THE ALLOCATION OF RESOURCES TO STUDENT LED SPORTS AND SOCIETIES .....</b>	<b>31</b>

# BYE LAW 1. CONDITIONS AND BENEFITS OF MEMBERSHIP

## 1. TYPES OF MEMBERSHIP

### 1.1 Full Members

All students who are registered at UWE Bristol, unless they have decided to notify The Students' Union at UWE of their wish to opt out of the membership, including the elected full time Sabbatical Officers Presidents.

#### Entitlement of Full Members:

- Attend, speak and vote at all General Meetings
- Attend, speak and present Ideas at all other Union Meetings
- Nominate, be nominated and stand for election to Union office
- Vote in The Students' Union's elections as specified in these Bye Laws
- To stand for election for a student representative position
- Join and participate in the activities of clubs and societies
- Use The Students' Union's facilities and services
- To introduce a guest (temporary member) to The Students' Union building (subject to restrictions as maybe imposed)

### 1.2 Associate Members

- Members of staff of the University and The Students' Union

#### Entitlement of Associate Members:

- To join The Students' Union's clubs and societies but take no part in the decision making of that club or society
- To use The Students' Union's facilities and services (subject to restrictions as may be imposed)

### 1.3 Affiliate Members

- Full members from other students' unions

#### Entitlement of Affiliate Members:

- To use The Students' Union's facilities and services (subject to restrictions as may be imposed)
- To join The Students' Union's clubs and societies but take no part in the decision making of that club or society

### 1.4 Temporary Membership

- A guest who has registered and been signed in by a full member

**Entitlement of Temporary Members:**

- To use The Students' Union's facilities and services for the period time specified

**1.5 Honorary Membership**

- Any person awarded an honorary membership by an elected panel of The Students' Union

**Entitlement of Honorary Members:**

- To use The Students' Union's facilities and services (subject to restrictions as may be imposed)
- To join The Students' Union's clubs and societies but take no part in the decision making of that club or society

## 2. OPT OUT OF MEMBERSHIP

**2.1** A student has the right to choose not to be a member of The Students' Union at UWE. Students who exercise the right not to be members of The Students' Union shall not be unfairly disadvantaged, with regard to the provision of services or otherwise, by reason of their having done so.

**2.2** Students wishing not to be members of The Students' Union must indicate their wish in writing to the CEO of The Students' Union within 4 weeks of the start of each year of their course by completing the appropriate form, available from The Students' Union or the Clerk to the Governors.

**2.3** A student who has exercised the right to not be a member of The Students' Union will remain so for that academic year.

**2.4** A student remains a member unless and until they choose not to be a member, following the procedure set out in this paragraph, or following the outcome of the disciplinary procedures set out in these Bye Laws.

## 3. CONDITIONS OF MEMBERSHIP

The benefits of all members are conditional on the proper conduct of members and such benefits may be withdrawn or suspended in accordance with Bye Law 7.

# BYE LAW 2. ELECTIONS

## 1. ELECTED POSITIONS

**1.1** The following elections shall be contested via a cross-campus ballot:

- The Presidents of The Students' Union
- Delegates to NUS National Conference, except the President, or President's nominee, who shall be ex-officio and delegation leader
- The Officers of The Students' Union
- The Democratic Procedures Committee

**1.2** The posts for Campus Officers shall be elected by the members of The Students' Union whose primary place of study is of that campus. There shall be Campus Officers for the following campuses of the University:

- City
- Glenside
- Gloucester

## 2. RETURNING OFFICER

**2.1** All elections shall be overseen by the Returning Officer, who shall be appointed annually by the first meeting of the Board of Trustees.

**2.2** The Returning Officer shall not be a current member of The Students' Union nor shall they have been a member of The Students' Union in the preceding two academic years or a member of employed staff of The Students' Union.

**2.3** The Returning Officer shall be responsible for the good conduct and administration of the elections.

**2.4** The Returning Officer shall appoint a Deputy Returning Officer, who shall assist the Returning Officer in the administration of the elections.

**2.5** The Returning Officer may prohibit publicity or statements that they deem to be in contravention of The Students' Union's Constitution, Values and Policies.

**2.6** The Returning Officer shall have sole authority to interpret this schedule and such interpretations shall not be subject to challenge in any meetings of The Students' Union.

**2.7** The Returning Officer shall, in consultation with the Deputy Returning Officer, establish election rules and a complaints procedure.

**2.8** The Returning Officer shall have sole authority as to determining a complaint and any resulting action such as disqualification of a candidate. Such determinations shall not be subject to challenge in any meeting of The Students' Union.

### **3. DEPUTY RETURNING OFFICER**

**3.1** The Deputy Returning Officer shall assist the Returning Officer.

**3.2** The Deputy Returning Officer shall act on behalf and carry out duties as instructed by the Returning Officer

**3.3** The Deputy Returning Officer shall prepare an annual schedule of the administration elections for approval by the Returning Officer.

### **4. NOMINATIONS**

**4.1** Must be received on the official nomination forms and fully completed with full names, University student numbers of the proposer and 5 seconders, all of whom must be current members of The Students' Union and by the deadline specified.

**4.2** All candidates must sign to accept the election rules and abide by the Constitution, Code of Conduct and equal opportunity policy.

**4.3** All Candidates must disclose any criminal convictions.

**4.4** All Candidates must disclose any disciplinary action taken against them by The Students' Union or University.

**4.5** A notice of valid nominations will be issued.

**4.6** All elections will include an option for "No Suitable Candidate" or "Re-Open Nominations" at the discretion of the Deputy Returning Officer.

**4.7** Candidates can submit a manifesto in support of their nomination.

**4.8** All manifestos will be circulated and posted on The Students' Union website.

### **5. CAMPAIGNING**

**5.1** A campaigning briefing will be arranged to include advice of the rules and procedures, levels of campaign expenditure, conduct of candidates and supporters, arrangement for the count declaration and complaints procedure.

## 6. ELIGIBILITY TO VOTE

**6.1** All full members of The Students' Union are entitled to vote.

**6.2** In the elections for Campus Officer positions, the vote is restricted to the members of The Students' Union whose primary campus of study is based at that campus.

## 7. THE ELECTORAL SYSTEM

**7.1** The electoral system used is the single transferable vote system operated in accordance with the procedures of The Electoral Reform Society of Great Britain and Ireland.

## 8. POLLING

**8.1** The Returning Officer will make arrangements whereby members are able to cast their votes this will normally be done via an e-voting system.

**8.2** The system will restrict the e-voting site to only registered UWE Bristol students.

**8.3** Ballot Papers for each position will be produced, show the names of all candidates standing in each election.

**8.4** The Students' Union website will provide a list of all positions, all candidates and an explanation for the conduct and process of the vote.

## 9. THE COUNT

**9.1** The Returning Officer will arrange for the count to take place.

**9.2** The count will commence only when the Returning Officer confirms to the Deputy Returning Officer that all complaints relating to the conduct of the election have been resolved.

**9.3** Once the count has commenced, no further complaints will be considered other than complaints relating to the conduct of the count itself.

## 10. THE DECLARATION

**10.1** The Returning Officer, in consultation with the Deputy Returning Officer, will decide when and where the declaration takes place.

**10.2** The results of the election will be declared by the Returning Officer or their nominee.

**10.3** Results will be made available on The Students' Union website.

## 11. BY-ELECTIONS

**11.1** If a post becomes vacant then the Deputy Returning Officer shall make recommendations to the Board of Trustees as to the timing of the election to fill the vacancy.

**11.2** Any by-election shall be conducted so as to comply with this Bye Law.

## BYE LAW 3. BOARD OF TRUSTEES

1. There shall be a Board of Trustees in accordance with clause 30 of the Articles of Association.

### 2. TRUSTEE YEAR

2.1 The President Trustees' Terms of Office shall normally commence 1 July for 1 year.

2.2 The Student Trustees' Terms of Office shall normally commence 1 July for 1 year subject to ratification from a Student Council Meeting.

2.3 The External Trustees' Terms of Office commence on ratification from a Student Council Meeting for up to 4 years.

### 3. MEMBERSHIP

- Up to 5 President Trustees, elected in accordance with clause 31
- Up to 2 Student Trustees, appointed in accordance with clause 32
- Up to 1 Alumni Trustee, appointment in accordance with clause 33
- Up to 4 External Trustees, appointed in accordance with clause 34

### 4. FUNCTION

4.1 The Board's powers under clause 40 shall include, but not be limited to, responsibility for:

- the governance of The Students' Union
- the budget of The Students' Union
- the strategy of The Students' Union
- appointment of clerk to the Board of Trustees

### 5. QUORUM

- Shall be in accordance with clause 52, "The quorum for Trustees' meetings shall be six and such quorum must include at least three Officer Trustees and at least one Student Trustee. 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 six."

### 6. FREQUENCY

- Shall be in accordance with clause 46, "The Trustees shall hold a minimum of four meetings in any Academic Year."



## 7. SUB COMMITTEES OF THE BOARD OF TRUSTEES

7.1 In accordance with clause 42, these shall be:

### 7.2 Staff Committee

#### 7.2.1 Membership

- 2 Officer Trustees
- 1 Student Trustee
- 1 External Trustee

#### 7.2.2 Function

- To approve and monitor the human resources procedures and practices
- To approve and monitor the terms and conditions of employment
- To approve and monitor the contracts of employment
- To act as the final body of appeal in cases of staff discipline
- To report to the Board of Trustees

#### 7.2.3 Quorum

- Shall be 50% + 1
- The external trustee has to be present or have communicated their view to the Committee

#### 7.2.4 Frequency

- At least 4 times a year

### 7.3 Finance and General Purpose Committee

#### 7.3.1 Membership

- 5 Officer Trustees
- 1 External Trustee
- 1 Student Trustee
- 1 **Students' Union Officer**

#### 7.3.2 Function

- To monitor the finances of The Students' Union
- Approving the variations of budgets
- To advise the Board of Trustees on financial matters
- Any other functions identified in the Financial Regulations of The Students' Union
- To report to the Board of Trustees

#### 7.3.3 Quorum

- Shall be 50% + 1

#### 7.2.4 Frequency

- **At least monthly**

## 7.4 Appointment Committee

### 7.4.1 Membership

- 2 **President** Trustees
- 1 External Trustee
- 1 Student Trustee

### 7.4.2 Function

- To make the recommendation to the Board of Trustees for appointments
- To approve the appointment of the External Trustees (clause 34)
- To approve the appointment of the Student Trustees (clause 32)
- To approve the appointment of the Returning Officer
- To approve the appointment of the auditors
- To report to the Board of Trustees

### 7.4.3 Quorum

- Shall be 50% + 1

### 7.4.4 Frequency

- At least once per calendar year

7.5 Staff members of The Students' Union will be requested to attend any of the above sub committees and may act as secretary as and when required.

## 8. RIGHTS OF REMOVED TRUSTEES

### 8.1 APPEALS PANEL

8.1.1 A Trustee removed from office in accordance with clauses 36 and 37 of the Articles of Association shall be entitled to appeal the decision to remove him or her to an Appeals Panel within 14 days of the resolution.

8.1.2 Appeals against the decision may be made within 14 days.

8.1.3 The appeal must be in writing to the Chair of the Board, stating the reasons for the request.

8.1.4 No member of the Appeal Committee shall have either a conflict of interest or previous involvement with the issue under consideration, or with the conduct of any related committee.

8.1.5 Appeals will be heard as soon as possible after the appeal has been submitted.

8.1.6 All issues raised at the Appeal Panel are confidential

## 8.2 APPEAL INVESTIGATION PROCESS

**8.2.1** The Appeal meeting will proceed in the following manner:

1. The removed Trustee will be provided opportunity to present their case. Witnesses called as appropriate.
2. The Appeal Panel will have the opportunity to ask questions.
3. The removed Trustees will have opportunity to respond to questions.
4. Upon completion of the question and answer session, everyone apart from members of the Appeal Panel will leave the meeting
5. The Appeal Panel will make a decision based only on the evidence presented.
6. Although the attendance of the removed Trustee at the Appeal Panel is not mandatory, the complaint shall be heard in their absence and action taken, unless good reason is given for non-attendance. An alternative date may be arranged if The Students' Union deems appropriate.

## 8.3 OUTCOME

**8.3.1** The Appeals Committee has the authority to:

- Change or confirm the removal from the Board
- The decision of the Appeals Committee is final and binding

# BYE LAW 4. PRESIDENT CODE OF CONDUCT, DUTIES AND REMUNERATION

## 1. INTRODUCTION

**1.1** This Code of Conduct forms part of the conditions of service of the Presidents and Officers.

**1.2** It shall be the principal the document governing the expected conduct of all Presidents, Officers and representatives of The Students' Union.

**1.3** Presidents may, under Section 22: Education Act 1994, stand for re-election for a maximum of one further term of office.

## 2. GENERAL PROVISIONS AND OBLIGATIONS

**2.1** It is required that all Candidates for an elected position read the Code of Conduct prior to submitting their nomination, and upon submitting their nomination are deemed to have agreed to those sections that shall apply to them.

**2.2** Any Candidate who has been dismissed for misconduct or been refused working hours within The Students' Union from temporary or permanent employment in The Students' Union will be barred from standing.

**2.3** It is required that all Members of The Students' Union Executive shall read the full Code of Conduct again prior to signing their contract, and upon signing agree to be subject to the full terms of the Code of Conduct.

**2.4** Contravention of these terms, either as a Candidate, as a member or member-elect of The Students' Union Executive shall result in disciplinary action as laid out in Bye Law 7.

## 3. AN ELECTED PRESIDENT OR OFFICER MUST:

**3.1** Conduct the business of office to which they have been elected.

**3.2** Not compromise or take action which is likely to compromise the impartiality of those who work for, or on behalf of The Students' Union at UWE.

**3.3** Ensure that resources are not used for political purposes, or to secure electoral advantage for a President or Officer or representative and/or candidate in an election.

**3.4** Not (except as required by law) disclose information given to her/him in confidence by anyone, without the consent of the person authorised to give it.

**3.5** Not conduct themselves in a manner which could reasonably be regarded as bringing the office or The Students' Union into disrepute.

**3.6** If aware of any conduct by another President or Officer or representative which he/she believes involved failure to comply with the provisions of this code of conduct, it is their duty to make a written complaint to the President, or, where it involves the President to the CEO.

**3.7** Complete the declaration of interest form.

## **4. GIFTS OR HOSPITALITY**

**4.1** All Presidents and Officers shall within 14 days of receiving gifts or hospitality over the value of £25 provide written notification to the CEO of the existence and nature of the gift or hospitality.

## **5. DECLARATION OF CRIMINAL CONVICTIONS**

**5.1** All The Students' Union Candidates are required to declare whether they have criminal convictions by indicating in the relevant section on the nomination. Spent convictions as detailed under the Rehabilitation of Offenders Act must also be declared.

**5.2** Any Candidate who has declared a criminal conviction will then be required to give details of the conviction to a select and confidential panel, who shall form the 'Select Panel'. This panel shall consist of a President, a Students' Union manager and The Students' Union Human Resources Manager.

**5.3** If a member of The Students' Union Executive is convicted of a crime whilst in office, they shall be subject to the enquiry procedure stated above. If the member of The Students' Union Executive concerned is The Students' Union President, another President shall be appointed to sit on the Select Panel.

## **6. CONFLICT OF INTEREST**

**6.1** All Presidents and Officers must complete The Students' Union Conflict of Interest form upon taking up office.

## **7. GROSS MISCONDUCT**

**7.1** All Presidents and Officers and Candidates are expected to conduct themselves in a manner befitting their positions and status as a member of The Students' Union and to carry out their duties and responsibilities efficiently and promptly.

**7.2** A President or Officer may be removed from office for gross misconduct (and thus from receiving employment in the case of a President) in accordance with Bye Law 7.

## 8. CONDUCT NOT DIRECTLY RELATED TO THE PLACE OF WORK

**8.1** In addition to conduct whilst on The Students' Union/University premises, conduct outside of work may render a President or Officer liable to disciplinary action. This would include but is not limited to:

**8.1.1** Conviction in a criminal court for a serious offence and/or leading to imprisonment.

**8.1.2** Conviction in a criminal court for a fraudulent act or of theft.

## 9. COMPLAINTS ABOUT PRESIDENTS

**9.1** Complaints by students about Presidents may be made through the complaints procedure set out in Bye Law 7.

## 10. NO-CONFIDENCE

**10.1** A vote on a motion of no confidence shall be conducted upon receipt by a President of a petition calling for such a vote signed by at least 150 full members.

**10.2** A motion of no confidence requires a quorum of 1000 full members in an online vote. The carrying of such a motion by a simple majority shall require the immediate resignation of the President concerned.

## 11. RESIGNATION

**11.1** Presidents and Officers may resign by giving one month's notice in writing to The Students' Union President or their nominee who shall immediately report any resignation to Board of Trustees.

## 12. DUTIES

**12.1** Duties will comprise such responsibilities as set out in the description for the post, and such other additional duties as The Student Council or General Meeting may direct from time to time.

## 13. HOURS

**13.1** Hours required will be as necessary to carry out the duties of the post but will not normally average less than 37 hours per week.

**13.2** These office hours shall be interpreted flexibly according to the requirements of the position. Some weekend and evening work will be required.

**13.3** At the end of each week, a report of hours worked shall be presented to The Students' Union President to be kept for official record.

## **14. ENTITLEMENT TO TIME OFF IN LIEU**

**14.1** Where time off in lieu has been due to working an additional day, such as at a weekend, then an entire day can be taken as TOIL. In addition, if no work commitments, then lieu time can be taken to shorten days up to half a day. If a half day is taken then can only take an average of one a month.

## **15. DATES OF EMPLOYMENT AND OFFICE**

**15.1** Presidents are employed from the last week of June and are in post from the first week of July following their election, for one year.

## **16. HOLIDAYS**

**16.1** Presidents are entitled to 27 days paid holiday per annum in addition to statutory holidays.

**16.2** Due notice must be given in advance of any holidays being taken.

**16.3** The Students' Union President or nominee is responsible for keeping records detailing holiday leave of Presidents.

**16.4** Presidents attend 'Handover Training'. No holiday will be granted during this time.

**16.5** Request for leave should be made in advance on the appropriate holiday request form, which should be signed by the President concerned and The Students' Union President or nominee.

**16.6** In the event of there being a problem with any holiday leave request the matter shall be settled by the Finance & General Purposes Committee.

**16.7** No payment will be made for any holidays not taken by the end of office.

## **17. PAY**

**17.1** Presidents are paid monthly in advance, on or around the 21st of each month.

**17.2** The annual salary is based on grade 4.1 of The Students' Union's Pay Scale.

**17.3** Appropriate annual pay awards agreed nationally will normally be applied to this salary.

**17.4** All appropriate deductions for Tax and National Insurance contributions shall be made by The Students' Union Finance Office. Presidents' salaries are not pensionable.

## 18. ADDITIONAL HOURS

**18.1** No financial compensation will be made for hours worked in excess of 37 hours.

## 19. SICKNESS

**19.1** The Students' Union sickness regulations and procedures shall apply, namely, verbal notification of absence should be made to The Students' Union reception on the first day of illness.

**19.1** For illness of up to 7 days (including weekends) Presidents will need to complete a self-certification form upon their return to work.

**19.1** If absence exceeds 7 days, a medical certificate from their GP will be required, this certificate must be forwarded to The Students' Union's HR Department.

## 20. COMPASSIONATE LEAVE

**20.1** Up to 3 days compassionate leave may be agreed with other Presidents, in line with Students' Union guidelines but should be notified to CEO. Any more than 3 days must be agreed by the CEO.

## 21. EXPENSES

**21.1** The Finance and General Purposes Committee shall agree in advance the duties which involve payment of expenses and these shall be paid on production of receipts.

## 22. OTHER PAID WORK

**22.1** Being a President is a full-time commitment and no paid outside work should be taken up without the prior agreement of the Finance & General Purposes Committee.



## **BYE LAW 5. THE FINANCIAL RULES**

**1.1** When acting on behalf of The Students' Union in financial matters, the Board of Trustees shall act at all times in accordance with the following rules:

**1.2** The financial year of The Students' Union shall run from 1 August in one year to 31 July in the following year.

**1.3** The Board of Trustees is hereby empowered to open bank accounts in the name of The Students' Union, borrow monies, invest monies, and offer the material assets of The Students' Union as security and to do all such other things as are necessary for the proper conduct of The Students' Union's financial affairs.

**1.4** The Board of Trustees shall ensure that proper books of accounts are maintained and audited annually by a duly appointed firm of chartered accountants.

**1.5** The Board of Trustees shall ensure that an annual budget of income and expenditure is prepared in consultation with the Executive and the Student Council and that this budget is duly approved and circulated to all relevant Committees of The Students' Union.

**1.6** The Board of Trustees shall ensure that management accounts are produced to an appropriate standard and schedule in order that performance against budget may be monitored and controlled in a timely manner.

**1.7** The Board of Trustees shall ensure the development and maintenance of effective financial control, procedures and practices which shall be detailed in the Financial Regulations of The Students' Union.

# BYE LAW 6. STUDENT DEMOCRACY

## 1. STUDENT COUNCIL

**1.1** Student Council is established by the Articles of Association as having policy-making powers and oversight.

There will be three branches of Student Council and each will act as a check and balance against the others.

The three branches will be:

- The Executive
- The Legislature
- The Judiciary

## 1.2 THE EXECUTIVE

- Executes the instructions of the Legislature, by carrying out Student Ideas that have passed.
- Executes the instructions of the legal Executive (Trustee Board.)
- May veto or automatically pass Student Ideas
  - But can be over-ridden by a two-thirds majority of the Judiciary when attempting to do so
  - Can only automatically pass a Student Idea if it can be carried out without opposition from or detriment to other students
- Executes any authorised spending
- Maintains the Officers' Code of Conduct
- Frequency – Will meet at least 8 times per academic year
- Quorum – 50%+1
- The following are members of the Executive:
  - The President, VP Community and Welfare, VP Education, VP Societies and Communication, VP Sports and Health
  - Black Minority Ethnic (BME) Officer, Disabled Students' Officer, International Students' Officer, LGBT Officer
  - City Campus Officer, Frenchay Campus Officer, Glenside Campus Officer, Gloucester Campus Officer
  - Community and Welfare Officer, Education Officer, Societies and Communication Officer, Sports and Health Officer, Sustainability Officer, Post Graduate Officer

## 1.3 THE LEGISLATURE

There are two branches of the Legislature:

- **All students** who are full members of The Students' Union and who engage by:
  - Student Ideas - proposing and voting.
  - Election Manifesto pledges - by voting in elections.
  - Attend Student Council Meeting as observers and put forward cases for and against Ideas
- **The Committees** who engage by:
  - Student Ideas - proposing
  - To elect committee members to Student Council Meetings.

## 1.4 THE JUDICIARY

There are two branches of the Judiciary:

- **Student Council Meeting**
  - Facilitator - Facilitates the meeting and shall normally be a member of DPC
  - Council Meeting - Undertakes direct scrutiny of the Executive.
  - Council Meeting - May veto the Executive by a two-thirds majority.
  - Council Meeting - May veto Student Ideas with a passing score of a 2:1 by a two-thirds majority.
  - Council Meeting - May veto Student Ideas with a passing score of a 2:2 by a 50%+1 majority.
  - Quorum - 75%
  - No member may hold more than one seat at Council Meeting
  - Frequency of Meeting - At least 3 times per academic year.
- **Democratic Procedure Committee (DPC)**
  - Ensures the legitimacy of the votes for Student Ideas
  - Handles complaints about Student Ideas
  - Ensures Student Council Meetings are conducted in accordance with the Bye Laws
  - Propose Bye Law 6 changes to the Executive and Student Council Meeting based on student feedback
  - Proposals will be treated as a Student Idea with a passing score of a 2:1
  - DPC members interpret section 6 Bye Laws and inform, recommend and advise members of The Students' Union and the Executive accordingly
  - To ensure that The Students' Union's democratic systems are engaging and inclusive
  - To provide democratic oversight of the Executive in order to aid accountability to the Membership
  - To hold periodic reviews with the Executive of their activities and priorities at a frequency of at least two times an academic semester for full time positions and at least one time an academic semester for part time positions
  - To publish minutes of these reviews in a format accessible to the Membership
  - Members remain impartial in all matters for the duration of their tenure
  - Frequency of meeting - At least 8 times per academic year

**1.5** The Student Council Meeting may be attended by observers, providing they meet the qualifications of full membership, who shall not have the right to vote. The facilitator will have the authority to remove disruptive observers.

**1.6** Elected representatives may resign their position on Student Council, and a by election will be held to fill the vacant position at the next relevant committee/conference.

## 2. POLICY CREATION

### 2.1 STUDENT IDEAS

2.1 Student Ideas are the only form of petition that can create Policy at The Students' Union with the exception of petitions calling for a referendum in accordance with clause 13 of the Articles of Association. The Students' Union website will gather the necessary approvals to verify Student Ideas.

**2.2** Student Ideas will mimic degree classifications and will progress as follows:

- A 1st is an automatic pass, which cannot be vetoed
- A 2:1 is a pass which can be vetoed by the Elected Executive or 2/3 Majority in a Council Meeting

- A 2:2 is a pass which can be vetoed by the Elected Executive or 50% + 1 Majority in a Council Meeting
- A 3rd or below will not progress any further in policy creation
- If any zero appears in an Ideas scoring, it will fail
- An Idea given a pass by the Executive is considered as having a score of a 2:1 when submitted to the Student Council Meeting

### 2.3 Ideas will be scored according to the following criteria:

- Voter numbers:
  - Under 25 - scores 0
  - 25 to 50 - scores 5
  - 51 to 74 - scores 10
  - 75 to 99 - scores 15
  - 100 to 175 - scores 20
  - 176 to 449 - scores 25
  - 450 to 999 - scores 45
  - 1000 plus - scores 50
- Mean Average:
  - Less than 3.0 - scores 0
  - 3.01 to 4.0 - scores 5
  - 4.01 to 4.49 - scores 10
  - 4.50 to 4.79 - scores 15
  - 4.80 plus - scores 20
- Majority:
  - Negative - scores 0
  - Simple Majority - scores 20
  - Qualified Majority - scores 25

### 2.4 Resubmission of Ideas:

A Student Idea which has either failed to proceed to the Student Council Meeting; or which has been vetoed by the Student Council Meeting; or which seeks to achieve substantially the same outcome as an Idea which has either failed to proceed or has been vetoed may be resubmitted only once during the same Academic Year. The Democratic Procedures Committee shall make the determination as to whether a newly submitted Idea seeks to achieve substantially the same outcome as a previous Idea.

### 2.5 Contentious issues:

- Any matter which is directly locally, nationally or internationally 'party' political is contentious
- Any Ban or Boycott is contentious
- Any stance on international conflict is contentious
- Apart from matters that pass with a simple majority that at least 1000 students have voted upon, any contentious Idea will drop a grade when scored
- Contentious Ideas which have failed after dropping a grade cannot be submitted to the Student Council Meeting by the Executive

### 2.6 Overriding Affiliations:

**2.6.1** Any Idea that leads to disaffiliating with an External Organisation that The Students' Union is currently affiliated to requires a vote of at least 1000 students and will be decided by simple majority where 50% plus one of the voting members is considered a majority.

**2.6.2** Any Idea that has to have at least 1000 students participate in it shall be a referendum for the purposes of the Articles of Association.

**2.6.3** When an Idea is passed it becomes policy of The Students' Union for a period of a maximum of three years unless a shorter time frame is specified as part of the Idea; after which time it will lapse unless approved through appropriate procedures.

## 3. COMMITTEES

### 3.1 STUDENT REPRESENTATIVE COMMITTEE

- To consider matters relating to the academic experience of the students.
- To submit Ideas
- To elect members to the designated University Committees and Boards and external meetings and conferences
- To elect 5 students to attend Student Council Meeting
- The following create the membership of Student Representative Committee
  - Vice President Education, who will be the Chair
  - Education Officer, who will be the deputy Chair
  - All trained Student Reps
- Quorum – At least 5 Student Reps from each Faculty
- Frequency – At least 3 times a year

### 3.2 SPORTS CONFERENCE

- To consider matters relating to the sporting activities of the students.
- To submit Ideas
- To elect members to the designated University Committees and Boards and external meetings and conferences
- To elect 5 students to attend Student Council Meeting
- The following create the membership of Sports Conference
  - Vice President Sports and Health, who will be the Chair
  - Sports and Health Officer, who will be the deputy Chair
  - One representative from each affiliated Sports Club
- Quorum – 50%+1
- Frequency – At least 3 times a year

### 3.3 SOCIETIES CONFERENCE

- To consider matters relating to the sporting activities of the students.
- To submit Ideas
- To elect members to the designated University Committees and Boards and external meetings and conferences
- To elect 10 students to attend Student Council Meeting; 5 from the Nationality, Faith and Identity Societies and 5 from all other Societies
- The following create the membership of Societies Conference:
  - Vice President Societies and Communication, who will be the Chair
  - Societies and Communication Officer, who will be the deputy Chair
  - One representative from each affiliated Society
- Quorum – 50%+1
- Frequency – At least 3 times a year

## 3.4 COMMUNITY AND WELFARE COMMITTEE

- Currently under review and will be updated in accordance to the outcome of the review.

# BYE LAW 7. DISCIPLINARY AND COMPLAINT PROCEDURE

## 1. DEFINITIONS

**1.1** The member making the complaint shall be referred to throughout this document as “the complainant.”

**1.2** The member being complained about shall be referred to throughout this document as “the respondent.”

**1.3** The term “incident” shall, for the purpose of this document, refer to incidents where members have been suspended from use of any The Students’ Union facilities.

**1.4** The term “elected officer” shall, for the purpose of this document refer to any member of The Students’ Union Executive.

**1.5** Behaviour which may result in investigation includes but is not limited to:

1. Bringing The Students’ Union into disrepute
2. Anti-social behaviour, contrary to The Students’ Union’s and University’s policies
3. Threatening behaviour towards students or staff: this may be verbal or physical
4. Inappropriate behaviour: due to intoxication or otherwise
5. Vandalism: damage to The Students’ Union or University property, including graffiti
6. Theft, including intellectual property
7. Assault on students or staff
8. Use/possession/distribution of illegal or controlled substances
9. Breach of The Students’ Union’s constitution
10. Breaches of laws impacting on the efficient running of The Students’ Union
11. Fraud
12. Bringing malicious complaints as part of this process

## 2. CODE OVERVIEW

**2.1** This code applies equally to all members of The Students’ Union as defined within the Bye Laws.

**2.2** This code covers actions that occur:

1. On Students’ Union premises
2. Whilst representing The Students’ Union, or participating in The Students’ Union activities
3. By a visitor (s) of a member

**2.3** This code does not cover the conduct of The Students’ Union staff which is dealt with under The Students’ Union staff handbook.

**2.4** This code is used in collaboration with The Licensing Act 2003. Any action taken at the time of the incident is, at the discretion of the Designated Premises Supervisor (DPS), under Licensing Law.

### **3. NON-DISCLOSURE**

**3.1** To ensure The Students' Union protects staff and maintains a confidential relationship with and between those involved in any complaint; informal and/or formal, information relating to the complaint will not be discussed with any third party.

### **4. INFORMAL ACTION**

**4.1** Where possible, The Students' Union will try to resolve matters informally by discussing the issue with those involved however, if for any reason they are unhappy with the outcome of the informal action, they may choose to proceed to the formal stage as detailed in section 6 of this Bye Law.

### **5. INCIDENT INVESTIGATIONS**

**5.1** Full incident investigations will be undertaken by The Students' Union.

**5.2** All finished investigations requiring further action will be forwarded onto the CEO, who will treat them as if they are a complaint and may move into the formal procedure in section 6 of this Bye Law.

### **6. FORMAL ACTION**

**6.1** There are some circumstances where the behaviour will constitute a disciplinary offence and in such circumstances, The Students' Union will move to the formal stage of this Bye Law.

### **7. REPORTING OF A COMPLAINT**

**7.1** Complaints should be in writing to the CEO of the Students' Union who will investigate the matter under this Bye Law.

**7.2** Complaint forms can be located at: [thestudentsunion.co.uk/union/contact-us/complaints/](http://thestudentsunion.co.uk/union/contact-us/complaints/)

### **8. ACTING ON A COMPLAINT**

**8.1** The CEO shall either authorise an investigation or write to the complainant explaining why the complaint is not being pursued.

**8.2** Both the respondent and complainant shall be informed, in writing, within 7 working days of the complaint being raised and given notice of a date for any disciplinary committee meeting.

### **9. INVESTIGATION OF A COMPLAINT**

**9.1** The complaint will be investigated by an elected officer and a Students' Union manager.

**9.2** Following on from the complaint investigation three courses of action may be recommended:



1. No further action is deemed necessary, and the complaint is dropped
2. The complaint to be resolved informally or formally either through a written warning or establishing a mediation process
3. The complaint is passed onto the Disciplinary Committee.

**9.3** During the period of investigation the respondent(s) may be suspended from The Students' Union activities and premises.

**9.4** The recommendations from the investigation are to be sent to the CEO who shall formally notify the respondent and complainant of the outcome of the investigation.

## **10. THE DISCIPLINARY COMMITTEE**

**10.1** The Students' Union Disciplinary Committee shall comprise:

1. Two elected officers
2. A Students' Union manager or their nominee (in an advisory capacity)

**10.2** No member of the Disciplinary Committee shall have either a conflict of interest or previous involvement with the offence under consideration.

**10.3** Before the Disciplinary Committee meeting the respondent shall be provided with formal details of the nature of the complainant's original complaint and any additional witness statements relating to the complaint.

**10.4** The author of a complaint, incident and/or supporting information shall be treated with the highest regard for confidentiality.

**10.5** The respondent will be allowed to bring a fellow UWE Bristol student with them to the hearing; who shall submit their student number to the chair of the committee no later than 48 hours in advance of any meeting.

## **11. DISCIPLINARY COMMITTEE INVESTIGATION PROCESS**

**11.1** The meeting will proceed in the following manner:

1. Results of the investigation will be presented
2. Witnesses called as appropriate
3. The Disciplinary Committee will have the opportunity to ask questions
4. The respondent will respond to the complaint, either in person or in writing calling witnesses where appropriate
5. The Disciplinary Committee will have the opportunity to ask questions of the respondent and/or witnesses
6. Everyone apart from members of the Disciplinary Committee will leave the meeting
7. The Committee will make a decision based only on the evidence presented

**11.2** Although the respondent's attendance at the Disciplinary Committee is not mandatory, the complaint will be heard in their absence and action taken, unless good reason is given for non-attendance. An alternative date may be arranged if The Students' Union deems appropriate.

**11.3** Where necessary The Students' Union at UWE will make every endeavour to ensure that the complainant and/or their witnesses do not come into direct contact with the respondent and/or their witnesses during the Disciplinary Committee proceedings.

**11.4** All issues raised at the Disciplinary Committee are confidential.

**11.5** If there is Police and/or a National Governing Body involvement in the investigation of an incident, The Students' Union disciplinary action will be suspended until the Police or other body's action is concluded, or the outcome of any court case known.

**11.6** During the course of a police investigation the respondent(s) will be barred from The Students' Union premises and activities until the conclusion of the Police action; this is not an assumption of guilt.

**11.7** It is the responsibility of the respondent to formally inform The Students' Union that the Police action is concluded, providing appropriate paperwork for the purpose of The Students' Union Disciplinary file.

## **12. DISCIPLINARY COMMITTEE SANCTIONS**

**12.1** The Disciplinary Committee may take the following actions as a result of the hearing:

1. No action
2. Request for a written apology
3. Fine to the value of damage done and/or meet losses and/or costs
4. A final written warning
5. Suspension from The Students' Union and its activities in accordance with guidelines
6. Inform the University and any relevant authorities

**12.2** All decisions of the Disciplinary Committee will be communicated in writing to the respondent and complainant within 7 working days of the hearing.

**12.3** The Students' Union can bring procedures against a complainant, if a complaint is deemed to be malicious.

## **13. APPEAL PROCESS**

**13.1** Appeals against the decision may be made within 7 working days if additional, previously unconsidered information is made available which may have a significant impact on the original complainant by the Disciplinary Committee.

**13.2** The appeal must be in writing to the CEO, stating the reasons for the request.

## **14. THE APPEALS COMMITTEE**

**14.1** The Students' Union at UWE Appeals Committee shall comprise:

1. Two elected officers,
2. Students' Union manager or their nominee (in an advisory capacity.)

**14.2** No member of the Appeal Committee shall have either a conflict of interest or previous involvement with the offence under consideration, or with the conduct of the disciplinary committee.

**14.3** Appeals will be heard as soon as practicable after the appeal has been submitted.

**14.4** The appeal hearings will follow the procedures laid out in section 11 of this Bye Law.

**14.5** The Appeals Committee has the authority to change or confirm the sanctions issued by the Disciplinary Committee.

**14.6** The decision of the Appeals Committee is final and binding.

## **15. DISCIPLINARY RECORDS AND ACCRUED SANCTIONS**

**15.1** Records of all investigations will be maintained for a duration of 3 years.

**15.2** The Students' Union reserves the right to accrue disciplinary penalties issued under section 12 Disciplinary Committee Sanctions, as appropriate.

**15.3** The Students' Union reserves the right, where appropriate, to reopen an investigation or disciplinary issue at any stage.

## **BYE LAW 8. THE SOCIAL CLUB RULES**

### **1. NAME**

**1.1** The Club shall be known as the "University of the West of England Students' Union Social Club" hereinafter referred to as "the Club".

### **2. OBJECTS**

**2.1** The objects of the Club shall be the promotion of social, cultural and educational activities, and to provide facilities for appropriate entertainment and refreshment for members.

### **3. PREMISES**

**3.1** The premises of the Club shall be situated at: the Students' Common Room and Refectory, the University of the West of England, Bower Ashton, Bristol BS3 2JU and at the Glenside Student Centre, the University of the West of England, Glenside Campus, Blackberry Hill, Stapleton, Bristol, BS16 1DD.

### **4. MEMBERSHIP**

**4.1** The members of The Students' Union shall be the members of the Club in accordance with Bye Law 1.

### **5. OFFICERS**

**5.1** The Officers of the Club shall be the Chairperson, who shall be the Chairperson of the Board of Trustees of The Students' Union, the Secretary, who shall be the Licensed Trade Manager of The Students' Union, and the Treasurer, who shall be the Finance Manager of The Students' Union.

### **6. REGISTER**

**6.1** A register of the names and addresses of all members shall be maintained by the Secretary

### **7. MANAGEMENT**

**7.1** The affairs of the club, excluding those reserved to the club in General Meeting or to the members, shall be managed by the Board of Trustees.

## 8. PURCHASE AND SUPPLY OF INTOXICATING LIQUOR

**8.1** The elected members of the Board of Trustees shall be the sub-committee concerned with the purchase for the Club and the supply by the Club of intoxicating liquor. The supply of intoxicating liquor to persons under the age of eighteen is prohibited.

## 9. GENERAL MEETINGS

**9.1** The Secretary shall call general meetings of the Club, in relation to social club business, within 14 days on decision of the Board of Trustees or on the receipt of a petition by 150 full members of the Club.

## 10. CLUB YEAR

**10.1** The club year shall be from 1 August of each year until 31 July of the year immediately following.

## 11. PERMITTED HOURS

**11.1** The permitted hours for the supply of intoxicating liquor shall be:

- Bower Ashton: Monday/Saturday 11am - 11pm Sundays 12noon – 10.30pm
- Glenside: Monday/Saturday 11am - 11pm Sundays 12noon – 10.30pm
- And such further and additional hours and Temporary Events Notices (TENS) as the Licensing Authority may from time to time authorise

## 12. GLENSIDE TRADING CONDITIONS

**12.1** The Club garden shall be vacated by no later than 10pm each evening, and neither the main hall nor the locker room shall be used for the purpose of any musical entertainment.

## 13. VISITORS AND GUESTS

**13.1** In addition to members, the Club premises shall be open: for the admission of visiting sports and recreational teams and members of other student organisations with which The Students' Union has affiliate membership agreements to be signed in on production of their student identity card; and for the sale of intoxicating liquor to them by, or on behalf of the Club, for consumption on the premises by them or their guests being over the age of 18 years signed in by a full member. Full members are allowed to sign in a maximum of three guests on any one occasion.

## 14. CESSATION OF MEMBERSHIP

**14.1** The privileges of membership are conditional on the proper conduct of members and such privileges may be withdrawn by the duty manager acting on behalf of the Board of Trustees in

accordance with Bye Law 1.3. In the event of unruly or objectionable conduct by any person on Club premises, that person may be required by the duty manager to leave the premises.

**14.2** The Board of Trustees shall have the power to make regulations which shall, so far as the same are not inconsistent with these rules, regulate the internal management of the Club.

## **15. AMENDMENT TO CLUB BYE LAWS**

**15.1** Any amendment to the Club Bye Laws shall be made in accordance with clause 59 of the Articles of Association.

## **16. NOTIFICATION OF ALTERATION IN CLUB BYE LAWS**

**16.1** Where any alteration is made to the Club Bye Laws, the Secretary shall give written notice of the alteration to the Chief Constable and the Clerk of the Local Authority within 28 days.

## **BYE LAW 9. THE ALLOCATION OF RESOURCES TO STUDENT LED SPORTS AND SOCIETIES**

**1.1** In accordance with the Education Act 1994 the procedures for the allocation of resources to activities are documented as follows:

**1.2** No activity may receive funding from The Students' Union nor utilise the facilities of The Students' Union prior to recognition as a duly affiliated activity by any of the appropriate Committees.

**1.3** The Sports and Societies Committees shall develop and maintain model constitutions, terms of references and operating procedures.

**1.4** No activity shall be so recognised if its objectives are in conflict with the purpose, goals and values of The Students' Union.

**1.5** It shall be for the respective Committees to agree as to which activity falls under the auspices of which committee. In the event of a dispute the matter shall be referred to the Board of Trustees whose decision shall be final.

**1.6** Students seeking recognition of a sport or of a society shall submit to the secretary of the relevant Committee the information as detailed in the term of reference for the Committee's consideration

**1.7** The application shall be considered at the following meeting of the respective Committee. The respective Committee shall only agree to recognition provided that the proposed method of operating conforms to the terms of the model operating procedures and that it is satisfied with the proposals for participation and activity. Should the application be approved then the activity will be allocated a provisional budget.

**1.8** To receive ongoing funding from The Students' Union affiliated activities shall comply with the requirements of the annual budgeting process. Each activity shall submit to the secretary of the appropriate committee an estimate of income and expenditure relating to their plan of activities and events for the following academic year. Such estimates shall be submitted by 30 April.

**1.9** The chairperson and the secretary of the relevant Committee shall then consider the estimates in consultation with the applicants and with such other persons as they deem appropriate. They shall then submit for consideration their proposals for the allocation of funds in the context of an annual budget proposal for consideration by the relevant Committee.

**1.10** The respective Committees shall each approve an annual budget submission for presentation to the Board of Trustees. On agreement of the budget with the Board of Trustees, the Committees shall allocate funding in accordance with that agreed budget.

**1.11** Affiliated activities are required to comply with The Students' Union's Financial Regulations and to have all financial activity administered through The Students' Union. As such all activities are prohibited from holding a bank account and from making any expenditure commitment other than through the procedures stipulated in the Financial Regulations of The Students' Union. Failure to comply with these requirements may lead to the withdrawal of funding and/or the de-recognition of that activity.