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Bye-law 1. Memberships

NOTE: To be read in conjunction with Articles 8-13 of the and Part II of the Education Act 1994.

1. Purpose

- 1.1. The Union is led by its members, this Bye-law outlines what the benefits of membership are, the different types of membership and how you may stop being a member of the Union if you wish.

2. Types of membership

- 2.1 Student;
- 2.2 Associate; and
- 2.3 Company Law (which shall apply only to the Trustees and is outlined in the Articles).

3. Student Members

- 3.1. Student Members of the Union shall be as follows:
 - (a) All BU students formally registered for an approved programme of study provided by Bournemouth University (also referred to in these Bye-laws as "BU"), including those studying on BU franchised programmes, unless they have opted out of membership; and
 - (b) The Sabbatical Officers.
- 3.2. Student Members of the Union are entitled to:
 - (a) Attend, speak and vote at Student Members' meetings;
 - (b) Stand and vote in union elections;
 - (c) Use facilities and services of the Union; and
 - (d) Be members of any club and society.
- 3.3. For the avoidance of doubt, Student Members are not Company Law Members as defined in the Articles of Association or under company law.

4. Associate Members

- 4.1 The following shall be entitled to Associate Membership: any member of Union Staff, students enrolled in a BU validated programme, students enrolled in Bournemouth University International College, BU staff, BU Alumni, members

of Students' Unions with which the Union has a current reciprocal agreement and those individuals to whom Life Membership has been bestowed.

4.2. Life Membership may be granted by the Student Council to members or ex members in recognition of service to the Union.

4.3. Associate Members shall not be members of the Union for purposes of the Articles of Association, Education Act 1994, company law or Bye-laws but the Union's Member Code of Conduct and Disciplinary Procedure shall apply to them.

4.4. Associate Members are entitled to:

- (a) Use facilities and services of the Union, with possible restrictions;
- (b) Hold Associate Membership of any Union club or society; and
- (c) Attend the Student Members' meeting as observers (but shall not be entitled to speak at such meetings, unless invited to by the chair of the meeting, and shall not be entitled to vote).

4.5. Associate Membership may be revoked by a decision of the Board of Trustees.

5. Ceasing to be a Member

5.1. Student Membership or Associate Membership may be suspended or revoked if:

- (a) The member ceases to fulfil the requirements of membership;
- (b) The member is removed from membership following disciplinary action as provided for in the Union's Member Disciplinary Procedure and Code of Conduct which must include the member's right to appeal this decision and which must include provisions to ensure that appeal is fair and independent;
- (c) Such membership ceases otherwise in accordance with the Articles of Association.

6. Opting out of Membership

- 6.1. In accordance with Section 22(2) c of the 1994 Education Act all students have the right not to be a member of the Union.
- 6.2. A student who has opted-out shall not be entitled to the benefit of Student Membership and shall have the same entitlements as an Associate Member except that no student of Bournemouth University, including those enrolled on BU franchised programmes, may have access to facilities or services restricted by their decision to opt-out other than in accordance with clause 6.4 below.
- 6.3. Where a student chooses not to be a Student Member they cannot vote in any elections or take part in any other democratic process. Club and society entitlement shall be limited in accordance with Bye-law 8.
- 6.4. Opted-out students may not be prohibited from accessing facilities and services reserved for Student Members, except in instances where the Union and BU have agreed in writing signed by duly authorised officers (who in the case of BU shall be the Vice-Chancellor) that this would not constitute an 'unfair disadvantage' under the Education Act 1994.
- 6.5. A student who wishes to opt-out of Union membership may make this decision during Bournemouth University's enrolment process.
- 6.6. A student who wishes to opt-out of Union membership after enrolment shall do so by notifying the President in writing.
- 6.7. A student who has opted-out may reapply for membership by notifying the President in writing.

Bye-law 2. Union Officers

1. Purpose

- 1.1. The Union has elected Officers who are responsible for: leading the direction of the organisation, representing student opinions and improving the student experience. This Bye-law outlines the Officer roles and mechanisms for removing an Officer.

2. Officers

- 2.1. The types of Officers shall be as follows:
 - (a) Sabbatical Officers (Full-Time Officers); and
 - (b) Part-Time Officers.

- 2.2. All Officers will be elected following the rules and procedures outlined in Bye-law 3.

- 2.3. Collective duties of all Officers:
 - (a) Ensuring the effective representation of students through proactively gathering a range of student views and advocating on their behalf;
 - (b) Supporting and working with members to promote and bring about change based on manifestos and Union Policy (see Bye-law 6);
 - (c) Promoting participation and active citizenship within the student body;
 - (d) Helping students to lead campaigns and projects that seek to improve the student experience;
 - (e) Representing members to the Union and University through being an active participant at relevant committees and meetings;
 - (f) Engaging in collective decision making and collective accountability with the Executive Committee (see Bye-law 7);
 - (g) Informing policy within the Union and University on matters relevant to their remit; and

- (h) Engaging fully with the Union's democratic processes; including actively participating at every meeting of the Executive Committee, Student Council, Student Members' meeting and any other Committee of which they are a member.

3. Sabbatical Officers

- 3.1. The Sabbatical/Full-Time Officers shall be the major office holders for the purpose of the Education Act 1994.
- 3.2. The Sabbatical Officers shall be the:
 - (a) President;
 - (b) Vice President Education;
 - (c) Vice President Student Opportunities; and
 - (d) Vice President Welfare and Community.
- 3.3. The Sabbatical Officers shall be the Sabbatical Trustees of the Union.

4. Sabbatical Officer Remits

- 4.1. The President's duties shall include:
 - (a) Being the principal representative for the Union and Bournemouth University students, within the Union, University and wider community, except in areas covered by other Officer roles;
 - (c) Being the main liaison with the University and an ex-officio member of the Bournemouth University Board of Governors;
 - (d) Responsibility for the leadership and direction of the Union;
 - (e) Chairing of the Board of Trustees;
 - (f) Coordinating and ensuring the effective operation of the Officer team;
 - (g) Working with Union staff members, particularly the Senior Leadership Team, to ensure the delivery of appropriate services and activities;
 - (h) Leading on national representation and campaigns to improve the student experience, unless specifically covered by other Officer roles; and
 - (i) Liaison with any subsidiary companies of the Union.

- 4.2. The Vice President Education's duties shall include:
- (a) Being the principal representative of Bournemouth University students in relation to their education, across all levels and modes of study, within the Union, University and wider community;
 - (b) Coordinating the Union's activity relating to improving student's education;
 - (c) Critically holding the University to account on all matters of education; and
 - (d) Championing widening participation and the academic rights and interests of marginalised student communities.
- 4.3. The Vice President Student Opportunities' duties shall include:
- (a) Being the principal representative of Bournemouth University students in relation to clubs and societies, volunteering, fundraising, student development and employability, within the Union, University and wider community;
 - (b) Coordinating the Union's activity relating to enhancing student opportunities;
 - (c) Critically holding the University to account on all matters of student opportunities; and
 - (d) Championing widening participation and increasing inclusivity and accessibility within the remit of student opportunities.
- 4.4. The Vice President Welfare and Community Duties' shall include:
- (a) Being the principal representative of Bournemouth University students in relation to welfare, community engagement and liberation, within the Union, University and wider community;
 - (b) Coordinating the Union's activity relating to improving student welfare and community;
 - (c) Critically holding the University to account on all matters of welfare and community; and

- (d) Championing equality and diversity, and student wellbeing; including but not limited to mental health, physical health, safety and housing.

5. Sabbatical Officer Employment and Remuneration

5.1. Sabbatical Officers shall:

- (a) Be elected in accordance with Bye-law 3 and hold office for a twelve-month period starting between June and July;
- (b) Suspend their course of study for the duration of their term of office (unless they are elected as a Sabbatical Officer to serve after their studies have concluded);
- (c) Be a Student Member of the Union at the time of their election and for the duration of their time in Office. Any Officer who ceases to be a Student Member during their term must vacate their post;
- (d) Be remunerated for their role. Remuneration will be agreed by the Board of Trustees (the Sabbatical Trustees shall be excluded from discussions and any vote on their remuneration);
- (e) Be subject to relevant disciplinary procedures for employees for any case involving misconduct or gross misconduct;
- (f) Be subject to the Union's Member Disciplinary Procedure and Code of Conduct. Where a Sabbatical Officer is removed as a Student Member through this process, they shall also cease to be an employee of the Union, provided the Union has first carried out any steps it is required to take under the Sabbatical Officer's contract of employment and/or otherwise in accordance with good employment practice; and
- (g) Be employed under a contract of employment with the Union and may not continue in post should they be dismissed as an employee of the Union.

6. Accountability for Sabbatical Officers

- 6.1. Officers are accountable to the membership through Student Council and Referendum. Motions of no confidence may be brought forward against Sabbatical Officers where members feel that the individual has not fulfilled their role as a representative effectively.

- 6.2. Motions of no confidence may be triggered in accordance with 26.4 of the Articles of Association.
- (a) A motion of no confidence to remove a Sabbatical Officer via the Student Council shall require a secure petition signed or agreed by at least 100 Student Members and must be carried by a two-thirds majority vote at the Student Council.
 - (b) A motion of no confidence to remove an Officer via Referenda shall follow the procedure as described in Bye-law 5.
- 6.3. If a motion of no confidence passes the post is vacated and the vacancy shall be managed in accordance with Sabbatical Officer Vacancies.

7. Sabbatical Officer Vacancies

- 7.1. Should a vacancy arise in a Sabbatical Officer role, because of the termination of employment, resignation or otherwise, the Board of Trustees shall decide how to manage the vacant position in the intervening period.
- 7.2. If the vacancy arises prior to the start of the academic year, due to resignation or otherwise the Returning Officer for that election shall be permitted to withdraw the candidate and rerun the count, where directed to do so by the Board of Trustees, in accordance with Bye-law 2, clause 7.1. The candidate with the highest votes, following redistribution will be elected.

8. Part-Time Officers

- 8.1. There shall be 11 Part-Time Officers of the Union.
- (a) Liberation Officers:
 - (i) Asian, Arab and Ethnic Minority Officer;
 - (ii) Black Students Officer;
 - (iii) Disabilities, Accessibility and Neuro-Diverse Officer;
 - (iv) Lesbian, Gay, Bisexual Plus Officer;
 - (v) Trans and Non-Binary Officer; and
 - (vi) Women's Officer.
 - (b) Faculty Officers:

- (i) Faculty of Media and Communication Officer;
 - (ii) Bournemouth Business School Officer;
 - (iii) Faculty of Science and Technology Officer; and
 - (iv) Faculty of Health and Social Sciences Officer.
- (c) Student Council Chair

9. Part-Time Officer Duties

9.1. In addition to the duties set out at Bye-law 2 clause 2.3 the following duties shall apply:

- (a) Liberation Officers shall:
- (i) Represent students who are members of the Liberation Group and campaign on their behalf;
 - (ii) Work to advance the equality between members of the Liberation Group and other students;
 - (iii) Challenge discrimination, oppression and inequality;
 - (iv) Represent the needs and interests of students belonging to the Liberation Group, within the Union, the University and wider community;
 - (v) Promote and facilitate discourse between members of the community;
 - (vi) Act as a representative for relevant NUS events and conferences; and
 - (vii) Lead on relevant events and history months.
- (b) Faculty Officers shall:
- (i) Represent students in their Faculty and campaign on their behalf;
 - (ii) Work to advance the education of students within their Faculty;
 - (iii) Support the effective collection of feedback from students; and
 - (iv) Support and co-ordinate the work of other Student Representatives and be the lead Student Representative for the Faculty within the SUBU governance structure (without prejudice to the roles of other University Faculty

Representatives elected under the University's 5B Student Engagement and Feedback Policy and Procedure (or any equivalent policy document) ("**the University's Student Engagement Policy**").

- (c) Student Council Chair shall:
 - (i) Ensure that the Union is run in a fair and democratic manner;
 - (ii) Chair the Student Council; and
 - (iii) Retain oversight of the implementation of Union policy.

10. Part-Time Officer Conditions of Service

- 10.1. Part-Time Officers shall be elected in accordance with Bye-law 3.
- 10.2. Part-Time Officers, other than Faculty Officers, shall usually be elected in the Spring Term and shall hold office for the period stated in the election materials, which shall be no longer than one academic year.
- 10.3. There shall be no term limits for Part-Time Officer roles.
- 10.4. Part-Time Officers must be a Student Member of the Union at the time of their election and for the duration of their time in Office. Any Part-Time Officer who ceases to be a Student Member during their term must vacate their post.
- 10.5. They may be removed from their post due to misconduct as described in the Union's Member Disciplinary Procedure and Code of Conduct.
- 10.6. Should a vacancy arise in a Part-Time Officer role other than a Faculty Officer role, either because of recall, resignation or otherwise, then the Executive Committee shall decide whether to manage the vacancy through co-option, ensuring that the group that the post represents has been consulted in this decision, or recommend that the Board of Trustees call a by-election.

10.7 Should a vacancy arise in a Faculty Officer role, either because of recall, resignation or otherwise, then the role shall be offered to the Faculty Representative (if any) who received the next highest number of votes in the most recent relevant Faculty Election as defined in Bye-law 3, clause 1 if they meet the conditions in clause 3.3 of Bye-law 3. If that Faculty Representative does not meet those conditions, the role of Faculty Officer shall be offered to any third Faculty Representative if they meet the conditions in clause 3.3 of Bye-law 3. If there is no Faculty Representative who meets the conditions in clause 3.3 of Bye-law 3:

(a) If the individual vacating the Faculty Officer role has also vacated their Faculty Representative role, the Executive Committee shall ask the University to decide whether to hold a further Faculty Election under clause 13 of Bye-law 3 to fill the Faculty Representative role. If there is such an election and if the successful candidate in that election meets the conditions in clause 3.3 of Bye-law 3 they shall be appointed to the vacant Faculty Officer role; or

(b) If sub-paragraph (a) does not apply (whether because there is no vacancy in the Faculty Representative role, no election is held to fill such a vacancy or any newly-elected Faculty Representative does not meet the conditions in clause 3.3 of Bye-law 3), the Executive Committee shall decide whether to manage the Faculty Officer vacancy through co-option from the Student Representatives in that Faculty, ensuring that the group that the post represents has been consulted in this decision, or to arrange an election for the Faculty Officer role only. Such election shall follow the process set out in Bye-Law 3 for all Union Officers other than the Faculty elections.

11. Accountability for Part-Time Officers

11.1. A recall petition may be brought forward against a Part-Time Officer where members feel that the individual has not fulfilled their role as a representative effectively.

11.2. A recall petition must state the aims of the petition and why the Officer should be recalled.

- 11.3. Recall petitions must be signed by Student Members representing at least 25% of the total number of votes cast for the Part-Time Officer role in the most recent election, or twenty-five Student Members, whichever is larger. For the avoidance of doubt, such signatories need not have actually voted in that election.
- 11.4. Quorum for the recall vote shall be 75% of the total votes cast for the Part-Time Officer role in the most recent election, or fifty Student Members, whichever is larger.
- 11.5. A two-thirds majority is required to pass a recall motion.
- 11.6. Only Student Members eligible to vote in the election of the position in question may be signatories of the petition or participate in voting in the recall.
- 11.7. If a recall petition passes the post is vacated and the vacancy will be managed in accordance with clause 10.5.

Bye-law 3. Elections

1. Purpose

- 1.1. Student Members are able to exercise their democratic right to decide who they wish to lead the Union through electing Union Officers.
This Bye-law sets out the basic principles to ensure that free and fair elections are held.

2. Application

- 2.1. This Bye-law applies to the election of the following:
- (a) Sabbatical Officers;
 - (b) Part-Time Officers (see clause 13 for Faculty Officer election particulars); and
 - (c) Delegates to the NUS National Conference.

3. Notice and Nominations

- 3.1. Elections for Sabbatical Officer roles shall normally be held between February and April.
- 3.2. Elections for Part-Time Officer roles shall normally be held between February and May.
- 3.3. By-elections and elections for delegates to the NUS National Conference shall be held at the discretion of the Board of Trustees.
- 3.4. All elections shall be held at a time that enables the largest number of Student Members to participate.
- 3.5. Nominations shall be open for a minimum of ten working days during standard undergraduate term time for Sabbatical Officer Elections and five working days during standard undergraduate term time for all other elections.
- 3.6. Notice of an election must be given when the period of nominations opens. The notice must include:
- (a) Dates of the opening and closing of nominations;
 - (b) The date and details of the open meeting;
 - (c) The dates, times and location of polling; and
 - (d) The Election Regulations.
- 3.7. Prospective candidates must complete a nomination form specified by the Returning Officer (RO) within the nomination period, nominations received after the close of nominations will not be valid.

- 3.8. Once the RO is satisfied all nominations received are valid the candidate announcement, including candidate names and Student Numbers, will be published. This should take place within seventy-two hours of the close of nominations.

4. Eligibility

- 4.1. All Student Members are eligible to stand and/or vote for Officer Positions except in the following instances:
- (a) For Sabbatical Officer Roles the Student Member is ineligible to stand where:
 - (i) They are prohibited from being a trustee of a charity or a company director.
 - (ii) They have already completed two terms in office as a Sabbatical Officer.
 - (b) For Part-Time Officer roles a Student Member is ineligible to stand/vote where constituency based limitations apply:
 - (i) Only members that self-define into the Liberation Group the position represents may be eligible to stand and/or vote for the position.
 - (ii) Only members that belong to the relevant Faculty may be eligible to hold or vote for the position.

5. Campaigning Rules

- 5.1. Candidates shall conduct themselves in accordance with these Bye-laws, the Election Regulations, Union policy and the law.
- 5.2. No candidate or campaign team member may campaign, including displaying promotional material, in the vicinity of the ballot area(s) as determined by the RO and stated in the Election Regulations.
- 5.3. No candidate may spend over the allocated campaign budget to be determined by the RO and stated in the Election Regulations.

- 5.4. Current Union Officers, in their role as representatives, and members of Union staff shall not endorse or campaign on behalf of any candidate.

6. Candidates Meetings and Training

- 6.1. For Sabbatical Officer elections the Union shall organise an open meeting which shall take place after the candidate announcement and prior to the opening of voting.
- 6.2. The RO shall be responsible for ensuring that the meeting is conducted in a free and fair manner, including appointing a Chair, who shall be an independent Union Officer.
- 6.3. The open meeting shall enable candidates to speak to and be questioned by Student Members. Questions shall be asked in rounds to each candidate with equal time limits applied, no more than one question may be asked to each candidate per round.
- 6.4. Any question that is perceived as personal or slanderous by the Chair shall not be allowed.
- 6.5. Additional compulsory training may be provided at the discretion of the Returning Officer and outlined in the Election Regulations.

7. Voting

- 7.1. Voting in all elections shall be by secret ballot using Alternative Vote (AV) for single seat positions and Single Transferable Vote (STV) for multi seat positions.
- 7.2. The RO shall make provisions to ensure that all Student Members are able to vote.

- 7.3. Voting shall take place over a period that is at least six hours long without interruption.
- 7.4. Online voting and paper ballots are both permitted and may both be used at the discretion of the RO, provided that the systems are implemented in such a way to ensure that each Student Member may only vote once.
- 7.5. Where ballot papers are used, they must remain supervised and secure throughout the voting period and in no instances should they be opened until the commencement of the count.
- 7.6. The ballot will also include an option for 're-open nominations'. If 're-open nominations' receives the majority vote for any position, the election for that position will be held again in accordance with this Bye-law.

8. The Count

- 8.1. The RO shall have discretion over when the count shall be run, provided that it is undertaken as soon as practical after the close of polling.
- 8.2. Candidates or their appointed agents may be present at the count; however they may not have any communication, including electronic communication, with any person outside the room prior to the results being announced, unless announcement of the results are delayed by more than two hours.
- 8.3. The RO shall announce the results of the count, generally by 8pm on the next working day after the close of voting, pending any complaints and appeals. For the avoidance of doubt, results for any specific role will not be announced until all complaints and appeals relating to the election of that specific role have been resolved.

- 8.4. A candidate or their agents may request a recount in writing or via email to the RO within thirty minutes of the result being announced. At the RO's discretion a recount may be undertaken. A recount may include witnessing the RO recount the online voting system.
- 8.5. The result of a re-count shall be final.
- 8.6. The result of the re-count should be announced as soon as practical and no longer than seventy-two hours after the re-count.

9. Election Officers

- 9.1. The Election Officers are appointed to ensure the good conduct of the election.
- 9.2. The Election Officers are defined as the Returning Officer (RO), Deputy Returning Officer (DRO) and the Independent Elections Adjudicator (IEA).
- 9.3. The Returning Officer shall:
 - (a) Be responsible for ensuring the election is free and fair, by interpreting and enforcing the rules that govern the election. For the avoidance of doubt, the RO's decision shall be final;
 - (b) Be responsible for producing the Election Regulations which must be published together with the notice of nomination, and should be read in collaboration with this Bye-law;
 - (c) Rule on the validity of complaints, and issue sanctions regarding any breaches of these Bye-laws or the Election Regulations;
 - (d) Investigate matters where a potential breach of the rules, or risk to the good conduct of the election, has been identified;
 - (e) Provide guidance or directions to candidates, agents and members;
 - (f) Oversee the count and verify the results of the election;
 - (g) Produce a report to be circulated to the Board of Trustees within seven days of the results of an election being announced. On approval of the Board of Trustees the report will be sent to the Clerk of the University Board. The report should include:

- (i) A summary of the election or elections if more than one took place;
- (ii) A commentary as to the Union's compliance with the Education Act 1994 in relation to those elections; and
- (iii) What, if any sanctions and appeals were made and a summary of any decision taken.

9.4. The Deputy Returning Officer may be delegated any powers attributed to the Returning Officer, provided that the RO remains principally responsible for the exercise of those powers and shall be kept informed of any decision taken the DRO.

9.5. The Independent Elections Adjudicator shall be an impartial, external appeals body who is appointed as an additional measure to ensure the fair conduct of an election. The function of the IEA is set out in clause 11 of this Bye-law.

9.6. Appointment

- (a) The Board of Trustees shall appoint a Returning Officer, one or more Deputy Returning Officer(s) and the Independent Elections Adjudicator for one or more particular election(s), or on an annual basis.
- (b) The Election Officers must have suitable experience, demonstrate knowledge necessary to fulfil the role and be free from any conflict of interest.
- (c) The Returning Officer and Independent Elections Adjudicator must be external from the Union and must not be a Student Member of the Union, Trustee or a member of Union Staff.
- (d) The Deputy Returning Officer shall be a suitable member of Union Staff.

10. Complaints

10.1. Complaints that a candidate or a member of a campaign team has acted in contravention of these Bye-laws, the Election Regulations in

place or the law, should be made in a timely manner and as close to the alleged rule break as possible.

- 10.2. Complaints will be accepted up until one hour prior to the commencement of the count.
- 10.3. Complaints must be submitted in writing with additional evidence attached where necessary.
- 10.4. Complaints made informally and without evidence will not be heard.
- 10.5. The Returning Officer shall review, determine and communicate the outcome of a complaint to the complainant and anyone to be sanctioned no later than 12pm the following working day after receipt of the complaint. This may only be departed from where complaints are of a complex nature, at the sole discretion of the RO.
- 10.6. The Returning Officer shall have discretion as to the appropriate course of action in relation to any complaint. The actions of the Returning Officer may be as follows:
 - (a) Take no further action;
 - (b) Issue warnings to one or all candidates;
 - (c) Disqualify a candidate;
 - (d) Suspend or re-run the election (elections must not be suspended for longer than four working days); or
 - (e) Take any other action which is deemed appropriate to uphold the fairness of the election, including but not limited to banning campaigning, or removing a candidate from the online voting site for a period of time.
- 10.7. Relevant precedents set in elections with regards to complaints and appeals shall be given consideration when deciding appropriate and proportionate courses of action.

11. Appeals

- 11.1. A complainant appealing a decision of the Returning Officer shall be referred to as the 'appellant' in this section.
- 11.2. An appellant may appeal a decision made by the Returning Officer. Appeals must be made within twelve hours of the Returning Officer's decision being sent to the appellant. Any such appeal will be referred to the IEA.
- 11.3 The outcome of the appeal shall be communicated to the appellant and anyone affected by the outcome of the appeal by 12pm the following working day after the RO has received the appeal.
- 11.4. Once an appeal has been launched any sanctions imposed as a consequence of the original complaint will be put on hold until the outcome of the appeal has been announced.
- 11.5. The request for an appeal must include the decision being appealed and the grounds for the appeal.
- 11.6. Appeals will only be heard on the grounds that:
 - (a) There was a material procedural irregularity or misinterpretation of the rules governing the election that led to the decision of the Returning Officer being unfair; and/or
 - (b) That the decision of the Returning Officer was inappropriate or disproportionate to the nature and the seriousness of the complaint.
- 11.7. Evidence that was not presented to the Returning Officer may not be presented to the IEA, unless there are exceptional circumstances that warrant its inclusion. This is to be decided at the discretion of the IEA.
- 11.8. Where the IEA determines that the grounds for the appeal have not been met the appeal shall be unsuccessful and the IEA shall uphold the Returning Officer's decision.

- 11.9. Where the IEA determines that the grounds for the appeal have been met then the appeal shall be successful. The IEA shall determine the action to take. Such action should be appropriate and proportionate, taking into consideration the seriousness of the complaint and the extent to which the Returning Officer's course of action was reasonable in the circumstance.
- 11.10. Actions taken by the IEA in response to a successful complaint shall include one of the following:
- (a) Taking no further action, leaving the Returning Officer's decisions/sanctions in place;
 - (b) Overturning the decision of the Returning Officer and removing sanctions imposed by the Returning Officer;
 - (c) Issuing a warning/clarification to one or all candidates;
 - (d) Disqualifying or reinstating a candidate;
 - (e) Ordering the suspension of an election/count or allowing it to proceed;
 - (f) Ordering a recount;
 - (g) Voiding the election of a winning candidate;
 - (h) Confirming the election of a winning candidate; or
 - (i) Taking any action that is deemed appropriate and proportionate to the nature and seriousness of the complaint to uphold the fairness of the election.
- 11.11. The IEA shall provide a brief written statement with the reasons for its decisions, whether or not an appeal has been successful.

12. Exceptional consideration of late complaints

- 12.1 Any complaint made outside of the deadline in clause 10.2 (“**a Late Complaint**”) shall be considered only on an exceptional basis, as provided for in clause 12.3. In any case, complaints must be received no later than thirty days after the election results are announced. Complaints made after this time shall not be heard.

- 12.2 Late Complaints must be submitted in accordance with clause 10.3 and must additionally be accompanied by a written explanation as to why the complaint is being submitted late and why the complainant believes that the complaint meets the criteria in clause 12.3. Such complaints should be submitted to the Board of Trustees who shall refer the complaint to the IEA.
- 12.3 A Late Complaint shall be accepted for consideration if the IEA is satisfied on the basis of the information provided under clause 12.2 that:
- (a) the complaint includes allegations of serious or sustained contraventions of these Bye-laws, the Election Regulations in place or the law of a very serious nature, which if made out would be likely to undermine the confidence of Members in the probity and fairness of the election result;
 - (b) the complainant has provided evidence to support the allegations; and
 - (c) it is appropriate to consider the complaint having regard to the time at which it is being made and the reasons given for making a Late Complaint, in particular whether the information which forms basis of the complaint was known to the complainant prior to the deadline in clause 10.2.
- 12.4 Where a Late Complaint is accepted for consideration under clause 12.3, the IEA shall request any further information they consider relevant to their determination and determine the complaint within a reasonable time.
- 12.5. Where the Late Complaint is not accepted for consideration under clause 12.3, the IEA shall refer their decision to the Board of Trustees who shall inform the complainant of the IEA's decision.
- 12.6. The IEA shall find that the complaint is successful if they consider that the information available to them indicates that there was a serious or sustained contravention of these Bye-laws, the Election Regulations in place or the law.

12.7. If a Late Complaint is successful, the IEA shall make a recommendation to the Board of Trustees as to action to be taken in relation to the election on the basis of the IEA's findings on the complaint, the reasons for the late submission of the complaint and any period of time elapsed since the election result was announced. The Board of Trustees shall determine the action (if any) to be taken in response to the successful complaint, taking account of the nature of the contraventions found by the IEA and the recommendation of the IEA as to action and acting in accordance with their duties as charity trustees.

12.8. For the avoidance of doubt, there shall be no right to appeal any decision made under the Late Complaints process.

13. Faculty Officers Election Particulars

13.1 Faculty Officers will be elected through the election of University Faculty Representatives as provided for in the University's Student Engagement Policy ("**the Faculty Elections**") subject to the further appointment provisions in clauses 3.3 to 3.6.

13.2 Faculty Elections shall be held in a manner that is consistent with the requirements of this Bye-law 3, provided that:

(a) Faculty Elections shall always be held in a manner that complies with the University's Student Engagement Policy. If there is any inconsistency with regard to the arrangements for a Faculty Election between the provisions of the University's Student Engagement Policy and the provisions of this Bye-law 3, the University's Student Engagement Policy will take precedence;

(b) Arrangements for Faculty Elections shall ensure that all students undertaking courses in the relevant Faculty are equally eligible, able and encouraged to vote or stand in the Election, regardless of whether they are Student Members, and that no arrangements for the Election are made which would constitute or create additional barriers to participation or voting

for individuals who are not Student Members by comparison with those who are Student Members; and

(c) For each Faculty Election, election materials made available to those eligible to stand and vote in the Faculty Election shall include an explanation of the roles of University Faculty Representative and SUBU Faculty Officer, the conditions of eligibility for each of these roles and the arrangements for election to each of these roles, the wording of which shall be agreed between SUBU and the University's Head of Academic Quality.

13.3 For each Faculty, the Faculty Representative who received the highest number of votes in the Faculty Elections shall be deemed to be elected as Faculty Officer for that Faculty provided that such Faculty Representative:

(a) is a Student Member; and

(b) is willing to accept the role of Faculty Officer.

13.4 Where the Faculty Representative who received the highest number of votes in the Faculty Elections does not meet both of the conditions in clause 3.3, the Returning Officer (RO) for the Faculty Election shall invite the Faculty Representative who received the next highest number of votes to take up the role of Faculty Officer, subject always to the conditions in clause 3.3.

13.5 Where a Faculty Representative is invited to take up the role of Faculty Officer under clause 3.4 but does not meet both conditions in clause 3.3, the RO shall invite the third Faculty Representative (if any) to take up the role of Faculty Officer, subject always to the conditions in clause 3.3.

13.6 If following the application of clauses 3.3 to 3.5 there is no Faculty Representative who meets the conditions for accepting the role of the Faculty Officer, the provisions of Bye-law 2 clause 10.7 shall apply.

Bye-law 4. Union Meetings

NOTE: To be read in collaboration with Article 16 and 47 of the Articles of Association and Bye-law 6.

1. Purpose

- 1.1. In order to ensure that the Union is representative of its Student Members, democratic meetings are held. This enables Student Members to have their say and influence the activities of the Union. This Bye-law states the different types of Union meeting and their responsibilities.

2. Student Members' meeting

- 2.1. The Student Members' meeting is an opportunity to oversee the work of the Board of Trustees and hold the Trustees to account. All Student Members are invited to attend and participate. At least one Student Members' meeting shall be held in each year.

3. Main Duties of the annual Student Members' meeting

- 3.1. Receiving the report of the Trustees on the Union's activities since the previous annual Student Members' meeting;
- 3.2. Receiving the accounts of the Union;

- 3.3. Approving the list of affiliations to the Union;
- 3.4. Open questions to the Trustees by the Student Members;
- 3.5. Debating and approving policy; and
- 3.6. Any additional duties as laid out in the Articles of Association or these Bye-laws.

4. Members and Quorum of the Student Members' meeting

- 4.1. All Student Members shall have full speaking and voting rights.
- 4.2. Trustees shall have speaking rights but only Sabbatical Trustees and Student Trustees (as Student Members) shall have voting rights.
- 4.3. Associate Members may attend as observers and may be invited to speak by the Chair of the meeting, but shall not be entitled to vote.
- 4.4. Individuals excluded from observing or speaking may be given observer or speaking rights at the discretion of the Chair.
- 4.5. Quorum shall be one hundred Student Members (excluding Trustees). No business shall be transacted at the Student Members' meeting unless a quorum is present.
- 4.6. If such a quorum is not present within half an hour from the time appointed to the meeting, the meeting shall be adjourned to such a time and place which the Trustees deem appropriate.
- 4.7. Should the subsequent meeting also not be quorate after fifteen minutes the Student Members present will be deemed to have fulfilled the need for quorum.

5. Protocol and Procedure of Student Members' meetings

- 5.1. The annual Student Members' meeting (SMM) shall be held once a year in accordance with Article 16 of the Articles of Association and shall take place in the Autumn or Spring term.
- 5.2. Extraordinary Student Members' meetings shall be convened at the request of:
 - (a) A resolution of the Board of Trustees; or
 - (b) A petition signed by at least 1% of the Student Members, submitted to the Board of Trustees.
- 5.3. The annual Student Members' meeting shall be called by at least ten clear working days' notice. Extraordinary Student Members' meetings must be held within three working days of the Board of Trustees' decision to call said meeting, and provide at least 48 hours notice.
- 5.4. Written notice of the Student Members' meeting shall be given to every member and Trustee of the Union stating:
 - (a) That it is the annual Student Members' meeting, or that it is an Extraordinary Student Members' meeting;
 - (b) The business to be transacted, as stated in 16.2 of the Articles of Association;
 - (c) The location, date and time of the meeting; and
 - (d) Deadlines for submitting motions and amendments.
- 5.5. The final agenda for an annual Student Members' Meeting shall be published at least three working days before the Student Members' meeting. The final agenda for Extraordinary Student Members' meetings shall be published at least 24 hours before the meeting.
- 5.6. The Chair of any Student Members' meeting shall be the Union President.
- 5.7. In the absence of the Union President, the Chair shall be the Chair of Student Council.
- 5.8. Additional procedural information is detailed in clause 9 of this Bye-law.

5.9. Amendments:

- (a) Any Student Members may propose an amendment to a motion to be put forward at a meeting within the timeframe outlined within the meeting notice, but amendments will always have to be submitted at least two working days before the meeting is due to be held, except in the instance of an extraordinary Student Members' meeting where alternative timeframes shall apply.
- (b) If the amendment is accepted by the proposer of the motion it shall be included in the motion.
- (c) If an amendment is not accepted, then it shall be debated following the order of debate in clause 10.4
- (d) Amendments require a simple majority to be carried.

6. Student Council

- 6.1. The Student Council is a democratic forum made up of elected representatives from different areas of the Union. The Student Council may be known under different names from time to time.

7. Main Duties of the Student Council

- 7.1 Represent voice of the Student Members;
- 7.2 Determine Union Policy (subject to Article 28.3 of the Articles of Association);
- 7.3 Receive updates and discuss progress on Union Policy;
- 7.4 Refer policy to Referendum, or Student Members' meeting;
- 7.5 Make, repeal and amend these Bye-laws jointly with the Trustees;
- 7.6 Receive quarterly reports from the Trustees;
- 7.7 Receive reports and hold the Sabbatical Officers to account;

- 7.8. Hear, debate and vote on motions of no confidence in the Sabbatical Officers and Trustees; and
- 7.9. Any other additional duties as laid out in the Articles of Association and these Bye-laws.

8. Members and Quorum of the Student Council

- 8.1. All Student Members may attend and speak.
- 8.2. Voting Members of the Student Council shall be:
 - (a) All Sabbatical Officers;
 - (b) All Part-Time Officers;
 - (c) All Student Representatives elected under the University's Student Engagement Policy who are Student Members; and
 - (d) A representative from every affiliated Club or Society.
- 8.3. Quorum of the meeting shall be 50 members given that at least 50% of the members present are Student Representatives.

9. Protocol and Procedure of the Student Council

- 9.1. The Chair of any Student Council meeting shall be the Chair of Student Council.
- 9.2. In absence of the Chair of Student Council, the Chair shall be the President of the Union, or another Sabbatical Officer of the Union, nominated by the Executive Committee.
- 9.3. Motions to be discussed at the Student Council shall be submitted via the appropriate form not less than two weeks prior to the meeting.
- 9.4. Content for the Agenda will be gathered from items submitted by the Sabbatical Officers and by Student Members.
- 9.5. The Chair of Student Council, alongside the Part-Time Officers shall determine if a submission should be added to the Agenda. For the avoidance of doubt,

the Chair of Student Council shall have final say about whether something shall be added to the agenda.

- 9.6. The final Agenda shall be published not less than one week prior to the meeting.
- 9.7. Emergency items may be added to the agenda if the Chair deems that the item for discussion has emerged since the deadline for motions or is of sufficient importance that not discussing it would be of detriment to students.
- 9.8. There shall be at least four meetings throughout the academic year.
- 9.9. Additional meetings may be called at the request of:
 - (a) A resolution of the Board of Trustees; or
 - (b) A petition signed by at least 1% of the Student Members submitted to the Board of Trustees.
- 9.10. Meeting dates shall be set by the Chair and be published at the start of the academic year. Notice shall be given to all members at least 10 working days prior to a meeting of the Student Council. Additional Student Council meetings must be held within three working days of the Board of Trustees' decision to call said meeting, and provide at least 48 hours' notice.
- 9.11. All Student Council members shall be invited to take part in discussion groups. The groups will have the ability to:
 - (a) Discuss and debate a motion to be put forward to Student Council for a vote;
 - (b) Proceed with the motions unchanged; and
 - (c) Amend part, or all, of the motion through consensus building.
- 9.12. No further amendments shall be accepted after the discussion phase.

- 9.13. The discussion groups shall be followed by a final vote of Student Council members.
- 9.14. At the Chair's discretion the final vote of all members may take place online after a physical meeting of the Student Council to enhance accessibility and further participation. The process for holding an online vote shall be as follows:
- (a) All voting members of the Student Council shall be eligible to cast a vote and count towards quorum.
 - (b) Voting shall be open for five working days.
 - (c) Quorum for the online vote shall be 100.
 - (d) If quorum is not reached the Chair shall decide whether to:
 - (i) Extend the voting period for a single additional period of five working days.
- 9.15. Where the final vote takes place during a physical meeting it shall follow the process in 10.4.
- 9.20. Motions of no confidence and procedural motions must be voted on during a physical meeting.

10. Additional procedures for Student Members' meetings and Student Council

- 10.1. Participation and voting
- (a) At the Chair's discretion members may participate through video conference. Voting members participating via this method shall count towards quorum.
 - (b) At the Chair's discretion, members may designate another member as their proxy. Voting members participating via this method shall count towards quorum.
 - (c) Every Student Member or member of Student Council (as applicable) shall have one vote.
 - (d) Votes taken during the meeting shall be by a show of hands or via a secure online platform.
 - (e) Decisions shall be made by a majority vote unless otherwise stated in the Bye-laws or Articles of Association.
 - (f) If the meeting becomes inquorate at any point during the meeting, it is at the Chair's discretion as to whether the meeting should continue and be deemed quorate.

- 10.2. The minutes shall be made available online following ratification and any motions that pass shall be recorded in a Policy Book.
- 10.3. Duties of the Chair
- (a) Determining the structure and agenda of the meeting;
 - (b) Keeping the meeting to time, including placing time limits on speeches;
 - (c) Keeping the meeting in order. In order to do this, they may require anyone behaving disruptively, or using offensive language to withdraw from the meeting;
 - (d) Remaining impartial and not participating in debate on any particular motion. The Chair may only participate in debate by handing the chair to another suitable candidate. They shall re-take the Chair when voting on that motion has been completed;
 - (e) Cast the deciding vote in the event of a tie; and
 - (f) Making the final ruling, which shall only be subject to challenge through Procedural Motions as referred to in 10.5.
- 10.4 Debate
- (a) Speaking during debate:
 - (i) Persons wishing to speak shall indicate their desire to do so by: raising one hand, by approaching the Chair or other suitable methods set by the Chair.
 - (ii) On acknowledgement by the Chair, persons wishing to speak shall identify themselves and address the Chair.
 - (iii) When a member has been called to speak, all persons in attendance shall remain silent, except to raise a point of information.
 - (iv) No person shall speak more than once on the same motion, except:
 - (1) To answer or make a point of information, or a point of order; or
 - (2) To summarise a motion that they have proposed.
 - (b) The order of debate shall be as follows:

- (i) A speech for the proposal;
- (ii) A speech against the proposal;
- (iii) Further equal rounds of speeches for and against the proposal, at the discretion of the Chair;
- (iv) A summation speech; and
- (v) Final vote of all members.

10.5. Procedural Motions

- (a) Procedural Motions may be proposed by any meeting member and shall take precedence over any other business.
- (b) The following procedural motions shall apply:
 - (i) No confidence in the Chair;
 - (ii) Challenge the Chair's ruling;
 - (iii) The question should be discussed further;
 - (iv) A vote not be taken;
 - (v) Move to vote; and
 - (vi) Delegate the decision to Referendum, Student Members' meeting, the Executive Committee or the Board of Trustees.
- (c) The following process shall apply to Procedural Motions:
 - (i) Speech for;
 - (ii) Speech against, or reply by Chair in the instance of no confidence in the Chair and challenging the Chair's ruling; and
 - (iii) Vote of all members.

Bye-law 5. Referendum

NOTE: To be read in collaboration with Article 15 of the Articles of Association.

1. Purpose

- 1.1. Referendum is the most powerful form of student decision making at the Union. This Bye-law outlines why and how a referendum may be called and the procedure for the conduct of Referendum.

2. Main Duties of Referendum

- 2.1. Set Union Policy (subject to Article 28.3 of the Articles of Association);
- 2.2. Vote on amendments to the Articles of the Union in accordance with Article 7.2 of the Articles of Association;
- 2.3. Call motions of no confidence in a Sabbatical Officer or Trustee; and
- 2.4. Overturn decisions made by the Student Members' meetings or Student Council.

3. Protocol and procedure

- 3.1. A referendum may be called by:
 - (a) A resolution of the Trustees;
 - (b) A majority vote of the Student Council; or
 - (c) A secure petition signed by at least 400 Student Members.
 - (i) A secure petition must include a statement on the petition's aims, names of the signatories along with Student Numbers and emails addresses.
- 3.2. A referendum schedule will be agreed by the Returning Officer in consultation with the President. This will be posted online when the referendum is announced. This shall set a clear timeframe for amendments, cases against the motion, and dates and times of voting.
- 3.3. In some instances, the Returning Officer in consultation with the President may adjust the background information and wording of the motion to ensure clarity.

3.4. Prior to opening of voting the Returning Officer may (in their sole discretion) call an open meeting for all Student Members to debate the motion considered.

3.5. Amendments to a motion will be made at the sole discretion of the Returning Officer.

3.6. Ballots from at least 5% of Student Members must be returned to make decisions valid.

4. Returning Officer Duties

4.1. Subject to clause 4.2, the RO of a referendum shall be appointed in line with Bye-law 3 and shall have the same powers. The Returning Officer will be responsible for overseeing the good conduct and administration of the Referendum.

4.2. The RO may be a member of Union Staff.

4.3. The RO is responsible for producing Referendum Regulations regarding conduct and campaign activity.

4.4. The RO is responsible for declaring the result of the referendum at the earliest possible convenience.

5. Voting

5.1. Referendums shall be conducted by means of a secure cross-campus ballot where all Student Members are entitled to cast a vote.

5.2. Voting shall be open for at least forty-eight hours.

Bye-law 6. Policy

NOTE: To be read in collaboration with Bye-law 4 and 5.

1. Purpose

- 1.1. Policy is a set of beliefs and activities that the Union has been mandated to uphold or act upon. Policy shows what the Union stands for and its political position. This Bye-law outlines how policy functions within the Union.
2. The Union will provide a platform through which any Student Member shall be able to submit a policy proposal to the Union.
3. Policy may be created through the Student Council, Student Members' meeting and Referendum.
4. There shall be a policy book of the Union which shall be kept up to date with all current Union policies.
5. Policy shall be assigned to a Sabbatical Officer for implementation and accountability.
6. Policy will automatically lapse at the end of the academic year, two years after it was passed.
7. The Executive Committee shall produce a list of policies due to lapse with a recommendation to either retain or lapse the policy. This shall be presented to the Student Council who shall vote to approve the recommendations.
8. If a policy requires only specific practical actions, it shall remain policy until all of the actions are completed and following a subsequent vote of the Student Council which deems the policy complete.
9. Policy created by the Student Council may be subsequently overridden by the Student Members' meeting, and both may be subsequently overridden by decisions reached via Referendum.

10. The Board of Trustees may override any decision or policy, if it is deemed to pose a financial, reputational or legal risk to the Union or otherwise in accordance with Article 28.3 of the Articles of Association.

11. Any policy which lapses without being renewed shall cease to have effect.

Bye-law 7. Committees

NOTE: To be read in collaboration with Bye-laws 2, 4, 6 and 8 and the relevant provisions of the Articles of Association.

1. Purpose

- 1.1 Part of the Union's business is conducted through its committee structure. This Bye-law outlines the Union's Committees and their purpose.

2. Executive Committee

- 2.1. The Executive Committee is responsible for providing political, campaigning and representative leadership to the Union.
- 2.2. Membership and Quorum
 - (a) The members shall be as follows:
 - (i) All Sabbatical Officers; and
 - (ii) All Part-Time Officers.
 - (c) Quorum is 50% of Officers in post at any one time, provided that at least one of whom is a Sabbatical Officer.
 - (d) The Chief Executive, members of the Union's senior management team or their nominees may attend Executive Committee meetings in an advisory capacity, where invited.
 - (e) Trustees, Student Members and Associate Members (who are not otherwise members of Executive Committee) have the right to attend Executive Committee meetings as observers.
- 2.3. Main Duties of the Executive Committee:
 - (a) To be the recognised body for the political leadership of the Union;
 - (b) To seek student feedback from a range of sources and actively represent this voice;
 - (c) Decide, co-ordinate and review Union campaigns that seek to improve student life; and
 - (d) Monitor the implementation of Union Policy as decided by Student Council, Student Members' meeting and Referendum.

2.4. Protocol and Procedures

- (a) The Chair of the meeting shall normally be the President of the Union, but the Executive Committee may elect another member as its Chair from time to time.
- (b) The Chair shall have an additional vote to cast in the event of a tie.
- (c) Meetings shall be scheduled every other week during undergraduate term time.
- (d) Outside of term time and when the Executive Committee is not quorate, the powers of the Committee shall be delegated to the Sabbatical Officers, subject to oversight at the next quorate meeting of the Executive Committee.
- (e) The Executive Committee is accountable to the members of the Union (through Student Council, Student Members' meeting and Referendum) and the Board of Trustees.
- (f) The minutes must be published and made available on the website following ratification.

3. Clubs and Societies Awarding Committee

3.1. The Clubs and Societies Awarding Committee shall be responsible for representing all Student Members involved in Clubs and Societies.

3.2. Membership and Quorum

- (a) The Clubs and Societies Awarding Committee shall be appointed by the Board of Trustees, which shall delegate this responsibility to the Executive Committee, and shall consist of:
 - (i) One or more of the Sabbatical Officers;
 - (ii) One or more of the Part-Time Officers; and
 - (iii) One or more members of staff of the Student Engagement Department.
- (b) Quorum is 50% provided that at least one Sabbatical Officer and one member of Student Engagement staff are present.
- (c) Trustees, Student Members and Associate Members (who are not otherwise members of Executive Committee) have the right to attend

meetings of the Clubs and Societies Awarding Committee as observers.

- 3.3. The main duties of the Clubs and Societies Awarding Committee are:
- (a) To be the committee responsible for recognising and derecognising Clubs and Societies in line with Club and Society regulation guidelines;
 - (b) To allocate grants to Clubs and Societies;
 - (c) To ensure affiliation requirements have been met;
 - (d) Set the minimum level of membership fee; and
 - (e) Manage assets and equipment owned or used by Clubs and Societies.
- 3.4. Protocol and Procedure
- (a) The Chair of the Meeting shall usually be the Vice President Student Opportunities.
 - (b) The Chair shall have an additional vote in the event of a tie.
 - (c) Meetings shall be scheduled to take place at least once per term.
 - (d) The Clubs and Societies Awarding Committee are accountable to the Board of Trustees.
 - (e) The minutes must be published and made available on the website following ratification.

Bye-law 8. Clubs and Societies

NOTE: To be read in collaboration with Bye-law 7.

1. Purpose

- 1.1. Clubs and societies provide an opportunity for members to develop skills and enhance their social experience. This Bye-law offers information on the establishment of clubs and societies and how they are run.
- 1.2. Clubs and societies are part of the Union and are subject to the oversight of the Board of Trustees.

2. Recognition

- 2.1. Applications for affiliation shall be made to the Clubs and Societies Awarding Committee by completion of the appropriate form, this shall include:
 - (a) A constitution as described in clause 5.1 below; and
 - (b) Details and signatures of the proposed committee of members of the Club or Society.
- 2.2. The Clubs and Societies Awarding Committee shall be responsible for approving any requests.
- 2.3. Recognition may be withdrawn at any time by a resolution of the Clubs and Societies Awarding Committee.

3. Membership

- 3.1. Student Members, Associate Members and opted out students shall have the right to become members of any recognised Club or Society upon payment of the membership fee.
- 3.2. The Sabbatical Officers of the Union are ex-officio members of each affiliated Club and Society.

4. Behaviour of Clubs and Societies

- 4.1. All Clubs and Societies shall:
 - (a) Recognise the Union's Articles of Association and Bye-laws;
 - (b) Comply with Union policies;
 - (c) Be bound by any decisions of the Union;

- (d) Be responsible to the Clubs and Societies Awarding Committee for the administration of that Club or Society; and
- (e) Be subject to Union's Member Code of Conduct and Disciplinary Procedure.

5. Governance of Clubs and Societies

- 5.1. Each Club and Society must have a constitution that shall include:
- (a) The name of the Club or Society shall reference the name of the Union: "[Union] (NAME) Club or Society";
 - (b) The aims and objectives of the Club or Society, which must be in line with the Union's Charitable Purposes;
 - (c) Committee Members, specifying responsibilities as well as mechanisms for their election and recall;
 - (d) Provision for an Annual General Meeting and additional General Meetings for all members of that Club or Society, including details of the required quorum and voting/speaking rights; and
 - (e) Procedure for constitutional amendments.

6. Committee and Elections

- 6.1. Every year each club and society must hold an election for the committee for the following year.
- 6.2. Associate Members of the Union and opted out students may be members of the committee of a recognised Club or Society provided that the majority of the committee are Student Members. The President, Treasurer and Secretary/Communications positions must be held by Student Members.
- 6.3. For the avoidance of doubt, Associate Members of the Union and opted out students are not eligible to vote in the election for the Committee.

7. Financial Regulation

- 7.1 All Clubs and Societies shall have a Treasurer whose duties shall include:
- (a) Maintaining such financial records and inventories as the Clubs and Societies Awarding Committee deems appropriate from time to time;

- (b) Presenting at the AGM of the Club or Society a statement of the financial position of the Club or Society; and
 - (c) Oversight of all expenditure of the Club or Society.
- 7.2. Each Club or Society is responsible to the Clubs and Societies Awarding Committee for the care and maintenance of all equipment or materials purchased by the Union for the Club or Society (which shall remain the property of the Union).
- 7.3. No recognised Club or Society may hold any form of bank or building society account. Any such accounts shall be held and administered by the Union on behalf of the Club or Society. All income received by a Club or Society shall be paid into the Club/Society account held and administered by the Union.
- 7.4. Grants or funds allocated to any Club or Society from the Union's budget may not normally be used to subsidise any form of social event, except where such an event and the allocation of the funds is approved by the Clubs and Societies Awarding Committee in advance.

Bye-law 9. Liberation Groups

NOTE: To be read in collaboration with Bye-law 2.

1. Purpose

1.1. Liberation groups represent student who are disadvantaged and at risk of oppression within Higher Education. They serve to improve the experience of students belonging to these groups, within the Union, University and wider community. This Bye-law explains their purpose, the different groups and how they are governed.

2. Main Duties

2.1. Liberation Groups shall exist to enable their members to self-organise in order to lead efforts to:

- (a) Challenge discrimination, oppression and inequality;
- (b) Represent and promote the views, needs and interests of students belonging to the Liberation Groups;
- (c) Promote and facilitate discourse between members of the community; and
- (d) Recommending and directing the Union's policy and campaigning activity within their remit.

3. Groups

3.1. Each Liberation group will be led by an Officer who shall be a Part-Time Officer of the Union as described in Bye-law 2.

3.2. The Union's Liberation Groups, Officers and members shall be:

- (a) Asian, Arab and Ethnic Minority (AAEM)
 - (i) The members shall be all students who self-define as Asian, Arab or as an Ethnic Minority.
 - (ii) Led by the Asian, Arab and Ethnic Minority Officer.
- (b) Black Students
 - (i) The members shall be all students who self-define as black.
 - (ii) Led by the Black Officer.
- (c) Disabilities, Accessibility and Neuro-Diverse

- (i) The members shall be all students who self-define as disabled; this includes neurodiversity and non-visible disabilities or having an access need.
 - (ii) Led by the Disabilities, Accessibility and Neuro-Diverse Officer.
- (d) Lesbian, Gay, Bisexual Plus (LGB+)
 - (i) The members shall be all students who self-define as Lesbian, Gay, Bisexual and any other sexual minority.
 - (ii) Led by the Lesbian, Gay, Bisexual Plus Officer.
- (e) Trans and Non-Binary (TNB)
 - (i) The members shall be all students who self-define as Trans and/or Non-Binary.
 - (ii) Led by the Trans and Non-Binary Officer.
- (f) Women
 - (i) The members shall be all students who self-define as a woman, including those with complex gender identities and those who experience oppression as a woman.
 - (ii) Led by the Women's Officer.

4. Governance of the Liberation Groups

- 4.1. Each Liberation Group, its Officers and meetings shall be governed by a Constitution. The constitution must include:
 - (a) The aims and objectives of the Liberation Group which must be in line with the Union's Charitable Purposes;
 - (b) Committee members within the Liberation Group, specifying responsibilities as well as mechanisms for their election and recall, if applicable;
 - (c) Provision for an Annual General Meeting (AGM) and additional General Meetings of the Liberation Group, including details of the required quorum and voting/speaking rights; and
 - (d) Procedure for constitutional amendments.

- 4.2. Each Liberation Group must hold an Annual General Meeting at which its members can discuss relevant issues, set the policy of the Liberation Group and direct the Liberation Officer.

- 4.3. With permission of the relevant Officer, and ensuring that efforts have been made to gather the views of the Liberation Group, the Executive Committee may amend or create a Liberation Groups Constitution by a two-thirds majority vote.
- 4.4. Subject to their own constitution and the oversight of the Board of Trustees, Liberation Groups shall be autonomous, except that they may not directly contradict or violate the Articles of Association or these Bye-laws.

Bye-law 10. Board of Trustees and Sub-Committees

NOTE: To be read in collaboration with Article 19-46 of the Articles of Association.

1. Purpose

- 1.1. The Board of Trustees shall be responsible for the leading the strategy, operation and running of the Union in accordance with the Articles of Association. This Bye-law outlines the duties, members, procedure and the sub-committees of the Board.

2. Main Duties of the Board of Trustees

- 2.1. The governance of the Union;
- 2.2. The budget and solvency of the Union;
- 2.3. The strategy of the Union; and
- 2.4. Any additional duties as laid out in the Articles of Association (also referred to as the Articles) or these Bye-laws.

3. Membership

- 3.1. The Members of the Trustee Board shall be as laid out in Article 19.
- 3.2. Guests and observers may attend Trustee meetings at the discretion of the Chair of the Board of Trustees.

4. Protocol and Procedure

- 4.1. The Board of Trustees shall operate in accordance with Articles 19-46.
- 4.2. Trustees shall be appointed in accordance with Article 19-22.
- 4.3. The following eligibility requirements shall apply to all Trustees:
 - (a) No individual may be a Trustee if they are prohibited by law from being a charity trustee or a director of a company.
- 4.4. In accordance with Article 21.2, Student Trustees must:
 - (a) Be a Student Member of the Union; and

- (b) Not be a member of the Executive Committee at the time of their appointment, nor during their term of office.
- 4.5. In accordance with Article 22.3, Lay Trustees must:
- (a) Not be eligible to be a Student Member or have been so eligible within the two years prior to their appointment;
 - (b) Not be a recent sabbatical officer of the Union (recent being defined as within the two years prior to their appointment); and
 - (b) Not be an employee of the Union.
- 4.6. The Sabbatical Officers shall be the Sabbatical Trustees throughout the duration of their time in Office.
- 4.7. Student Trustees shall usually remain in office for a term of up to two years and shall serve a maximum of two terms, either consecutive, or non-consecutive.
- 4.8. Lay Trustees shall usually remain in office for a term of up to three years and shall serve a maximum of two terms, either consecutive or non-consecutive.
- 4.9. For Student Trustees and Lay Trustees roles the Appointments Committee shall be responsible for specifying the commencement date of the role.
- 4.10. Trustees may cease to be a Trustee due to disqualification or removal, in accordance with Articles 23-26.
- 4.11 The Trustees must appoint a suitably qualified Company Secretary who shall also be Secretary to the Board of Trustees. If that individual also holds a role within the Union appropriate measures must be put in place to ensure that the independence of that role is protected.

5. Financial Controls

- 5.1. The Trustee Board is responsible for the solvency of the Union and for ensuring that appropriate policies and procedures are in place and complied with in order to safeguard the assets of the Union. This includes ensuring that the Union has in place and applies appropriate financial regulations which are applicable to all dispersals of Union funds and which include a written procedure for allocating funds to Union clubs or groups. In fulfilling the requirements of this clause, the Trustee Board shall apply the principles and requirements in the University's Financial Regulations where and to the extent that these are applicable to the Union.
- 5.2. The Trustee Board is responsible for approving the annual budget for the Union (subject to approval of the budget by the University Board) as soon as possible after the start of each financial year, and for submitting the proposed budget to the University Board for approval.
- 5.3. The Trustee Board shall report to the University Board at least annually on the Union's expenditure and financial position by providing the University with a copy of the Union's audited financial reports. Those reports shall include a list of the external organisations to which the Union has made donations in the period to which the report relates and details of those donations.
- 5.4. The Trustee Board shall fulfil all of its duties as laid out in these Bye-Laws and the Union's Articles of Association in accordance with all applicable legislation (including charity and company law) and all relevant regulatory requirements and guidance (in particular any applicable requirements or guidance issued by the Charity Commission).

6. Delegated Authority

- 6.1. In accordance with Article 29 of the Articles of Association the Trustees may delegate any of their powers or function to any committee save that they may not delegate their responsibility as charity trustees for the solvency of the Union or their responsibility to comply with charity law and company law. Matters reserved to the Trustee Board are:
 - (a) the approval of the Union Budget (subject also to the University Board's approval);

- (b) the appointment and removal of the Chief Executive;
- (c) the appointment and removal of the Company Secretary/Secretary to the Trustee Board;
- (d) the approval of the audited financial statements of the Union;
- (e) the amendment of these Bye-laws (subject also to the approval of the University Board or their Nominee);

6.2. The following sub-committees shall be established: Appointments Committee, Audit and Risk Committee and Human Resources Committee. Further sub-committees may be established in accordance with Article 30.

7. Appointments Committee

7.1. The Appointments Committee shall act in accordance with the Articles.

7.2. Main Duties:

- (a) Responsible for the recruitment and appointment of the Lay and Student Trustees;
- (b) To agree the desired skills sets, experience and characteristics for Lay Trustees;
- (c) To advertise the position, indicating the type of role, period for nominations and the commencement date of the role; and
- (d) To review all the valid applications received during the nominations period and invite the applicants for interview.
- (e) Any other additional duties as described by the Articles or these Bye-laws.

7.3. Members, Secretary, Quorum:

- (a) The Appointments Committee shall be appointed by the Board of Trustees.
- (b) Membership shall include the President of the Union.
- (c) The Chair must be a Lay Trustee with recent and relevant experience.
- (d) The Secretary to the Board of Trustees shall be the Secretary to the Committee.

- (e) Quorum shall be a minimum of three members of whom at least 50% must not be employed by the Union and at least one of which must be a Lay Trustee.
- (f) In the event of a tied vote the Chair shall have the casting vote.

8. **Audit and Risk Committee**

8.1. Main Duties:

- (a) To advise the Trustee Board on the appointment of the External Auditors, the nature and scope of their work, the audit fee and the provision of any non-audit services by the External Auditors and any questions of resignation or dismissal of the External Auditors. To keep under review the amount of non-audit services the External Auditors provide;
- (b) To receive, consider and advise the Trustee Board on any problems or reservations arising from the interim and final External Audit reports and management letters, incorporating management responses and any other matters the External Auditors may wish to discuss (in the absence of management where necessary);
- (c) To consider and advise the Trustee Board on the criteria for selection, appointment and terms of engagement of an Internal Audit service, the audit fee and any questions of resignation or dismissal of the Internal Auditors;
- (d) To review the Internal Auditors' reports and to consider major findings of Internal Audit investigations and management's response and to advise the Trustee Board accordingly. To ensure that the resources made available for Internal Audit are sufficient to meet the Union's needs (or make a recommendation to the Trustee Board as appropriate);
- (e) To ensure that the Union has in place appropriate Health and Safety policies and procedures. To monitor the effectiveness of these policies and procedures and, where necessary, to recommend changes.
- (f) To oversee the Union's management of risk. As part of this oversight, to receive the Union's Business Critical Risk Register at each Committee meeting and make recommendations where appropriate.

- (g) To keep under review the effectiveness of governance and to form an opinion on the adequacy and effectiveness of the Union's governance arrangements and report on this in the ARC Annual Report to the Trustees.
- (h) To review the policies delegated to it by the Trustee Board and to seek approval for any changes and recommendations.

8.2. Members, Secretary, Quorum:

- (a) Members shall be appointed by the Trustee Board.
- (b) To ensure the independence of the Committee employees of the Union shall not be members of the Committee with the exception of a maximum of one Sabbatical Officer (for reasons of good governance not the Chair of Trustees being the President)
- (c) Quorum shall be a minimum of three members of whom at least two must be Lay Trustees.
- (d) The Chair must be a Lay Trustee with recent and relevant experience of audit and risk.
- (e) The Secretary to the Board of Trustees shall be the Secretary to Audit and Risk Committee.
- (f) In the event of a tied vote the Chair shall have the casting vote.

9. Human Resources Committee

9.1. Main duties:

- (a) Advises on, and monitors, SUBU's HR strategy, policy development, change management, and performance and reward strategy, reporting to the Board of Trustees;
- (b) Collectively maintains an oversight on relevant external HR issues and developments including legislative changes, good people management and general governance practices, employment and management trends, and any relevant standards or benchmarking;
- (c) Is responsible for ensuring that HR processes and practices are relevant, up to date, and conform to any relevant standards or practice;

- (d) Serves as a vehicle for consultation on, and communication to the Board of Trustees on strategic HR issues between SUBU staff and the Board;
- (e) To oversee the link between HR strategy and SUBU's strategic plan;
- (f) To review the policies delegated to it by the Trustee Board and to seek approval for any changes and recommendations; and
- (g) For clarity, this group will not deal with staff HR matters, nor discussion of individual's pay, progression or performance. These will be managed by the Chief Executive, or the Trustee Board (in the case of the Chief Executive).

9.2. Members, Secretary, Quorum:

- (a) Members shall be appointed by the Trustee Board.
- (b) Quorum shall be a minimum of three members which must include at least one Lay Trustee and of whom at least 50% must not be employed by the Union.
- (c) The Chair shall be a Lay Trustee with recent and relevant experience.
- (d) The Committee shall appoint an appropriately qualified secretary.
- (e) In the event of a tied vote the Chair shall have the casting vote.

Bye-law 11. Reviewing and Amending the Articles of Association

- 1.1 The Articles of Association shall be reviewed and amended in accordance with the process set out in Article 7.
- 1.2 The Articles of Association shall be reviewed at intervals of not more than five years.
- 1.3 The Board of Trustees shall ensure that Student Members have at least 5 working days to submit amendments to the proposal in accordance with Article 7.2.2.
- 1.4 Amendments shall be accepted at the discretion of the Board of Trustees and shall be subject to the approval of the University Board.