



Bye-Laws  
Version 5.8

In effect: 15 06 16

Approved by Executive Committee: 02 05 16

Approved by Board of Trustees: 15 06 16

## Background

- A. The University of Lincoln Students' Union (the "**Union**") is a company limited by guarantee.
- B. These Bye-Laws are made by the Trustees and Student Members pursuant to the Articles of Association of the Union ("**Articles**").

## Definitions and Interpretation

- C. Words and phrases used in these Bye-Laws have the same meaning as ascribed to them in the Articles, unless the context requires otherwise.

## Amendment powers under the Articles

- D. Article 49 of the Articles provides that the Trustees may make, repeal or amend Bye-Laws as to the management of the Union and its working practices from time to time, provided that the Bye-Laws are not inconsistent with the Articles and that, where applicable, approval to those changes is given at a Student Members' meeting.

# Bye-Law 1

## Membership of the Students' Union

### 1.1 Conditions of membership

1.1.1 The privileges of all categories of membership of the Union shall be subject always to the requirement that in exercising those privileges, members do so in a manner which is:

1.1.1.1 Consistent with the requirements of the Articles and any policies of the Union; and

1.1.1.2 In compliance with any additional conditions approved by the Trustees (and, where applicable, Student Members' meetings) from time to time.

1.1.2 The Trustees and a Disciplinary Panel as prescribed in the Student Disciplinary Procedures Policy (available at <http://lincolnsu.com/your-union/how-we-are-run/policies>) shall have the power to suspend or to withdraw all or any of the privileges of membership in the event of a member failing to comply with the requirements and conditions of membership.

### 1.2 Classes of Membership

1.2.1 In addition to the classes of membership detailed in the Articles, Trustees may admit to and remove from Associate Membership of the Union such persons as they deem appropriate. An application for Associate Membership shall be made in a form determined, and periodically reviewed, by the Trustees. Associate Membership shall be subject to such rights and obligations as the Trustees consider appropriate, provided always that such Associate Members shall not be Members for the purposes of the Articles or the Companies Acts and shall not be entitled to vote on any matter.

1.2.2 Associate Membership shall take the following forms:

1.2.2.1 Life Membership: Former students having successfully completed a full-time or part-time course at the University, on payment of the appropriate fee as determined by the Trustees.

- 1.2.2.2 Honorary Membership: The Governors of the University, Members of the Students' Union Board of Trustees and former Executive Committee members who have graduated from the University.
  - 1.2.2.3 Honorary Life Membership: As granted to individuals who the Student Members at a Student Members' meeting consider to have aided significantly the Union, or Students, during their time at the University and whose dedication deserves special reward and recognition.
- 1.2.3 Temporary Membership: The following persons are entitled to the privileges of temporary membership:
- 1.2.3.1 Members of other students' unions which are affiliated to the National Union of Students;
  - 1.2.3.2 Members of other students' unions with which the Union has a current reciprocal membership agreement;
  - 1.2.3.3 Persons attending a function or event on Union premises;
  - 1.2.3.4 Persons whom the relevant Sabbatical Officer has approved as a guest of a Union standing committee, club or society;
  - 1.2.3.5 Coaches of sports teams and/or societies;
  - 1.2.3.6 Staff of the University; and
  - 1.2.3.7 For the duration of their studies, students enrolled in the University of Lincoln International Study Centre (ULISC).
  - 1.2.3.8 Staff of the University of Lincoln International Study Centre (ULISC)

### 1.3 Privileges of Student Membership

1.3.1 The privileges of full membership of the Union (which, for the avoidance of doubt, does not include Associate Members or Temporary Members) shall be:

- 1.3.1.1 To utilise the social facilities administered by the Union;
- 1.3.1.2 To have access to the service and support facilities provided by the Union;
- 1.3.1.3 To be eligible to join registered clubs and societies of the Union, subject to the conditions of membership of such clubs and societies;
- 1.3.1.4 To be eligible for participation in Union committees and the committees of clubs and societies, subject always to their rules of governance;
- 1.3.1.5 To be eligible to vote in such elections and Referenda as are conducted by the Union, subject always to the regulations governing the conduct of elections and Referenda set out in Bye-Laws 7 and 8 respectively;
- 1.3.1.6 To be nominated as a candidate for such offices of the Union as are subject to election, subject always to the rules governing the conduct of elections; and
- 1.3.1.7 To be represented by the Union on academic and welfare issues.

1.3.2 The privileges of Associate Membership and Temporary Membership shall be:

- 1.3.2.1 To utilise the social facilities administered by the Union; and
- 1.3.2.2 To be eligible to join registered clubs and societies of the Union, but not to hold office in such, subject always to the rules and regulations governing such clubs and societies.

1.3.3 All Associate and Temporary Memberships are limited by the period of membership, as defined at the time of joining, or by the holding of the entitling role, position or status.

#### 1.4 Fees

1.4.1 Trustees shall have the power to set membership fees in the case of Associate and Temporary Memberships. Such membership fees shall be subject to annual review by the Trustees.

#### 1.5 Opting Out

1.5.1 Students who have exercised their right not to be a member of the Union under Section 22(2)(c) of The Education Act 1994 shall, notwithstanding such opting out, be entitled:

1.5.1.1 To utilise the social facilities administered by the Union subject to any fee, which shall be decided by the Trustees;

1.5.1.2 To have access to the service and support facilities provided by the Union; and

15.1.3 To be eligible to join registered clubs and societies of the Union but not to hold office in such, subject to the conditions of membership of such clubs and societies.

1.5.2 The exercise of the above entitlements shall be subject to the same conditions of conduct as apply to Student Members of the Union. A complaint about any Student will be subject to the Union's Complaints procedure. Disciplinary matters are subject to the Disciplinary Procedures Policy. The Disciplinary Panel (the constitution of which is outlined in the Student Disciplinary Procedures Policy referred to at Bye-Law 1.1.2) and/or the Trustees, shall have the power to suspend or to withdraw any entitlements set out above in the event of a Student failing to comply with such conditions of conduct.

# Bye-Law 2

## The Rules for the Conduct of All Student Members' meetings

### 2.1 Procedure

- 2.1.1 All Student Members' meetings shall be subject to the Articles. For the avoidance of doubt, such meetings are not general meetings of the Union at which only Company Law Members may attend and vote.
- 2.1.2 All Student Members' meeting, at a minimum, shall meet every four (4) weeks and at least twice per academic term. The date(s) for the All Student Members' meeting(s) to be held in an Academic Year will be set by the clerk to All Student Members' meetings appointed under Bye-Law 3.4.3.4 (for the purposes of this Bye-Law 2, the "Clerk") prior to the start of the relevant Academic Year. These date(s) are subject to ratification by the Executive Committee.
- 2.1.3 Additional All Student Members' meetings may be called by any one of the following methods:
  - 2.1.3.1 At the request of the Board of Trustees;
  - 2.1.3.2 At the request of the Executive Committee;
  - 2.1.3.3 At the request of at least ten (10) Volunteer Officers (appointed in accordance with Bye-Law 7), indicated by a letter sent to the President, signed by at least 10 of the requesting Volunteer Officers,
  - 2.1.3.4 at the request of at least fifty (50) Student Members, indicated by letter sent to the President, signed by at least fifty (50) of the requesting Student Members.
- 2.1.4 The Clerk (appoint as per bye law 2.14.5), the President and the Chair (as appointed under Bye-Law 2.3) shall meet a maximum of fifteen (15) days and a minimum of ten (10) days before the next scheduled All Student Members' meeting.
- 2.1.5 The Clerk (on behalf of the Chair) shall display on <http://Lincolnsu.com> (or such other website as is used by the Union from time to time) (the "Website") the agenda, accompanying papers and confirmation of the

location for the All Student Members' meeting, at least five (5) clear working days before the meeting.

- 2.1.6 The Clerk (on behalf of the Chair) shall display on the Website the minutes of the meeting within seven (7) days of the meeting.

## 2.2 Submission of Motions and Amendments to All Student Members' meetings

- 2.2.1 The preparation and ordering of agendas for all All Student Members' meetings shall be the responsibility of the Chair.

- 2.2.2 All motions for consideration shall contain a proposal by way of resolution and shall be submitted in writing to the Chair and signed by a proposer and seconder, by 5.00 pm on the day falling seven (7) clear days before the meeting.

- 2.2.3 Subject to Bye-Law 2.2.5, all proposed withdrawals of, or amendments to, motions must be submitted in writing to the Chair and signed by both the relevant proposer and seconder, no later than:

- 2.2.3.1 In the case of an annual Student Members' meeting, twenty four (24) hours; and

- 2.2.3.2 In the case of meeting which is not an annual Student Members' meeting, one (1) hour, before the meeting is due to take place.

- 2.2.4 Publication and ordering of motions shall be the responsibility of the Chair.

- 2.2.5 During an All Student Members' meeting a withdrawal of, or amendment to, a motion may be proposed from the floor by any Student Member present and entitled to vote. The Chair will hold a single majority vote of the Student Members present and entitled to vote to determine whether to allow the proposed withdrawal or amendment.

- 2.2.6 No motion or business conflicting with existing Policy may be brought forward more than once during the same academic term.

- 2.2.7 Proposers and seconders of motions and amendments must be full Student Members of the Union.



- 2.2.8 All motions and amendments shall state the name and University student identification number of each of the proposer and seconder.

## 2.3 The Chair

- 2.3.1 The Chair of All Student Members' meetings (who shall also be the Chair of the Accountability Forum for the purposes of Bye-Law 3) (the "Chair") shall be elected by cross-campus vote in accordance with Bye-law 7. If by the last All Student Members' meeting in any Academic Year, a Chair has not been elected in accordance with Bye-Law 7, a By-Election will be held at such All Student Members' meeting to elect a Chair using the following procedure:
- 2.3.1.1 The incumbent Chair of All Student Members' meetings, or the President if there is no elected Chair, will ask for a show of hands of those Members present who wish to be considered for the position of Chair.
- 2.3.1.2 Unless only one member wishes to be considered (in which case s/he shall be appointed Chair), the remaining provisions of this Bye-Law 2.3.1 must be adhered to.
- 2.3.1.3 Each candidate is to make a speech outlining their reason for standing and their objectives for the forthcoming year. Each candidate is permitted one (1) minute to speak. Candidates must be heard in silence.
- 2.3.1.4 The Chair is to allow two questions to each candidate from the floor immediately after each speech. The order and from whom the question originates, is at the sole discretion of the Chair. There are no follow-up questions permitted.
- 2.3.1.5 Voting is via secret ballot using the single transferable voting system, details of which can be found at <http://www.electoral-reform.org.uk/single-transferable-vote> ("STV").
- 2.3.1.6 In the event of a tied vote, those candidates tied will be drawn from a hat with the first to be drawn being elected

Chair of All Student Members' meetings for the next Academic Year.

- 2.3.2 The Chair shall not be required to have been elected as a Sabbatical Officer for the next following Academic Year (or in that Academic Year in the event of a By-Election).
- 2.3.3 If the Chair ceases to be a Student, then they shall be deemed to have resigned their position with immediate effect from the time at which they ceased to be a Student.
- 2.3.4 In the event that neither the Chair, nor the Deputy Chair (elected in accordance with Bye-Law 2.4) being available, a Chair will be elected at the commencement of the relevant All Student Members' meeting from those Members present and entitled to vote at the meeting.
- 2.3.5 The Chair shall not participate in any debate.
- 2.3.6 Whenever the Chair speaks they shall be heard in silence and any Member shall at once cease from speaking.
- 2.3.7 Every speaker shall address the meeting solely through the Chair. Subject to Bye-Law 2.3.8, the Chair will be responsible for ensuring that all Members present who have speaking rights, receive equality of opportunity to speak.
- 2.3.8 If two or more Members arise to speak at the same time, precedence shall be given to the Member who first 'catches the eye' of the Chair, except that the proposer and seconder of a motion shall have first rights to speak in favour of their motion or amendment.
- 2.3.9 Subject to the proposer and seconder's right under Bye-Law 2.5.4 to reply to any debate before a vote is taken, no Member may speak more than once on the same motion, amendment or report, unless so authorised by a simple majority vote of those Members present and entitled to vote.
- 2.3.10 The Chair may impose a time limit on, and/or limit the number of Members who may speak in relation to, any motion, amendment or report.

- 2.3.11 A Member shall be entitled to challenge any decision made by the Chair. If twenty (20) other Members support the challenge, it shall be debated. Immediately prior to such debate, the Chair shall vacate the chair in favour of a person nominated by them. The challenger shall state the reason for the challenge and the Chair shall then state their case. The ruling or decision shall be put to the vote and the Chair's decision shall be either upheld or overruled by a simple majority vote of those present and entitled to vote. Thereafter, the Chair shall re-assume the chair of the meeting, except in the instance of a motion of "no confidence" in the Chair being carried as outlined in Bye-Law 2.3.14. A challenge to the Chair under this Bye-Law 2.3.11 shall take precedence over other procedural motions outlined in this Bye-Law 2.
- 2.3.12 During speeches the Chair shall seek to ensure that:
- 2.3.12.1 The meeting is in order;
  - 2.3.12.2 Remarks not relevant to the matter under debate are flagged and the speaker is requested either to get back to topic or to cease to speak;
  - 2.3.12.3 If potentially defamatory remarks are made about a Member, or about staff of the Union or University, that such remarks are flagged and the speaker requested either to refrain from making such comments or to cease to speak; and
  - 2.3.12.4 No new material is introduced in a summing up speech.
- 2.3.13 The Chair has the right to have a Member or spectator removed from the meeting, and the meeting room, if that person's actions prevent the Chair from being able to comply with Bye-Law 2.3.12.
- 2.3.14 If a motion of "no confidence" in the Chair is supported by twenty (20) Student Members present and entitled to vote at the meeting, the procedures outlined in Bye-Law 2.3.11 shall apply. If the motion of "no confidence" is so carried, the Chair shall vacate their position as chair for the remainder of the meeting and a new Chair shall be elected from the other Members present at the meeting.

## 2.4 The Deputy Chair

- 2.4.1 At the first All Student Members' meeting in each Academic Year, the Members present will elect from their number a deputy chair (who shall also be the Chair of the Accountability Forum for the purposes of Bye-Law 3) (the "**Deputy Chair**") using the STV.
- 2.4.2 The Deputy Chair may not be a Sabbatical Officer during their term as Deputy Chair.
- 2.4.3 The Deputy Chair will act in the absence of the Chair, acting in accordance with the responsibilities and rights of Chair as outlined this Bye-Law 2.
- 2.4.4 The Deputy Chair will be subject to the conditions of membership of the Union.

## 2.5 Motions

- 2.5.1 Only one motion, or report from the Trustees, or an amendment to any motion or report, may be put before the meeting for vote at any one time.
- 2.5.2 The Chair will take a vote from the meeting as to whether to hear a proposed amendment, which may be carried by a simple majority of those present and entitled to vote. If an amendment is carried then the original motion incorporating the amendment shall become the substantive motion to which any subsequent amendments shall then refer.
- 2.5.3 In the event of an amendment being carried which was not accepted by the proposer of the original motion then the substantive motion shall become the amender's motion or report and the amender shall then have the right to reply as outlined in Bye-Law 2.5.4.
- 2.5.4 The proposer and/or seconder of the motion, amendment or report shall have the right to reply to any debate immediately before the vote is taken, but shall not introduce any new material.

## 2.6 Procedural Motions

- 2.6.1 The following procedural motions (hereinafter in this Bye-Law 2 referred to as “procedural motion [Bye-Law number]”) may be put to an All Student Members' Meeting:
- 2.6.1.1 A change to the order of business,
  - 2.6.1.2 That a motion be now put to vote;
  - 2.6.1.3 That a motion be not put to vote;
  - 2.6.1.4 A vote of “no confidence” in the Chair; see Bye-Law 2.3.14;
  - 2.6.1.5 A challenge to the Chair’s ruling; see Bye-Law 2.3.11;
  - 2.6.1.6 A temporary adjournment of the meeting of no longer than ten (10) minutes;
  - 2.6.1.7 A postponement or adjournment of a motion to a later specified meeting;
  - 2.6.1.8 A referral of a matter to the Trustees;
  - 2.6.1.9 A referral of a matter to a Committee or Sub-Committee of the Union for investigation and report;
  - 2.6.1.10 A referral of a matter back to a Committee or Sub-Committee for re-examination.
- 2.6.2 The Chair may reject a procedural motion 2.6.1.2 or 2.6.1.3 if it is considered that the motion has been proposed frivolously or vexatiously, or where it appears to have been proposed with the object of curtailing discussion on a matter which has not been granted a reasonable time for discussion.
- 2.6.3 Procedural motions shall require a proposer and a seconder. Procedural motions may not be proposed whilst another member is speaking on a point of order or information, or during the act of voting.
- 2.6.4 Procedural motion 2.6.1.1 may be put at any time after minutes of and matters arising from All Student Members’ meetings have been

discussed. When procedural motion 2.6.1.1 is proposed the Chair shall allow one speech in favour and one against, immediately before a vote.

- 2.6.5 If procedural motion 2.6.1.2 is put forward then, subject to Bye-Laws 2.5.4 and 2.6.2, no further discussion on the motion shall be permitted. Following consideration of matters set out in Bye-Laws 2.5.4 and 2.6.2, the question shall be put immediately to vote.
- 2.6.6 There shall be no order of preference amongst procedural motions 2.6.1.1, 2.6.1.2 and 2.6.1.3.
- 2.6.7 Procedural motions 2.6.1.4, 2.6.1.5 and 2.6.1.6 shall:
  - 2.6.7.1 Have precedence over procedural motions 2.6.1.2 and 2.6.1.7, 2.6.1.8, 2.6.1.9 and 2.6.1.10; and
  - 2.6.7.2 Relate only to the conduct of the meeting without regard to the debate holding the floor of the meeting at that time.
- 2.6.8 When either procedural motion 2.6.1.4 or 2.6.1.5 is proposed and seconded, the Chair shall vacate the chair as outlined in Bye-Laws 2.3.14 and 2.3.11, respectively.

## 2.7 Emergency Motions

- 2.7.1 The procedure for consideration of emergency motions shall be as follows:
  - 2.7.1.1 Motions whose subject matter is concerned with events occurring after the deadline for submission of motions set out in Bye-Laws 2.2.2 and 2.2.3, may be moved as emergency motions;
  - 2.7.1.2 Such motions shall not be discussed unless the matter is of such urgency that the conduct of the business of the Union would be impaired by the delaying of discussion, until the following All Student Members' meeting;
  - 2.7.1.3 The inability of Members, for any reason whatsoever, to submit motions not defined as emergency motions within the terms of Bye-Laws 2.7.1.1 and 2.7.1.2, shall not be

construed as grounds for the discussion of such motions;  
and

- 2.7.1.4 All emergency motions shall be submitted in writing and signed by the proposer and seconder, to the Chair, who shall determine whether they shall be considered as emergency motions.

## 2.8 Amendments

- 2.8.1 Amendments may be moved at any time after the motion has been 'stated' by the Chair.
- 2.8.2 Subject to the remainder of this Bye-Law 2.8, a motion may be amended by:
  - 2.8.2.1 Deleting words from the motion; or
  - 2.8.2.2 Inserting words into the motion; and/or
  - 2.8.2.3 Deleting certain words from the motion and substituting other words.
- 2.8.3 Amendments may not be moved which are direct negatives of the motions, when the purpose of the proposed amendment may be achieved by voting against the motion.
- 2.8.4 Only one amendment to any motion may be put before the meeting at any one time.
- 2.8.5 If an amendment is rejected, another may be moved to the motion, provided that its effect would not produce the same result as the amendment previously rejected.

## 2.9 Voting

- 2.9.1 A request for a motion or report, or to an amendment to a motion or report to be voted on in parts, shall require a proposer and seconder. The request must be made before moving to the vote on such motion, report or amendment to a motion or report. There shall be no speeches on this procedure and a simple majority vote only of the

meeting shall be required. Points decided by the amendment of a motion shall not be re-opened by a move to take the original motion in parts.

2.9.2 Voting on motions, amendments or reports shall be by a show of hands or Union cards of those Student Members eligible to vote, at the discretion of:

2.9.2.1 The Chair; or

2.9.2.2 If a challenge to the Chair is successful, by a simple majority vote of those present and entitled to vote, such vote to be taken immediately upon the challenge being upheld.

2.9.3 The Chair shall have a casting vote.

2.9.4 There may be discussion, but not voting, upon 'Any Other Business'.

## 2.10 General Rules of Order

2.10.1 Points of order may not be raised:

2.10.1.1 When another member holding the floor is delivering a speech; or

2.10.1.2 During the act of voting, unless it relates specifically to the procedure of that vote.

2.10.2 At all other times points of order shall take precedence over all other business. A point of order shall be raised by a member rising to their feet and calling 'point of order'. Points of order shall:

2.10.2.1 Be phrased as a question;

2.10.2.2 Relate specifically to the conduct of debate at that time;

2.10.2.3 not refer to the subject under debate; and

2.10.2.4 Contain no argument.



- 2.10.3 Points of information may be raised to the speaker holding the floor by a call of 'point of information'. Points of information shall be phrased as a short question to the speaker, e.g. "Is it not a fact that...?", and shall be used solely to seek or offer strictly factual information. The speaker may refuse to accept the point of information, in which case the mover shall give way. If a speaker indicates that s/he is not willing to take any further points of information during a speech, their wish shall be upheld by the Chair.
- 2.10.4 No question once decided may be re-opened at the same All Student Members' meeting.

## 2.11 Interpretation

- 2.11.1 The decision of the Chair shall be final and binding concerning the interpretation of this Bye-Law 2, subject to the results of any challenge as specified in either Bye-Law 2.3.11 or 2.3.14.

## 2.12 Order of Business at All Student Members' meetings

- 2.12.1 The order of business at an All Student Members' meeting, unless determined otherwise by the procedural motions outlined in Bye-Law 2.6, shall be as follows:
- 2.12.1.1 Introduction from the Chair;
  - 2.12.1.2 To receive minutes of the previous All Student Members' meeting;
  - 2.12.1.3 Matters and actions arising from those minutes;
  - 2.12.1.4 Formal motions and amendments (if applicable);
  - 2.12.1.5 To admit and remove Honorary memberships;
  - 2.12.1.6 To receive reports from the Trustees;
  - 2.12.1.7 Any other business;
  - 2.12.1.8 Official notices and announcements; and

2.12.1.9 Close of meeting.

2.12.2 The order of business at an annual Student Members' meeting shall take precedence over the business of any other All Student Members' meeting which may be scheduled to take place on the same date.

2.12.3 The order of business at an annual Student Members' meeting shall be as follows:

2.12.3.1 Introduction from the Chair;

2.12.3.2 Ratification of minutes of the previous annual Student Members' meeting;

2.12.3.3 Receiving the report of the Trustees on the Union's activities since the previous annual Student Members' meeting;

2.12.3.4 Laying before the Student Members the accounts of the Union for the previous financial year;

2.12.3.5 Approving the list of affiliations of the Union;

2.12.3.6 Open questions to the Trustees by the Student Members; and

2.12.3.7 Approving amendments to the Bye-Laws.

## 2.13. Quorum

2.13.1 A quorum shall be fifty (50) of the Student Members entitled to vote upon the business to be transacted.

2.13.2 If a Member with speaking rights calls 'quorum' during an All Student Members' meeting, it shall be regarded as a point of order taking precedence over all other business. In the event of a call of quorum, the Chair shall ascertain whether a quorum is present. If a quorum is not present then the meeting will cease immediately. The Chair will allow five minutes for a quorum to be achieved. If a quorum is so achieved, then the meeting shall continue. If a quorum is not achieved, then the meeting will be closed.

## 2.14 Attendance at All Student Member Meetings

- 2.14.1 All student members of the Students' Union may attend and vote at an All Student members meeting.
- 2.14.2 All Volunteer officers (elected in accordance with Bye-Law 7) are required to attend All Student Members Meeting. If any Volunteer Officer misses two All Student Members meetings in any Academic Year, without providing apologies to the Chair prior to the meeting, s/he will be deemed to have resigned from office with immediate effect from the commencement of the third such meeting. If a Volunteer Officer ceases to be a Student, then such a member will be deemed to have resigned their post with immediate effect from the time at which they ceased to be a Student.
- 2.14.3 All Members, as well as staff of the Union and University, may attend Student Council meetings as observers and may be granted speaking rights at the discretion of the Chair.
- 2.14.4 Observers, both individually or collectively, may be excluded from a meeting by the vote of a simple majority of those members of Student Council present and entitled to vote.
- 2.14.5 The Chief Executive will appoint from the staff team of the Union, a clerk to All Student Members Meetings (for the purposes of this Bye-Law 2, the "Clerk"). The Clerk shall not be a Trustee.
- 2.14.6 The Clerk will provide administrative support to Student Council and will keep minutes of all proceedings, including the names of all persons present at each meeting. Any such minutes signed by the Chair of the meeting at which the proceedings were held or by the Chair of the next following meeting, will be sufficient evidence of the proceedings.
- 2.14.7 The Chief Executive (or their representatives) will attend each All Student Members Meeting and will have speaking rights
- 2.14.8 Guest speakers may be invited to speak at All Student Members Meetings by a simple majority vote of those Student members present.

# Bye-Law 3

## The Delivery of Student Ideas and Elected Officer Accountability

### 3.1 Student Ideas

3.1.1 The following ideas may be submitted to the Union by Students, requesting action in accordance with this Bye-Law 3:

3.1.1.1 Proposals for improvements which are to be made to the University experience for Students;

3.1.1.2 Proposals to hold Referenda and/or Preferenda to:-

3.1.1.2.1 submit Policy recommendations to the Trustees;

3.1.1.2.2 gather Student opinion on proposed changes to the student experience;

3.1.1.2.3 create a Union stance on any issue, in accordance with Article 4 of the Articles (the Union's charitable objects).

3.1.2 Any Student Member may submit an idea to request that it be voted upon on the Website. The details of all Students who submit ideas shall not be published but their identity shall be recorded by the Union.

3.1.3 Publication of ideas

3.1.3.1 All ideas submitted by Students shall require approval by the President and the Chair of the Accountability Forum (appointed pursuant to Bye-Law 2.3.1), before they are placed on the Website to be voted upon. The President and the Chair shall consider the matters set out in Bye-Law 3.1.3.4 in making their decision, seeking the input of the Chief Executive if required.

3.1.3.2 If in the Chair's opinion an idea should be published on the Website, but the President disagrees, the President shall refer the matter to the Board of Trustees and, where appropriate, invite the Chair to attend as observer. The

proposer of the idea shall be notified of the referral to the Board of Trustees.

3.1.3.3 Within 14 days of the referral of the idea to the Board of Trustees in accordance with Bye-Law 3.1.3.2, the President shall report back to the Chair with the opinion of the Board of Trustees.

3.1.3.4 The Chair and the President, taking advice as appropriate from the Chief Executive, shall be entitled to exercise their discretion when considering the suitability of proposed ideas for publication taking into account matters such as (but not limited to):-

3.1.3.4.1 the reputation of the Union;

3.1.3.4.2 the duties imposed on the Trustees in their capacity as charitable trustees of the Union and any other issues relating to governance of the Union;

3.1.3.4.3 any issues to do with confidentiality of information and/or data protection which would prevent the publication of ideas; and

3.1.3.4.4 the resource and cost implications of the implementation of a proposed idea.

3.1.3.5 If an idea is authorised by the Chair, it shall become an “**Idea**” for the purposes of this Bye-Law 3. If the Idea is authorised by the Chair but does not have the approval of the Board of Trustees following a referral under Bye-Law 3.1.3.2, the Idea shall note that it does not have the approval of the Trustees and a summary of the reasons given by the Trustees shall be stated on the Website. An idea which does not have the approval of the Trustees shall not be capable of being implemented.

3.1.3.6 If the Chair rejects any idea for the purposes of being voted upon under Bye-Law 3.1.4, the reasons for rejection shall be stated on the Website. The Chair may in their

discretion give reasons to the proposer of an idea if it is deemed unsuitable for publication on the Website. Subject to the power of the Trustees under Bye-Law 3.1.3.5, the Chair's determination on whether or not an idea should be published on the Website and/or voted upon in accordance with Bye-Law 3.1.4, shall be final.

### 3.1.4 Voting on Ideas

3.1.4.1 All Students Members shall be able to vote on Ideas.

3.1.4.2 Any Idea shall need a net total of fifty (50) votes "For" within the period of one (1) calendar month from publication on the Website in order to be passed. Any Ideas that do not receive the requisite number of "For" votes within such period shall not be passed.

3.1.4.3 Ideas to be voted upon may not be submitted for approval in accordance with Bye-Law 3.1.3 more than once in any Academic Term.

3.1.5 All campaigning activity for the purpose of gaining votes on an Idea shall take place in accordance with Bye-Law 8.7.

3.1.6 Should an Idea be passed in accordance with Bye-Law 3.1.4.2, the President shall within a reasonable period of time from the requisite number of votes being reached, assign the Idea to the Sabbatical Officer whom he or she considers most suitable to implement the Idea. The decision of the President is final. Such Sabbatical Officer shall:

3.1.6.1 within a reasonable period of time following his or her nomination, contact the proposer of the Idea to discuss actions to be taken in order to seek to implement the Idea, including input from Students;

3.1.6.2 Provide updates at reasonable intervals regarding progress of the Idea, via the "ideas module" on the Website; and

3.1.6.3 If completed, publicise such completion of the Idea via the "ideas module" on the Website.

- 3.1.7 If the proposed Idea relates to a Referendum or a Preferendum, the procedures in Bye-Law 8 and in the procedures governing Preferenda must be followed.
- 3.1.8 No days falling outside of an Academic Term shall be included within any of the time periods set out in this Bye-Law 3.1 for the purposes of this Bye-Law 3.1.

## 3.2 Sabbatical Officer Accountability

- 3.2.1 The Clerk (as defined in Bye-Law 3.4.3.4) shall (on behalf of the chair of Accountability Forums elected in accordance with Bye-Law 3.4.6 (for the purposes of this Bye-Law 3, the “**Chair**”)):-
  - 3.2.1.1 display on the Website on the last Monday of each month during the Academic Year, reports from each of the Sabbatical Officers on their activities in the preceding month and future planned activities (**Sabbatical Officer Reports**); and
  - 3.2.1.2 email the Student Members to inform them when Sabbatical Officer Reports are available on the Website.
- 3.2.2 All Student Members shall be entitled to ask questions on the content of any Sabbatical Officer Report, such questions (with the Student Member’s name) to be published on the Website alongside that Report.
- 3.2.3 Voting on Sabbatical Officer Reports
  - 3.2.3.1 In addition to asking questions, Student Members shall also be able to approve or disapprove each Sabbatical Officer Report.
  - 3.2.3.2 Voting shall take place in the form of votes to approve and votes to disapprove. Any vote cast shall require the voter to state comments as to their reasons for voting to either approve or disapprove the Report.
  - 3.2.3.3 Any report receiving a net vote of minus twenty-five (-25) votes as at 17:00 on the day falling 7 (seven) days from publication, shall be disapproved (**Disapproved**).

- 3.2.3.4 Votes and comments cast shall initially be anonymous, but should a Sabbatical Officer Report be Disapproved, the names of all voters shall at the discretion of the President, be published on the Website against that Sabbatical Officer Report.
- 3.2.3.5 Any vote cast with comments deemed in the opinion of the President and/or the Chief Executive to be discriminatory, vexatious or otherwise likely to negatively impact the reputation of the Union and/or any of its members, shall be discounted for the purposes of Bye-Law 3.2.3.3 and such comments shall not be considered or published.
- 3.2.4 Should a Sabbatical Officer Report be Disapproved, an Accountability Forum shall be held, in accordance with Bye-Law 3.4.
- 3.2.5 Should a Sabbatical Officer fail to provide a Sabbatical Officer Report, an Accountability Forum shall automatically be triggered to be held in accordance with Bye-Law 3.4, unless there are extenuating circumstances for non-submission, as determined by the Chair.
- 3.2.6 If the Chair is notified by the Chief Executive that, due to reasons of health, family, employment or other matters of a personal nature, a Sabbatical Officer is unable to submit a Sabbatical Officer Report in accordance with this Bye-Law 3.2, an Accountability Forum shall not be triggered.
- 3.3 Volunteer Officer Accountability
  - 3.3.1 The Clerk (as defined in Bye-Law 3.4.3.4) shall (on behalf of the chair of Accountability Forums elected in accordance with Bye-Law 3.4.6 (for the purposes of this Bye-Law 3, the "**Chair**")):-
    - 3.3.1.1 display on the Website on the last Monday of each month during the Academic Year, reports from each of the Volunteer Officers on their activities in the preceding month and future planned activities (**Volunteer Officer Reports**); and
    - 3.3.1.2 email the Student Members to inform them when Volunteer Officer Reports are available on the Website.



- 3.3.2 All Student Members shall be entitled to ask questions on the content of any Volunteer Officer Report, such questions to be published on the Website alongside that Report.
- 3.3.3 Voting on Volunteer Officer Reports
  - 3.3.3.1 In addition to comments, Student Members shall also be able to approve or disapprove each Volunteer Officer Report.
  - 3.3.3.2 Voting shall take place in the form of votes to approve and votes to disapprove. Any vote cast shall require the voter to state comments as to their reasons for voting to either approve or disapprove the Report.
  - 3.3.3.3 Any report receiving a net vote of minus twenty-five (-25) votes as at 17:00 on the day falling 7 (seven) days from publication, shall be disapproved (**Disapproved**).
  - 3.3.3.4 Votes and comments cast shall initially be anonymous, but should a Volunteer Officer Report be Disapproved, the names of all voters shall at the discretion of the President, be published on the Website against that Volunteer Officer Report.
  - 3.3.3.5 Any vote cast with comments deemed in the opinion of the President and/or the Chief Executive to be discriminatory, vexatious or otherwise likely to negatively impact the reputation of the Union and/or any of its members, shall be discounted for the purposes of Bye-Law 3.3.3.3 and such comments shall not be considered or published.
- 3.3.4 Should a Volunteer Officer Report be Disapproved, an Accountability Forum shall be held, in accordance with Bye-Law 3.4.
- 3.3.5 Should a Volunteer Officer fail to provide a Volunteer Officer Report, an Accountability Forum shall automatically be triggered to be held in accordance with Bye-Law 3.4, unless there are extenuating circumstances for non-submission, as determined by the Chair.

3.3.6 If the Chair is notified by a Sabbatical Officer that, due to reasons of health, family, employment or other matters of a personal nature, a Volunteer Officer is unable to submit a Volunteer Officer Report in accordance with this Bye-Law 3.3, an Accountability Forum shall not be triggered.

#### 3.4. Accountability Forums

3.4.1 The role of the Accountability Forum shall be:

3.4.1.1 To provide a platform for the voices of all Students to be heard;

3.4.1.2 To hold Sabbatical Officers and Volunteer Officers to account; and

3.4.1.3 If applicable, to pass motions of caution, censure and no-confidence on Sabbatical Officers and Volunteer Officers.

3.4.2 The Clerk (on behalf of the Chair) shall publish the date, time, location and agenda for each Accountability Forum on the Website, five (5) days before it Accountability Forum is held.

#### 3.4.3 Attendance at Accountability Forums

3.4.3.1 All Student Members and Trustees shall be able to attend and vote at all Accountability Forums.

3.4.3.2 The Chief Executive (or their representatives) will attend each All Student Members' meeting and Accountability Forum.

3.4.3.3 Staff of the Union, at the discretion of the Chief Executive, may attend Accountability Forums as observers. Observers attending an Accountability Forum pursuant to this Bye-Law 3.4.3.3, both individually or collectively, may be excluded from a meeting by the vote of a simple majority of those Members present and entitled to vote.

3.4.3.4 The Chief Executive will appoint from the staff team of the Union, a clerk to the All Student Members' meetings and

Accountability Forums (for the purposes of this Bye-Law 3, the "**Clerk**"). The Clerk shall not be a Trustee.

- 3.4.3.5 The Clerk will provide administrative support to All Student Members' meetings and Accountability Forums and will keep minutes of all such proceedings, including the names of all persons present at each meeting. Any such minutes signed by the Chair of the meeting at which the proceedings were held or by the Chair of the next following meeting, will be sufficient evidence of the proceedings.
- 3.4.4 The quorum for Accountability Forums shall be 50 (fifty) Student Members.
- 3.4.5 The Chair shall not participate in any discussion.
- 3.4.6 Whenever the Chair speaks they shall be heard in silence and any Member shall at once cease from speaking.
- 3.4.7 Every speaker shall address the meeting solely through the Chair. Subject to Bye-Law 3.4.5, the Chair will be responsible for ensuring that all Members present who have speaking rights, receive equality of opportunity to speak.
- 3.4.8 If two or more Members arise to speak at the same time, precedence shall be given to the Member who first 'catches the eye' of the Chair, except that the proposer and seconder of a motion shall have first rights to speak in favour of their motion or amendment.
- 3.4.9 The Chair may impose a time limit on, and/or limit the number of Members who may speak in relation to any Sabbatical Officer Report or Volunteer Officer Report (for the purposes of this Bye-Law 3, "**Reports**"), which shall be announced by the Clerk at the start of each meeting.
- 3.4.10 A Member shall be entitled to challenge any decision made by the Chair. If fifteen (15) other Members support the challenge, it shall be debated. Immediately prior to such debate, the Chair shall vacate the chair in favour of a person nominated by them. The challenger shall state the reason for the challenge and the Chair shall then state their case. The ruling or decision shall be put to the vote and the Chair's decision shall

be either upheld or overruled by a simple majority vote of those present and entitled to vote. Thereafter, the Chair shall re-assume the chair of the meeting, except in the instance of a motion of "no confidence" in the Chair being carried as outlined in Bye-Law 3.4.13.

3.4.11 During speeches the Chair shall seek to ensure that:

3.4.11.1 The meeting is in order;

3.4.11.2 Remarks not relevant to the matter under debate are flagged and the speaker is requested either to get back to topic or cease to speak;

3.4.11.3 If potentially defamatory remarks are made about a Member, or about staff of the Union or University, that such remarks are flagged and the speaker requested either to refrain from making such comments or cease to speak; and

3.4.11.4 No new material is introduced in a summing up speech.

3.4.12 The Chair has the right to have a Member or spectator removed from the meeting, and the meeting room, if that person's actions prevent the Chair from being able to comply with Bye-Law 3.4.11.

3.4.13 If a motion of "no confidence" in the Chair is supported by a simple majority of Members present and entitled to vote, then procedures outlined in Bye-Law 3.4.11 shall apply. If the motion of "no confidence" is so carried, the Chair shall vacate their position as chair for the remainder of the meeting and a new Chair shall be elected from the other Members present at the meeting.

3.4.14 If the Chair has a conflict of interest in any Accountability Forum, they must vacate the chair, and the position of chair will be resumed by the elected Deputy Chair.

3.4.15 If both the Chair and the Deputy Chair have a conflict of interest in any Accountability Forum, the position of the chair shall be vacated, and a Member from the room who does not have any conflict of interest may be voted into position in accordance with a By-Election held in accordance with Bye-Law 2.3.1.

### 3.5 Discussion at Accountability Forums

3.5.1 During open discussion of Reports, the following rules shall apply:

3.5.1.1 Members wishing to comment upon the topic will indicate their wish to do so by raising their hand.

3.6.1.2 The Chair will, at their discretion, take speakers, with precedence being given to those members who first “catch the eye” of the Chair.

3.5.1.3 Members are able to speak more than once on the topic under discussion.

3.5.1.4 The Chair will ensure that all Members are given an equal opportunity to speak on the topic.

3.5.1.5 All speakers will address the meeting through the Chair.

3.5.2 The Chair will decide, under the guidance of the meeting and before the commencement of the discussion, the length of time allocated to discussion of the topic.

### 3.6 Voting

3.6.1 The Chair will call a vote by asking for a show of voting cards in favour of approval, against approval or abstaining on a particular Report. Save where stated otherwise or at the discretion of the Chair, a simple majority vote of those members in attendance and entitled to vote will be required to carry a resolution.

3.6.2 The Chair will have a casting vote only.

3.6.3 There may be discussion, but not voting, upon ‘Any Other Business’.

### 3.7 Procedural Motions

3.7.1 The following procedural motions (hereinafter in this Bye-Law 3 referred to as “procedural motion [Bye-Law number]”) may be put to an All Student Members' Meeting:

- 3.7.1.1 A change to the order of business;
  - 3.7.1.2 That a Report be now put to vote;
  - 3.7.1.3 That a Report be not put to vote;
  - 3.7.1.4 A vote of "no confidence" in the Chair; see Bye-Law 3.4.13;
  - 3.7.1.5 A challenge to the Chair's ruling; see Bye-Law 3.4.10;
  - 3.7.1.6 A temporary adjournment of the meeting of no longer than ten (10) minutes;
  - 3.7.1.7 A postponement or adjournment of a motion to a later specified meeting;
  - 3.7.1.8 A referral of a matter to the Trustees;
  - 3.7.1.9 A referral of a matter to a Committee or Sub-Committee of the Union for investigation and report;
- 3.7.2 The Chair may reject a procedural motion 3.7.1.2 or 3.7.1.3 if it is considered that the motion has been proposed frivolously or vexatiously, or where it appears to have been proposed with the object of curtailing discussion on a matter which has not been granted a reasonable time for discussion.
- 3.7.3 Procedural motions shall require a proposer and a seconder. Procedural motions may not be proposed whilst another member is speaking on a point of order or information, or during the act of voting.
- 3.7.4 Procedural motion 3.7.1.1 may be put at any time. When procedural motion 3.7.1.1 is proposed the Chair shall allow one speech in favour and one against, immediately before a vote.
- 3.7.5 If procedural motion 3.7.1.2 is put forward then, subject to Bye-Laws 3.6 and 3.7.2, no further discussion on the motion shall be permitted. Following consideration of matters set out in Bye-Laws 3.6 and 3.7.2, the question shall be put immediately to vote.

- 3.7.6 There shall be no order of preference amongst procedural motions 3.7.1.1, 3.7.1.2 and 3.7.1.3.
- 3.7.7 Procedural motions 3.7.1.4, 3.7.1.5 and 3.7.1.6 shall:
  - 3.7.7.1 Have precedence over procedural motions 3.7.1.2 and 3.7.1.7, 3.7.1.8, and 3.7.1.9 and
  - 3.7.7.2 Relate only to the conduct of the meeting without regard to the debate holding the floor of the meeting at that time.
- 3.7.8 When either procedural motion 3.7.1.4 or 3.7.1.5 is proposed and seconded, the Chair shall vacate the chair as outlined in Bye-Laws 3.4.10 or 3.4.13 (as applicable).

### 3.8 General Rules of Order

- 3.8.1 Points of order may not be raised:
  - 3.8.1.1 When another member holding the floor is delivering a speech; or
  - 3.8.1.2 During the act of voting, unless it relates specifically to the procedure of that vote.
- 3.8.2 At all other times points of order shall take precedence over all other business. A point of order shall be raised by a member rising to their feet and calling 'point of order'. Points of order shall:
  - 3.8.2.1 Be phrased as a question;
  - 3.8.2.2 Relate specifically to the conduct of debate at that time;
  - 3.8.2.3 not refer to the subject under debate; and
  - 3.8.2.4 Contain no argument.
- 3.8.3 Points of information may be raised to the speaker holding the floor by a call of 'point of information'. Points of information shall be phrased as

a short question to the speaker, e.g. "Is it not a fact that...?", and shall be used solely to seek or offer strictly factual information. The speaker may refuse to accept the point of information, in which case the mover shall give way. If a speaker indicates that s/he is not willing to take any further points of information during a speech, their wish shall be upheld by the Chair.

- 3.8.4 No question once decided may be re-opened at the same Accountability Forum

### 3.10 Appointment and re-appointment of Non- Student Trustees

- 3.9.1 The names of all Non-Student Trustees appointed by the Board of Trustees shall be published on the Website, by the Clerk, for a two (2) week period from their date of appointment.
- 3.9.2 The Clerk shall email all Student Members to request that any objections to the appointment of a Non-Student Trustee, be sent to the Clerk by email.
- 3.9.3 On receipt of 50 (fifty) objections to the appointment of a Non-Student Trustee, stating reasons for such objection:-
  - 3.9.3.1 An All Student Members' meeting shall be held to discuss the appointment of that Non-Student Trustee; or
  - 3.9.3.1 The Board of Trustees are able to resolve to not appoint the Non-Student Trustee in question without the requirement to call a meeting in accordance with Bye-Law 3.9.3.1.
- 3.9.4 Should fewer than 50 (fifty) objections be received, the Non-Student Trustee shall remain appointed.

### 3.10 NUS delegates

- 3.10.1 The election of delegates to meetings and conferences of NUS, except NUS Annual Conference where the delegates will be the Sabbatical Officers elected in accordance with Bye-Law 7, shall occur on the Website.



- 3.10.2 The names of the candidates and the conference they wish to attend shall be published by the Clerk, along with a manifesto stating the candidates' reasons for attending.
- 3.10.3 Members shall be able to approve the candidates' attendance at the meeting or conference of NUS by voting to approve, not approve or abstain on the Website
- 3.10.4 Candidates shall require a simple majority of the total number of votes cast, excluding abstentions, to be elected as delegates.

### 3.11 Standing Orders

- 3.11.1 Changes to Standing Orders shall be made by the Executive Committee, and an edited version of the Standing Order shall be placed on the Website.
- 3.11.2 In the event that a change to a Standing Order is considered by the Executive Committee to be substantial, Students will be emailed to inform them that a substantial change has been made to a Standing Order and will be asked to email the Clerk if they have any objections to the change.
- 3.11.3 If 20 (twenty) objections (stating full reasons for the objection) are received to the change, the change shall not be passed, and an All Student Members' meeting shall be held if necessary.
- 3.11.4 The Executive Committee may reject an objection if it is considered frivolous or vexatious.

### 3.12 Interpretation

- 3.12.1 The decision of the Chair shall be final and binding concerning the interpretation of this Bye-Law 3, subject to the results of any challenge as specified in either Bye-Law 3.4.10 or 3.4.13.

# Bye-Law 4

## The Executive Committee

### 4.1 Constitution & Role

- 4.1.1 The Executive Committee shall be comprised of:
  - 4.1.1.1 Up to five (5) elected full-time Sabbatical Officers who will also be appointed as Trustees;
  - 4.1.1.2 Up to four (4) elected part time college officers, elected by a cross-campus election held in accordance with Bye-Law 7 to represent their college (who shall have no voting rights); and
  - 4.1.1.3 The Chief Executive (who shall have no voting rights).
- 4.1.2 The Executive Committee is responsible for the Union's day to day direction and financial oversight. The Executive Committee will be delegated such authorities as determined from time to time by the Trustees, subject always to the oversight of the Trustees.
- 4.1.3 The Sabbatical Officers will be paid an allowance determined by the Trustees, in line with general University pay scales. Each Sabbatical Officer will be required to sign a service contract and the Union's Code of Conduct.
- 4.1.4 Sabbatical Officers will be elected in accordance with the Election Regulations set out in Bye-Law 7.
- 4.1.5 The Sabbatical Officers will elect a Deputy President from their number, before the first meeting of the Trustee Board of their term in office.
- 4.1.6 No person may serve for more than two terms of office as a Sabbatical Officer, being a maximum of two (2) years in total.
- 4.1.7 Trustees, in consultation with Student Members at All Student Members' meetings as appropriate, will provide role descriptions and portfolios for Sabbatical Officers.

4.1.8 A Sabbatical Officer shall be removed from office with immediate effect if:

4.1.8.1 They are found under the regulations set out in:-

4.1.8.1.1 The Sabbatical Trustee Terms and Conditions;

4.1.8.1.2 The Sabbatical Trustee Code of Conduct;  
and/or

4.1.8.1.3 The Sabbatical Trustee Handbook,

to have committed an act of gross misconduct (whether or not they have been dismissed from employment with the Union); or

4.1.8.2 An unsatisfactory "Disclosure & Barring Service" check, administered by the Union, is returned; or

4.1.8.3 They cease to be a Student for any reason.

4.1.9 For the purposes of Bye-Law 4.1.8.1, gross misconduct may include, but is not limited to:

4.1.9.1 Perverting, or attempting to pervert the democratic procedures of the Union;

4.1.9.2 Acting in an intimidating manner towards other Executive Officers, Students, or staff of the Union or University;

4.1.9.3 Behaviour that is in breach of the Union's or University's Equality & Diversity Policies;

4.1.9.4 Defrauding, or attempting to defraud the Union or University;

4.1.9.5 Embezzlement of funds; and/or

4.1.9.6 A breach of the Union's Zero-Tolerance Policy on discrimination.

## 4.2 Executive Committee Meetings

### 4.2.1 The role of the Executive Committee is to:

- 4.2.1.1 Implement the decisions made by Trustees and Company Law Members, as well as recommendations of All Student Members' meetings, and Referenda;
- 4.2.1.2 Act as a channel of communication between Student Members, Trustees, the University and other relevant institutions;
- 4.2.1.3 Be responsible for the direction of the Union through the implementation and development of its strategic plan, as such is agreed by the Trustees;
- 4.2.1.4 Fulfil the responsibilities laid down in their role descriptions;
- 4.2.1.5 Implement and adhere to all policies of the Union;
- 4.2.1.6 Seek professional advice from the Chief Executive Officer or others, when required;
- 4.2.1.7 Create, repeal and amend the Standing Orders of the Union, jointly with Student Members at All Student Members' meetings; and
- 4.2.1.8 Review and (if appropriate) authorise to be voted upon, ideas proposed by Students on the Website in accordance with Bye-Law 3.1.3.

4.2.2 Executive Committee meetings should be held weekly at the discretion of the President. A minimum of three (3) Executive Committee meetings should be held in a calendar month, unless previously agreed in a quorate Executive Committee meeting.

4.2.3 Subject to Bye-Law 4.3, additional meetings of the Executive Committee may be called by:

4.2.3.1 Any two members of the Executive Committee; or

4.2.3.2 A resolution of the Executive Committee.

4.2.4 Executive Committee meetings are open meetings where any Student Members may attend. Student Members do not have speaking rights unless invited to speak by a member of the Executive Committee. Any member of the meeting can request that the meeting enters a "closed" session determined by a simple majority vote of the Executive Committee. If the meeting enters a "closed" session, then all non-members of the Executive Committee must leave the meeting.

4.2.5 The Executive Committee can both caution and censure fellow Sabbatical Officers in accordance with Bye-Laws 5.2 and 5.3. A motion of "no confidence" can only heard by the Accountability Forum

#### 4.3 Emergency Meetings of the Executive Committee

4.3.1 Emergency meetings of the Executive Committee may be called by any Executive Officer.

4.3.2 A call for an emergency meeting of the Executive Committee must specify the issues to be discussed.

4.3.3 An emergency meeting of the Executive Committee may only discuss the business for which the meeting was originally called.

#### 4.4 Order of Business of Executive Committee Meetings

4.4.1 The order of business for Executive Committee Meetings, unless determined otherwise by the meeting, will be as follows:

4.4.1.1 Apologies for Absence

4.4.1.2 Declarations of Interest

4.4.1.3 Minutes of the previous meeting

4.4.1.4 Matters Arising

4.4.1.5 Weekly Report

4.4.1.6 Group Management Accounts (Monthly)

4.4.1.7 Project approvals and updates

4.4.1.8 Any other reports

4.4.1.9 Student Leader verbal updates:

4.4.1.10 Chief Executive verbal update

4.4.1.11 Health and Safety

4.4.1.12 Any Other Business

#### 4.5 Conduct of Business at Executive Committee Meetings

##### 4.5.1 The Chair

4.5.1.1 The chair of the meeting of the Executive Committee (for the purposes of this Bye-Law 4, the "**Chair**") will be the President. In the absence of the President, the Chair will be the Deputy President.

4.5.1.2 In the event of a challenge to a ruling of the Chair, the Chair will vacate the chair in favour of another (the "**Deputy**"). The proposer shall speak for the motion to challenge a ruling, and the challenged Chair will speak against before a vote is taken. In the event of the motion being carried, the Deputy will assume the Chair until a discussion on that item has been concluded.

##### 4.5.2 Debate

4.5.2.1 Under the guidance of the meeting but at the ultimate discretion of the Chair, the Chair may put an item into "debate". Those wishing to speak on the item will indicate their wish to do so by raising their hand.

4.5.2.2 Under the guidance of the meeting but at the ultimate discretion of the Chair, the Chair may put an item into

“formal debate”. Speeches will then be taken alternately for and against the item, followed by a summation from the original proposer before a vote is taken. The Chair will decide, under the guidance of the meeting and before the commencement of the debate, the number and length of speeches.

4.5.2.3 The Chair will at their discretion take speakers with precedence being given to those who first ‘catch the eye’ of the Chair.

4.5.2.4 All speakers will address the meeting through the Chair.

#### 4.5.3 Voting

4.5.3.1 The quorum for a meeting of the Executive Committee will be three (3) voting members.

4.5.3.2 The Chair will call a vote by asking for a show of hands in favour, against or abstaining on a particular resolution. A resolution will be carried by a simple majority vote of those present and entitled to vote unless otherwise stated in these Bye-Laws.

4.5.3.3 In the event of a tied vote, the Chair will have a casting vote.

#### 4.5.4 Attendance at Executive Committee Meetings

4.5.4.1 Observers, either individually or collectively, may be excluded from meetings by a simple majority vote as detailed in Bye-Law 4.2.4.

4.5.4.2 Guest speakers may be invited to speak at meetings at the discretion of the Executive Committee.

#### 4.5.5 Minutes

4.5.5.1 Minutes of Executive Committee meetings will be taken by a Union staff member present at the meeting, as chosen by the Chief Executive.

- 4.5.5.2 Minutes will be signed after being confirmed at the following Executive meeting; this will be evidence of the meeting having taken place.
- 4.5.5.2 The President shall ensure that minutes will be displayed on the Website within two weeks of being confirmed.



# Bye-Law 5

## By-Elections and Removal from Office of Elected Officers

### 5.1 Absence

- 5.1.1 If any Elected Officer fails to attend two (2) consecutive, or any three (3), meetings of the Executive Committee in an Academic Year without apologies with valid mitigating circumstances being provided to the Chair prior to the relevant meeting, s/he will be deemed to have resigned from office, unless absence is due to ill health.

### 5.2 Motion of Caution

- 5.2.1 The Executive Committee has the power to caution Sabbatical Officers, but must refer motions of "no confidence" to Accountability Forums.
- 5.2.2 Any member of the Executive Committee and any Volunteer Officer may be cautioned by a motion of caution at an Accountability Forum.
- 5.2.3 Motions of caution must be proposed in the same manner as all other motions and must name the individual whom the proposer wishes to caution and the reason(s) why (as set out in Bye-Law 5.7).
- 5.2.4 A motion of caution must be passed by a majority of two-thirds of the members present and entitled to vote at the relevant meeting.
- 5.2.5 If a second motion of caution is proposed (whether by the Executive Committee or the Student Body) during the Sabbatical Officer's term of office then s/he will face immediately a vote of "censure" in accordance with Bye-Law 5.3.

### 5.3 Motion of Censure

- 5.3.1 The Executive Committee has the power to censure Sabbatical Officers, but must refer motions of "no confidence" to Accountability Forums.
- 5.3.2 Any member of the Executive Committee and any Volunteer Officer may be censured by a motion of censure at an Accountability Forum, if their Report is Disapproved by Student Members.

- 5.3.3 Motions of censure must be proposed in the same manner as all other motions and must name the individual whom the proposer wishes to censure and the reason(s) why (as set out in Bye-Law 5.8).
- 5.3.4 A motion of censure must be passed by a majority of two-thirds of the members present and entitled to vote at the relevant meeting.
- 5.3.5 If two motions of censure are passed (whether by the Executive Committee at an Accountability Forum) during the Sabbatical Officer's term of office then s/he will face immediately a vote of "no confidence" in accordance with Bye-Law 5.4.

#### 5.4 Motion of No Confidence

- 5.4.1 A vote of "no confidence" must be passed by a majority of two-thirds of the members present and entitled to vote at an Accountability Forum.
- 5.4.2 A vote of "no confidence" may be brought against a Student Trustee if they are in breach of their academic study rules (e.g. poor attendance at lectures) or if the results of a University disciplinary are found to be unfavourable.
- 5.4.3 If a motion of "no confidence" is passed by the Accountability Forum for the removal of an Elected Officer, they will be removed from office on the day that the motion is passed.
- 5.4.4 If a motion of "no confidence" is passed by the Accountability Forum against a Volunteer Officer, they can appeal by writing to the President within ten (10) clear days of the motion being passed.
- 5.4.5 An appeal of a Volunteer Officer will be conducted by an All Student Members' meeting held in accordance with Bye-Law 2.
- 5.4.6 If a motion of "no confidence" is passed by the Accountability Forum against a member of the Executive Committee, they can appeal by writing to the President within ten (10) clear days of the motion being passed. In the event of a motion of "no confidence" being passed against the President, the President can appeal, in writing, to the nominated Deputy President within ten (10) clear days of the motion being passed.

- 5.4.7 An appeal of a member of the Executive Committee will be conducted by a Referendum in accordance with Bye-Law 8.
- 5.4.8 The motions to be heard under Bye-Laws 5.4.5 and 5.4.7 will be a question of whether the Student Members support the Accountability Forum's ruling of "no confidence".
- 5.4.9 Before a motion of "no confidence" is heard, the Accountability Forum will be read out aloud the document entitled "*Legal Responsibilities of the Accountability Forum in regards to Motions of 'no confidence'*". A copy of the document shall be made available by the Chief Executive on request.

## 5.5 Office role becoming vacant and By-Election

- 5.5.1 In the event of any Elected Officer role becoming vacant, then (pending any appeal under Bye-Law 5.4) a By-Election will take place unless the below criteria is met.
  - 5.5.1.1 If (for any reason) the office of an Elected Officer becomes vacant either before an appointed candidate takes office or within the period of ten (10) weeks after their commencement of the role, then the election results will be recalculated with the original successful candidate deemed to have withdrawn. The new successful candidate, provided that they received votes from a minimum of one percent (1%) of Members in the election, shall be invited to take up office upon satisfaction of any conditions required to be fulfilled in order for them to enter into their employment contract (including but not limited to passing a DBS ("Disclosure & Barring Service") check). If the new successful candidate is unable to take up office then this process should be followed again, withdrawing the unavailable candidate on each occasion. If this process does not result in the post being filled due to lack of availability of candidates or those who do not reach the 1% votes threshold required above, then the post will remain unfilled until a By-Election can be held in accordance with Bye-Law 5.5.3.
  - 5.5.1.2 If (for any reason) the office of an Elected Officer becomes vacant following the election of a candidate to take over that Elected Officer role for the subsequent Academic Year (the

“Officer Elect”), then the role will become vacant and no By-Election held. The Trustees have the discretion to offer the role to the Officer Elect on a part-time basis until their official full time appointment date.

5.5.1.3 If (for any reason) the office of a Sabbatical Officer becomes vacant and the provisions of neither Bye-Law 5.5.1.1 nor Bye-Law 5.5.1.2 applies, the Trustees may, upon advice from the Executive Committee, determine that a By-Election is to be held to fill the vacancy. For the avoidance of doubt, a By-Election is not automatically called in the event of a Sabbatical Trustee role becoming vacant.

5.5.2 The By-Election referred to in Bye-Law 5.5.1.3 shall be subject to Bye-Law 7.

5.5.3 The By-Election must be held in term time, with polls opened:-

5.5.3.1 Within thirty (30) working days of the Elected Officer ceasing to hold (or being deemed to cease to hold) office, taking into account any appeal under Bye-Law 5.4.4 or 5.4.7 (if applicable); or

5.5.3.2 Within fourteen (14) working days from the start of term, if the By-Election would fall out of term time under Bye-Law 5.5.3.1.

5.5.4 In the case of the President position becoming vacant, the Deputy President will act as President until the earlier of:

5.5.4.1 the election of a new President by By-Election; or

5.5.4.2 the end of their original period of office if a replacement President is not successfully appointed in accordance with Bye-Law 5.5.1, or a By-Election is not held.

## 5.6 Service Contracts and Code of Conduct

5.6.1 The Chief Executive is the day to day contact for all contractual and employment issues and questions relating to the appointment and/or removal of Elected Officers.

- 5.6.2 The removal of an Elected Officer as set out in this Bye-Law 5 shall be subject always to the relevant Elected Officer's service contract and to the Code of Conduct relevant to the Elected Officer. The Trustees may take such action as they shall in their absolute discretion determine to be in the interests of the Union, in relation to the termination or suspension of office or employment of any Elected Officer, or proposed termination/suspension of office or employment.

## 5.7 Motion of Caution

- 5.7.1 The following behaviour shall entitle a "Motion of Caution" to be brought against an Elected Officer, by either the Accountability Forum or the Executive Committee, acting under the powers as outlined in the foregoing provisions of this Bye-Law 5:

- 5.7.1.1 Minor disciplinary offences, which shall include but shall not be limited to:

5.7.1.1.1 being drunk and disorderly within Union premises; and/or

5.7.1.1.2 bringing the name of the Union into disrepute.

- 5.7.1.2 Instances of lack of attention to the performance of duties or instances of non-attendance at Executive Committee meetings without good reason. It is recommended that in the case of Sabbatical Officers, an informal warning is issued by the Executive Committee to the Sabbatical Officer, before the issue is brought to an Accountability Forum.

- 5.7.1.3 Instances of rude behaviour to Members or their guests, or to staff of the Union or the University.

- 5.7.1.4 Instances of inappropriate behaviour that contravene the relevant section of the Sabbatical Officer Code of Conduct.

- 5.7.1.5 Failure to declare additional employment that does or may interfere or conflict with the duties and responsibilities of an Elected Officer.

5.7.1.6 Failure to secure approval at an All Student Members' meeting, from the Executive Committee, for the commencement or continuation of an academic course during the Sabbatical Officer's period of office (which shall commence upon the fourth week of the summer vacation).

5.7.2 A Motion of Caution will remain in place for the duration of time that the Elected Officer continues to undertake the role which s/he held at the time the Motion of Caution was awarded. This includes a second term of office after re-election in the same role. If an Elected Officer changes roles, then the Motion of Caution is nulled.

## 5.8 Motion of Censure

5.8.1 The following behaviour shall entitle a "Motion of Censure" to be brought against an Elected Officer, by either an Accountability Forum or the Executive Committee acting under the powers as outlined in the foregoing provisions of this Bye-Law 5:

5.8.1.1 Failure to improve conduct following the passing of a Motion of Caution pursuant to this Bye-Law 5.

5.8.1.2 Disciplinary offences that including (but not limited to):

5.8.1.2.1 Verbal aggression to Members or their guests, or to staff of the Union or University; and/or

5.8.1.2.2 Attempting to gain entry to Union events without payment, or by use of deception or other unfair means.

5.8.1.3 Regular occurrences of lack of attention to the performance of duties or of non-attendance without good reason. It is recommended that in the case of Sabbatical Officers, an informal warning is issued by the Executive Committee to the Sabbatical Officer, before the issue is brought to an Accountability Forum.

5.8.1.4 Regular occurrences of rude behaviour to Members or their guests, or to staff of the Union or the University.

- 5.8.1.5 Wilful disobedience of an order, motion or mandated instruction of an All Student Members' meeting, Accountability Forum, or of these Bye-Laws.
  - 5.8.1.6 Wilful failure to declare an interest, position or relationship which may conflict with the duties and responsibilities of the post.
- 5.8.2 A Motion of Censure will remain in place for the duration of time that the Elected Officer continues to undertake the role which s/he held at the time the Motion of Censure was awarded. This includes a second term of office after re-election in the same role. If an Elected Officer changes roles, then the Motion of Censure is nulled.

## 5.9 Motion of No Confidence

- 5.9.1. The behaviour listed in Bye-Laws 5.9.1.1 to 5.9.1.14 (inclusive) shall entitle a "Motion of No Confidence" to be brought against an Elected Officer, by either an Accountability Forum or the Executive Committee acting under the powers as outlined in the foregoing provisions of this Bye-Law 5. Such Elected Officer may be suspended until the Motion of No Confidence is heard, if the alleged behaviour is serious and to allow the Elected Officer to continue in post could put the Union's finances at risk or jeopardise the safety of Members and/or Union or University staff. The decision to suspend the Elected Officer will be made by the President (or Deputy President in cases involving the President), after seeking guidance from the Chief Executive. The Elected Officer's remuneration will be paid until the Motion of No Confidence is decided. The Elected Officer concerned will not be allowed to vote on the Motion of No Confidence.

- 5.9.1.1 Failure to improve conduct following the passing of a "Motion of Censure".
- 5.9.1.2 Assault of another person on University premises or elsewhere.
- 5.9.1.3 Disorderly or indecent conduct of a serious nature, including fighting on University premises.

- 5.9.1.4 Wilful irresponsibility leading to injury or which could lead to the injury of another person whilst on University premises.
- 5.9.1.5 Serious acts of negligence or carelessness.
- 5.9.1.6 Driving on official Union business whilst under the influence of drink or non-prescription drugs.
- 5.9.1.7 Theft from Union premises or of property belonging to Members or their guests, or to suppliers, customers and staff of the University or the Union.
- 5.9.1.8 Fraud, including the falsification of expense claims and sickness certificates.
- 5.9.1.9 Any act of financial misappropriation of Union funds whether before taking up a post or during holding such post.
- 5.9.1.10 Serious breach of safety regulations likely to endanger others, including deliberate damage to, neglect or misappropriation of safety equipment.
- 5.9.1.11 Actions in contravention of Union Policy on Equal Opportunities, Harassment and Bullying.
- 5.9.1.12 Deliberate actions in breach of Union Policy on Computer Security and e-mail.
- 5.9.1.13 Acts in contravention of the Bye-Laws.
- 5.9.1.14 Breach of Confidentiality with regard to DSB disclosures and sensitive information regarding individuals.



# Bye-Law 6

## Powers and Duties of the Trustees

### 6.1 Trustees' Powers and Duties

- 6.1.1 The Trustees will be responsible for the management and administration of the Union and (subject to the Education Act, these Articles and the Bye-Laws) may exercise all the powers of the Union.
- 6.1.2 The Trustees' powers as stated in Bye-Law 6.1.1 include, but are not limited to, responsibility for:
  - 6.1.2.1 The governance of the Union;
  - 6.1.2.2 The budget of the Union; and
  - 6.1.2.3 The strategy of the Union.

### 6.2 Order of Business at Trustees' Meetings

- 6.2.1 The order of business at Trustees' meetings, unless determined otherwise by the Trustees from time to time, will be as follows:
  - 6.2.1.1 Apologies for absence;
  - 6.2.1.2 Minutes of previous meetings;
  - 6.2.1.3 Matters arising and action points from those minutes;
  - 6.2.1.4 Chief Executive report;
  - 6.2.1.5 Executive Committee report;
  - 6.2.1.6 Finance report;
  - 6.2.1.7 Any other reports;
  - 6.2.1.8 Agenda items;
  - 6.2.1.9 Any other business;

6.2.1.10 Date, time and venue of next meeting.

6.2.2 Two Trustees or the Chief Executive may call a Trustees' meeting.

6.2.3 The Trustee Board will meet a minimum of 5 (five) times per calendar year at dates proposed by the Clerk to the Board. These dates are fixed when agreed by the incumbent Chair of the Board unless changes to the agreed dates are subsequently approved by the majority of the Trustees.

### 6.3 Conduct of Business at Trustees' Meetings

#### 6.3.1 The Chair

6.3.1.1 The chair of Trustees' meetings will be the President (for the purposes of this Bye-Law 6, the "**Chair**"). In the absence of the President, the chair will be the Deputy Chair (as defined in Bye-Law 6.3.1.2).

6.3.1.2 A Deputy Chair will be elected at the first Trustees' meeting of each Academic Year. The Trustees shall seek to appoint a Non-Student Trustee as the Deputy Chair, if willing and able to act.

### 6.4 Voting at Trustees' Meetings

6.4.1 The quorum for the transaction of the business of the Trustees may be fixed by the Trustees and unless so fixed at any other number or ratio will be four, including at least two Sabbatical Trustees and one Non-Student Trustee.

6.4.2 The Chair will call a vote by asking for a show of hands in favour, against, or abstaining on a particular item of business. A resolution will be carried by a simple majority of those present and entitled to vote unless otherwise stated in these Bye-Laws.

6.4.3 In the case of a tied vote, the Chair will have a casting vote only.

### 6.5 Procedure and other rules relating to Trustees' Meetings

- 6.5.1 If a Student Trustee ceases to be a Student then such Trustee will be deemed to have resigned their position with immediate effect.
- 6.5.2 Guest speakers may be invited to speak at Trustees' meetings at the discretion of the Trustees.
- 6.5.3 The Chief Executive will have full speaking rights at all Trustees' meetings, but will not be entitled to vote at such meetings.
- 6.5.4 At the discretion of the meeting, and with approval of the Chief Executive, any other member of the Union's staff may attend and speak, but not vote, at Trustees' meetings.
- 6.5.5 Observers and guests, either individually or collectively, may be excluded from Trustees' meetings by a simple majority vote of the Trustees present and entitled to vote.
- 6.5.6 Trustee meetings will be open unless the Trustees determine to enter into a closed session, by a simple majority vote of those Trustees present and entitled to vote. Subject to Bye-Law 6.5.7, when it has been decided to continue a meeting in closed session, any non-Trustees present will be required to leave the meeting unless the Trustees determine otherwise by a simple majority vote of those Trustees present and entitled to vote.
- 6.5.7 Unless requested by the Trustees to leave, the Chief Executive, the Clerk to the Board and the minute secretary shall remain present for a closed session of the Board.
- 6.5.8 In the event of the minute secretary not being present in a closed session, the minutes of closed sessions will be taken by a Trustee.

## 6.6 Student Trustee Appointment Committee

- 6.6.1 Student Trustees shall be selected and recommended to the Board for approval by the Student Trustee Appointment Committee as set out in this Bye-Law 6.6.
- 6.6.2 The Student Trustee Appointment Committee shall be comprised of the following:
  - 6.6.2.1 The President ;
  - 6.6.2.2 A Non-Student Trustee;

6.6.2.3 A Student Trustee; and

6.6.2.4 The Chief Executive Officer.

6.6.3 Vacancies for Student Trustee positions shall be announced on the Website, advertised through the Volunteering department and a direct email to Students eligible to apply for the specific role.

6.6.4 Student Trustee offices comprise the following positions:

6.6.4.1 Undergraduate Student Trustee;

6.6.4.2 Postgraduate Student Trustee;

6.6.4.3 Inter professional Student Trustee; and

6.6.4.4 Mature Student Trustee.

6.6.5 Appointments of Student Trustees shall be approved by a simple majority vote at an All Student Members' meeting. Their appointment to office shall require ratification at the next following meeting of the Board of Trustees.

# Bye-Law 7

## Rules Governing Elections

### Definitions

Words and phrases used in this Bye-Law 7 have the same meaning as ascribed to them in the Articles, or in the Bye-Laws, unless the context otherwise requires. The following definitions shall also apply:-

**"Board"**: the Board of Trustees of the University of Lincoln Students' Union.

**"Canvassing"**: asking people to vote for you.

**"Donations"**: materials that are given to candidates for campaigning purposes.

**"Election Regulations"**: the election regulations as set out in this Bye-Law 7.

**"Election Committee"**: has the meaning given to such term in Bye-Law 7.18.

**"Executive Committee"**: the Executive Committee of the University of Lincoln Students' Union.

**"Question Time"**: sessions providing an opportunity for candidates to present themselves to Students alongside other candidates and to answer Students' questions (as is further set out in Bye-Law 7.12).

**"Returning Officer"**: for the purposes of this Bye-Law 7, the returning officer appointed by the Trustees under Bye-Law 7.13.1.

**"Single Transferable Voting"**: voting at an election held in accordance with the rules for the operation of transferable voting systems, as set by the Electoral Reform Society (please see <http://www.electoral-reform.org.uk/single-transferable-vote>).

**"Student Members"**: the Student Members of the University of Lincoln Students' Union.

**"Union"**: the University of Lincoln Students' Union.

7.1 The Election Regulations are based on the following core principles:

- 7.1.1 Campaigning must not disrupt academic study of other Students;
- 7.1.2 There will be no unfair advantage to anyone or disenfranchisement of any Members;
- 7.1.3 Each candidate is responsible for the actions of their own campaign team and supporters;
- 7.1.4 Candidates must respect and work within the law and within Regulations from the Union and the University; and
- 7.1.5 The Returning Officer is responsible for the running of a free and fair election; their decision is final.

7.2 This Bye-Law 7 outlines the rules and regulations for the Union's elections for the positions of:

- Sabbatical Trustees;
- Union Chair (who shall chair Accountability Forums and All Student Members' meetings);
- Volunteer Officers; and
- NUS Delegates.

7.2.1 Standing for election

7.2.1.1 The Executive Committee is made up of full-time officers known as Sabbatical Trustees who are remunerated members of the Union's Board of Trustees. The portfolios and number of positions available for election to the Executive Committee are set out in the Articles and the Articles form part of these Election Regulations.

7.2.1.2 the Volunteer Officers are comprised of the following positions:

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- 7.2.1.2.1 College Officers and School Representatives are Students elected to represent their college or school of the University;
  - 7.2.1.2.2 Any Chair of a liberation society as defined in the relevant Constitution of the liberation society;
  - 7.2.1.2.3 Sports Officers who are Students elected to represent Sports Clubs;
  - 7.2.1.2.4 Societies Officers who are Students elected to represent Societies;
  - 7.2.1.2.5 the RAG Officer who is the chair of the RAG Committee as defined in the Standing Order covering the RAG Committee;
  - 7.2.1.2.6 College Officers; and
  - 7.2.1.2.7 the Union Chair (who shall chair Accountability Forums and an All Student Members' meetings as definite in Bye-Law 2.3.1);
  - 7.2.1.2.8 Community Representatives as defined in the Standing Order covering Community Representatives; and
  - 7.2.1.2.9 such other Volunteer Officer positions as determined from time to time by the Trustees.
- 7.2.1.3 NUS delegates represent the Union alongside the President at NUS National Conference.

## 7.2.2 Eligibility

- 7.2.2.1 Students must be a full Student Member of the Union to be eligible to vote or stand for election.
- 7.2.2.2 Subject to Bye-Law 7.2.2.3, students who have been subject to a disciplinary action by the Union or who have had a disciplinary allegation against them found proven at

- the *Head of College* stage of the University's Student Conduct and Disciplinary procedure, will not be eligible to stand for election.
- 7.2.2.3 If the Union or University disciplinary process is live, then the Student may stand in the election. However, should the candidate be found guilty of a serious offence by the Union or at the *Head of College* stage of the University's Student Conduct and Disciplinary procedure, they will be deemed to have withdrawn (or, if elected, resigned) with immediate effect. Any student who has been excluded from Union membership, or premises, for more than three (3) months, will be deemed to have been found guilty of a serious offence for the purposes of this Bye-Law 7.2.2.3.
  - 7.2.2.4 Elected Officers who previously have ceased to hold office as a consequence of disciplinary reasons will not be eligible for election.
  - 7.2.2.5 Student staff members of the University or Union will be eligible to stand and vote in elections. However, they are expressly forbidden from campaigning during working hours or using their position to influence voting.
  - 7.2.2.6 Students with outstanding tuition fees owed to the University (in line with the University's current Regulations) will not be eligible to stand for election.
  - 7.2.2.7 It is the candidate's responsibility to disclose any disciplinary action taken by the University, prior to submitting their manifesto. Failure to do so will result in a penalty, which shall be decided by the Returning Officer in accordance with Bye-Law 7.13.3.
  - 7.2.2.8 Candidates may stand for one position only, in addition to standing for election as NUS delegate.
  - 7.2.2.9 Candidates may be re-elected, but can only serve a maximum of two years as a Sabbatical Officer under the Education Act.



### 7.3 Elections involving the Board of Trustees

- 7.3.1 Successful candidates for Sabbatical Trustee elections will need to undergo a DBS ("Disclosure & Barring Service") check. If a DBS check is returned as "failed", the process to consider this is outlined in the Union's *Sabbatical Officer Terms and Conditions of Officer* document.

### 7.4 Election of Delegate for the National Union of Students National Conference ("Conference")

- 7.4.1 The President will be the delegate leader to the Conference. Should the President not be able to attend the Conference, the Executive Committee shall elect an alternative member to attend as delegate leader.
- 7.4.2 All other delegates to this Conference will be elected in accordance with this Bye-Law 7.

### 7.5 Nominations

- 7.5.1 All candidates must fully and accurately complete the electronic nomination form to be eligible to stand for election. Additional information may be requested at the discretion of the Returning Officer in accordance with Bye-Law 7.13.3.
- 7.5.2 Completed nomination forms must be submitted electronically together with artwork for publicity materials and a photograph for the election voting page.
- 7.5.3 For a nomination form to be valid, it must be received before the stated closing date and time.

### 7.6 Manifesto

- 7.6.1 All candidates must submit a maximum five hundred (500) word manifesto as part of the nomination form which will be displayed on the Website.
- 7.6.2 All manifestos must be written in English and comply with the Union's and University's Equal Opportunities Policies.

- 7.6.3 Candidates are, by submitting a nomination form, giving consent:
  - 7.6.3.1 To be photographed and filmed during the election process; and
  - 7.6.3.2 For such photographs and films to be used by the Union, as it deems fit in its absolute discretion.

## 7.7 Elections Timetable

- 7.7.1 Notice of elections will be given to all Students a minimum of ten (10) working days before nominations open. The notice will include the following details:
  - 7.7.1.1 The information set out in Bye-Laws 7.9.1.1 to 7.9.1.6 (inclusive); and
  - 7.7.1.2 All the posts to be filled.
- 7.7.2 Nominations will be open for a period of at least five (5) working days. Notice of successful candidates nominated will be displayed within two (2) working days of close of nominations, on the notice boards and the Website.
- 7.7.3 Candidates must not begin to canvas until after candidate briefings and official notification has been given.
- 7.7.4 Any candidate wishing to withdraw from the election process must notify the Returning Officer in writing of their wish to withdraw. Subject to notice being received on time to enable the Returning Officer to do so, the Returning Officer shall amend the notice of elections and/or nomination to reflect such withdrawal. It shall be the responsibility of the relevant candidate to give the Returning Officer sufficient notice of withdrawal; the Returning Officer shall have no responsibility to any candidate if the notice of elections and/or nomination is not amended to reflect such withdrawal.
- 7.7.5 Vote counting will commence at the close of the ballot. The Returning Officer will declare the time and location of the count to all candidates, before voting commences.

7.7.6 Any complaints relating to the election, including the ballot and the conduct of candidates, must be made prior to the close of voting and within twenty four (24) hours of the incident to which the complaint relates. Complaints must be submitted in writing to the Returning Officer.

7.7.7 Any complaint relating to the conduct or validity of the count must be made to the Returning Officer in writing, within five (5) working days of the count taking place.

## 7.8 Publicity

### 7.8.1 Production of publicity

7.8.1.1 All publicity is subject to these Bye-Laws.

7.8.1.2 Publicity of any form is not permitted prior to the official commencement of the election canvassing, as determined by the Returning Officer in accordance with Bye-Law 7.13.

7.8.1.3 Candidates will be entitled, free of charge, to printing as outlined in the Candidate Handbook. This is restricted to original artwork to be submitted with the nomination form. For the purposes of this Bye-law 7 the Candidate Handbook is the Handbook distributed by the Returning Officer at the procedural meeting for each election.

7.8.1.4 Designs are subject to the approval of the Returning Officer.

7.8.1.5 Candidates are not to exceed the allowed budget and must submit receipts for all purchases and donations 24 hours before the end of the voting period.

7.8.1.6 Candidates will not be allowed certain publicity materials. This list will be reviewed by the Returning Officer and includes additional unauthorised web space or sites, stickers and graffiti. Further details are in the Candidate Handbook.

7.8.1.7 Election material shall not be libellous or defamatory.

7.8.1.8 The Returning Officer has the absolute right to require that publicity which s/he deems not to conform to this Bye-Law 7 or the terms of the Candidate Handbook is removed.

7.8.1.9 All publicity must comply with the Union and University's Policies, including but not limited to those relating to Equal Opportunities.

#### 7.8.2 Distribution of publicity

7.8.2.1 A candidate's election publicity must not obscure, deface or remove that of either another current candidate or any publicity or information displayed by the Union or the University.

7.8.2.2 Publicity materials must not be displayed or distributed within the University Library or any computer rooms.

7.8.2.3 Only materials suitable for fixing publicity are to be used. Any costs incurred resulting from damage caused by publicity, or from additional cleaning costs in removing publicity, will be charged to the candidate(s) responsible, who will be wholly liable for any such costs.

### 7.9 Announcement of Candidates

7.9.1 The Returning Officer will publish the following:

7.9.1.1 The names of all candidates who have submitted valid nomination papers.

7.9.1.2 The manifesto provided by each candidate.

7.9.1.3 The date of the elections.

7.9.1.4 The times and methods by which votes may be cast.

7.9.1.5 The date(s), time(s) and venue(s) of all Question Times.

- 7.9.1.6 Details of any invalid nomination paper(s), together with the reason(s) for invalidity.

## 7.10 Campaigning & Canvassing

- 7.10.1 Candidates are responsible for the actions of any campaigner or supporter canvassing for their campaign. All Election Regulations apply equally to the actions of campaigners and supporters as they do to candidates. It is the responsibility of the candidate(s) to ensure, as far as reasonably possible, that anyone assisting in their campaign fully understands, and abides by, these Regulations.
- 7.10.2 Union sports clubs, societies, committees and other groups may officially endorse candidates via official club/society activities, if it can be shown that such endorsement would not cause a candidate to breach any of the terms of this Bye-Law 7.
- 7.10.3 Canvassing of any form, including the display of campaign material, is not permitted prior to the official commencement of the campaigning period, as such is determined by the Returning Officer.
- 7.10.4 Candidates must, at all times, comply with applicable laws when canvassing.
- 7.10.5 When conducting campaigning and canvassing activities on University, Union or private property, including but not limited to lecture theatres, student accommodation and official University premises, permission must be sought and granted from the relevant person in order to carry out such activities.
- 7.10.6 Candidates may not use the Portal, or utilise Student mailing lists, for the purposes of campaigning.
- 7.10.7 Canvassing is prohibited within individual learning spaces such as the University Library or computer rooms.
- 7.10.8 Subject to Byelaw 7.10.9, Union and University staff may not support, aid, or endorse, election candidates at any time.

- 7.10.9 Students employed by the University or Union and Elected Officers may support, aid and/or endorse election candidates, but only outside of working hours.

## 7.11 Voting

- 7.11.1 Only current Student Members are eligible to vote in elections.
- 7.11.2 All elections will include the opportunity to vote for 'Re-Open Nomination' (RON). The election of RON results in a new election for that position being held.
- 7.11.3 Votes will be cast using an electronic system.
- 7.11.4 Electronic voting will be available for a minimum total period of seventy-two (72) hours. One or more assisted polling areas will be made available by the Union.
- 7.11.5 Voting will be by Single Transferable Voting.

## 7.12 Question Time

- 7.12.1 Candidates are invited to take part in Question Time, called and chaired by a nominee of the Union as approved by the Executive Committee.
- 7.12.2 Question Time will take place at such venue(s) and time(s) as notified under Bye-Law 7.9.1.6.
- 7.12.3 Anyone is permitted to attend Question Time, but only Student Members may ask questions of candidates.
- 7.12.4 Any questions can raise points connected to Policy, manifesto or speech content but the questions must be addressed to all candidates.

## 7.13 Governing and Supervision of Elections

- 7.13.1 The Returning Officer: The Trustees shall appoint a Returning Officer every three (3) years from candidate(s) proposed by the Chief Executive. Student Members, University staff and Trustees cannot be a Returning Officer.

7.13.2 The responsibilities of the Returning Officer(s) are:

- 7.13.2.1 Enforcement of these Election Regulations and ultimate responsibility for the free and fair running of elections.
- 7.13.2.2 To submit a report on the conduct of the elections to the Trustees and the University's Board of Governors, within one month following each election, stating whether the election was conducted freely and fairly in line with the Election Regulations and what steps could be taken to improve future elections. The report will be published on the Website.
- 7.13.2.3 To co-opt up to four Assistant Returning Officers, one of whom may be nominated as a Deputy Returning Officer. The appointment of such Assistant Returning Officers must be confirmed by the Elections Committee. The Assistant Returning Officers and Deputy Returning Officer may exercise the powers and duties of the Returning Officer under these Bye-Laws to the extent so permitted by the Returning Officer and references in this Bye-Law 7 to the Returning Officer shall include, as the context requires, references to the Deputy Returning Officer and the Assistant Returning Officers.

7.13.3 The Returning Officer has the power to:

- 7.13.3.1 Issue an oral or written warning to candidates;
- 7.13.3.2 Restrict the amount of publicity available to a candidate;
- 7.13.3.3 Disqualify a candidate;
- 7.13.3.4 Require a candidate to publicly correct or withdraw any inaccurate or prohibited statement, or to remove any prohibited publicity material;
- 7.13.3.5 Take any other appropriate action in relation to candidates;

- 7.13.3.6 Refer any incidents to appropriate University, Union or external authorities if the behaviour of a candidate or their campaigners or supporters breaks University Regulations, these Bye-Laws, or the rules of any other relevant body;
- 7.13.3.7 Confiscate election materials;
- 7.13.3.8 Require a candidate to issue an apology; and
- 7.13.3.9 Create a Code of Conduct for candidates.

7.13.4 Assistant Returning Officers:

- 7.13.4.1 are co-opted every three (3) years by the Returning Officer to assist the Returning Officer in performing his or her duties and responsibilities under these Election Regulations;
- 7.13.4.2 cannot be Student Members or Trustees; and
- 7.13.4.3 can be suspended with immediate effect by the Returning Officer, subject to appropriate notice with prior approval of the Trustees (who will hear any appeals or complaints relating to such suspension).

7.13.5 Deputy Returning Officer

- 7.13.5.1 The Deputy Returning Officer is responsible for the Returning Officer's duties, should the Returning Officer be in any way indisposed.

7.14 Complaints

- 7.14.1 The Returning Officer is solely responsible for the interpretation of these Election Regulations.
- 7.14.2 Requests for interpretation of these Election Regulations or complaints about the conduct of candidates or election process under Bye-Laws 7.7.6 and 7.7.7 must be made to the Returning Officer in writing. Such a request or complaint must include, where appropriate, evidence and a suggested resolution.



- 7.14.3 The Returning Officer shall investigate all complaints and make adjudication according to the seriousness and complexity of the complaint. Decisions on complaints and conduct will be made within forty eight (48) hours (excluding non-working days), which may include the decision to hold a further enquiry.
- 7.14.4 If a candidate is found by the Returning Officer to be in breach of any one or more of these Election Regulations, the Returning Officer shall make a ruling.
- 7.14.5 The Returning Officer shall deal with any complaints made by residents of halls or the local community in relation to the conduct of candidates during canvassing or campaigning. The Returning Officer may suspend a candidate from the election process for a period of time, pending investigation.
- 7.14.6 All rulings made by the Returning Officer will be posted on the elections notice board and the Website. Candidates must consult these regularly.
- 7.14.7 The ruling of the Returning Officer shall be final. However there shall be a right of appeal to the clerk to the Board of Governors (for the purposes of this Bye-Law 7, the "Clerk") if either party involved in the complaint wishes to raise concerns regarding the application of these Election Regulations or believes the Returning Officer has acted in an improper or biased manner. All appeals must be lodged in line with Bye-Law 7.16.

#### 7.15 Suspension

- 7.15.1 Should any candidate be alleged to be in serious breach of these Bye-Laws or any other document or instruction issued by the Returning Officer, then that person may be suspended by the Returning Officer from campaigning or canvassing until such time as they are reinstated, penalised or disqualified by the Returning Officer (as the case may be).
- 7.15.2 Within forty eight (48) hours of any such suspension being imposed, the Returning Officer will make a decision on whether a suspended candidate may continue to take part in the election process.

#### 7.16 Right of Appeal

- 7.16.1 Appeals by candidates against the decision of the Returning Officer must be made in writing to the Clerk within five (5) clear days of the date of the Returning Officer's decision.
- 7.16.2 The nature of any appeal to the Clerk shall only be based on whether the Returning Officer's decision was:
  - 7.16.2.1 taken in accordance with these Election Regulations and/or;
  - 7.16.2.2 fair, proper and unbiased.
- 7.16.3 The appeal notice should contain statements concerning which post was run for, the candidate's role in it, the nature of the decision to be appealed and the outcome being sought. The candidate must provide all relevant documentation and evidence to support their appeal, at the time of submission.
- 7.16.4 The Clerk will determine whether to uphold the decision of the Returning Officer, or refer the matter back to the Returning Officer for further consideration. The Clerk will notify the candidate of his/her decision within five (5) clear days of receipt of the appeal.
- 7.16.5 In the event of the Clerk and the Returning Officer failing to agree a course of action to rectify the appeal to the satisfaction of both, the matter will be referred to the Elections Committee. The Elections Committee's decision on the matter shall be final.

## 7.17 By-Elections

- 7.17.1 A By-Election shall be held in the following circumstances:
  - 7.17.1.1 Where an Elected Officer position remains unfilled following an election held in accordance with the above regulations.
  - 7.17.1.2 In the event of a Sabbatical Officer role becoming vacant In accordance with Bye Law 5.5

## 7.18 The Elections Committee:

7.18.1 Is a sub-committee of the Board of Trustees, with a reporting link to the Executive Committee and:

7.18.1.1 Shall elect a chair from the Executive Committee (for the purposes of this Bye-Law 7.18, the "Chair");

7.18.1.2 Shall meet a minimum of four times in each Academic Year with a quorum of three. Additional meetings may be called with the agreement of the Chair, or at the request of the Trustees;

7.18.1.3 May make recommendations to the Trustees for changes to these Election Regulations.

7.18.2 The Elections Committee is comprised of:

7.18.2.1 The President,

7.18.2.2 One other Sabbatical Officer, to be elected by the Executive Committee;

7.18.2.3 The Chief Executive;

7.18.2.4 The Returning Officer;

7.18.2.5 The Deputy and Assistant Returning Officers;

7.18.2.6 One Non-Student Trustee.

7.18.3 Any Elected Officers of the Elections Committee standing for election will be automatically removed from the Elections Committee until the elections process, including any review, is complete.

7.18.4 The Remit of Elections Committee shall be:

7.18.4.1 To make recommendations on policy and procedure;

7.18.4.2 To manage promotion of the election in its wider sense;

7.18.4.3 To set dates for approval;

- 7.18.4.4 To review the elections process;
- 7.18.4.5 To set targets;
- 7.18.4.6 To oversee the elections budget; and
- 7.18.4.7 To set up such groups as it deems appropriate, to conduct the operation of elections.

7.19 Role of Sabbatical Trustees and Student Trustees in the elections process:

- 7.19.1 Elected Officers are expected to play a full and positive part in the general promotion of the elections to the Student body, to encourage candidates to stand and members to vote.
- 7.19.2 Elected Officers will not have any involvement in the interpretation of these Election Regulations.

# Bye-Law 8

## Rules Governing Referenda

- 8.1 Referendum voting shall take the form of a secret cross campus ballot in which all full Student Members are asked to vote either yes, no, or abstain to a motion, policy or appeal. All Referenda are to be conducted on the Website and are decided by a simple majority vote.
- 8.2 Referenda shall be held in the following circumstances:
- 8.2.1 If, through the module for ideas set out in Bye-Law 3.1.3, at least fifty (50) members vote that a referendum is to take place;
  - 8.2.2 If, in accordance with Bye-Law 2, a majority vote at All Student Members' meeting approves a motion or policy should be put to a Referendum;
  - 8.2.3 In the event of an appeal by a member of the Executive Committee to a vote of No Confidence of in accordance with Bye-Law 5.4.7;
  - 8.2.4 If a majority vote at a Trustee meeting approves a motion or policy should be put to a Referendum.
- 8.3 The Referendum voting will take place a maximum of thirty (30) working days (if this falls outside term time then the referendum must take place during the first week of a new academic term) after:
- 8.3.1 the decision to hold a Referendum is passed in the case of Bye-Laws 8.2.1, 8.2.2 and 8.2.4; or
  - 8.3.2 a letter is received in the case of Bye-Laws 8.2.3.
- 8.3 Subject to the remainder of this Bye-Law 8.3, it shall be the responsibility of the President to enable Student Members to debate the policy or motion before the beginning of voting. This may take the form of a physical meeting or be hosted online. There shall be no debate of an Executive Committee member's appeal under Bye-Law 5.4.7.
- 8.4 The quorum for a Referendum is 10% of Student Members who are eligible to vote. In the event of a Referendum for the appeal of an Executive Committee member under Bye-Law 5.4.7, the quorum is reduced to 5% of Student Members who are eligible to

vote. If the quorum is not met, then the motion, policy or appeal is deemed to have failed (in the case of a motion posed as a question, being answered 'No').

- 8.5 Any decision of a Referendum is final and cannot be revoked, except by another Referendum. Any policy adopted as a result of a referendum shall expire on the third anniversary of the date on which voting closed.
- 8.6 The Executive Committee will appoint a returning officer to oversee the Referendum (for the purposes of this Bye-Law 8, the "Returning Officer"), selected from Union staff upon recommendation from the Chief Executive Officer.
- 8.7 Campaigning for or against a Referendum must be conducted in accordance with the regulations set out in Bye-Laws 8.7.1 to 8.7.9 (inclusive). Campaigning in breach of this Bye-Law 8.7 may result in disciplinary action, in accordance with Standing Order 1002, being taken against the Student Member in breach.
  - 8.7.1 Campaigning may begin once the relevant members have been briefed on the campaign rules outlined in this Bye-Law 8.
  - 8.7.2 Campaigners must take reasonable steps to ensure that their supporters' actions comply with the campaign rules at all times and must be able to demonstrate this in the event of a complaint against them.
  - 8.7.3 Campaigners may only alter, move or remove their own campaign materials.
  - 8.7.4 Campaigners may only use mailing lists where lawful to do so (taking into account issues including, by not limited to, Data Protection). In most cases this will require the consent of the members on the list to use their details.
  - 8.7.5 Mailing lists of activity groups are deemed to be owned by the membership of the group; committee approval is therefore required in order to allow use of the list.
  - 8.7.6 Campaigners must not prevent free and easy access to and within the Union Building when campaigning.
  - 8.7.7 Campaigners must not communicate with voters in any way once they have begun to complete their ballot.

8.7.8 Bribes must not be offered as part of any campaign.

8.7.9 All campaigners must adhere to the rules of behaviour on any Union or University premises.

8.8 Notice of the Referendum will be given a minimum of five (5) working days by means of a news story on the Website. This is the responsibility of the Returning Officer.

8.9 Voting on a Referendum will last for a minimum of seventy two (72) hours.

8.10 The results shall be calculated through a simple majority vote of all voting members.

8.11 The results of the Referendum will be posted by the Returning Officer on the Website a maximum of 36 hours after voting closes (excluding non-working days).

# Bye-Law 9

## Rules governing Preferenda

### 9.1 Procedure

9.1.1 Preferenda voting shall take the form of a secret cross campus ballot in which all Full Student Members are asked to vote for their preferred outcome. All Preferenda are to be conducted on the Website.

9.1.2 Preferenda outcome will be referred to the Executive Committee, who will use the outcome as guidance when deciding the final course of action.

9.1.3 Preferenda options are:

9.1.3.1 A simple yes, no, abstain style question or statement to a motion or policy; or

9.1.3.2 A multiple option style question or statement to a motion or policy.

9.1.4 Preferenda shall be held in the following circumstances:

9.1.4.1 If, in accordance with Bye-Law 2, a majority vote at All Student Members' meeting approves a motion or policy should be put to a Preferendum;

9.1.4.2 If a majority vote at a Trustee meeting approves a motion or policy should be put to a Preferendum.

9.1.5 Notice of the Preferendum will be given a minimum of 5 (five) working days by means of a news story on the Website. This is the responsibility of the Returning Officer.

### 9.2 Campaigning

9.2.1 Campaigning for or against a Preferendum must be conducted in accordance with the regulations set out in this Bye-Law 9.2. Campaigning in breach of this Bye-Law 9 may result in disciplinary action, in accordance with the Student Disciplinary Policy, being taken against the Student Member in breach.



- 9.2.2 Campaigning may begin once the relevant members have been briefed on the campaign rules outlined in this Bye-Law 9.
  - 9.2.3 Campaigners must take reasonable steps to ensure that their supporters' actions comply with the campaign rules at all times and must be able to demonstrate this in the event of a complaint against them.
  - 9.2.4 Campaigners may only alter, move or remove their own campaign materials.
  - 9.2.5 Campaigners may only use mailing lists where lawful to do so (taking into account issues including, but not limited to, Data Protection). In most cases this will require the consent of the members on the list to use their details.
  - 9.2.6 Mailing lists of activity groups are deemed to be owned by the membership of the group; committee approval is therefore required in order to allow use of the list.
  - 9.2.7 Campaigners must not prevent free and easy access to and within the Union Building when campaigning.
  - 9.2.8 Campaigners must not communicate with voters in any way once they have begun to complete their ballot.
  - 9.2.9 Bribes must not be offered as part of any campaign.
  - 9.2.10 All campaigners must adhere to the rules of behaviour on any Union or University premises.
- 9.3 Voting
- 9.3.1 The Referenda date will be stated within the motion or policy in which the Referendum is proposed.
  - 9.3.2 Subject to the remainder of this Bye-Law 9, it shall be the responsibility of the President to enable Student Members to debate the policy or motion before the beginning of voting. This may take the form of a physical meeting or be hosted online.
  - 9.3.3 The quorum for a Referendum is 10% of Student Members who are eligible to vote. If the quorum is not met, then the motion or policy is deemed to have failed (in the case of a motion posed as a question, being answered 'No'). Any

motions or policies with the outcome of a Referendum would require guidance from the Returning Officer prior to the motion or policy being discussed and approved.

- 9.3.4 Any decision of a Referendum can be revoked by the Executive Committee or Trustee Board. Any policy adopted as a result of a Referendum will expire three years to the date of voting closing.
- 9.3.5 The Executive Committee will appoint a Returning Officer to oversee the Referendum (for the purposes of this, the "Returning Officer" will be the Returning Officer selected for the elections in accordance with Bye-Law 7), who is selected from Union staff upon recommendation from the Chief Executive Officer.
- 9.3.6 Voting on a Referendum will last for a minimum of 72 hours.
- 9.3.7 The results of Referendum will be posted by the Returning Officer of the Website a maximum of 36 hours after voting closes (excluding non-working days).