**Bye-Laws of**

**University of West London Students’ Union**

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**Approved by UWLSU Trustee Board:** September 2019

Company Limited by Guarantee and not having a Share Capital

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# Bye-Law 1: Membership

1. **Student Members**
	1. The Student Members of the Union are those defined in the Articles.
	2. All Student Members shall abide by the Union Articles, Bye-Laws, Regulations and Policies.
2. **Termination of Student Membership**
	1. Termination of Student Membership is defined in the Articles.

* 1. If a student wishes to exercise the right to opt-out from Student Membership, they shall inform the Union’s Chief Executive in writing, who shall notify the Board of Trustees and the University of West London of the student’s decision.
	2. For the avoidance of doubt a student who has opted-out in one academic year will be considered a Student Member in the next unless they opt out again.
	3. A student who has opted-out may re-join as a Student Member by notifying the Chief Executive of the Union of their wish to do so.
	4. Students who have opted-out of Student Membership shall be entitled to use the services of the Union, subject to such Bye-Laws as may from time to time be in force, including access to Union advisory and welfare services.
	5. Students who have opted out of Student Membership shall not be entitled:
		1. To participate in Union affairs (i.e. participate in democratic meetings, vote in elections, referenda and other ballots, but may be elected as a course representative);
		2. To participate in Union Societies’ decision-making processes as officers or members of Committees;
		3. Opting out of Student Membership does not prohibit a Student from entering into employment as a student staff member or support staff member of the Union.
1. **Associate Members**
	1. In accordance with the Articles, the Trustees may establish different classes of associate membership.
	2. For the avoidance of doubt any persons qualifying as an Associate Member is not a Student Member.
	3. Associate Members shall be entitled to:
		1. Use of services and facilities of the Union and subcontractors, with possible restrictions and tariffs.
		2. Hold associate membership of any Union student group.
		3. Attend Student Members’ Meetings as observers.
	4. The Trustees have established the following class of associate membership, which may occur a fee:
		1. Staff Associate Membership; available to any persons employed by University of West London or UWLSU.
		2. Alumni Membership; available to any person who has previously been a student at the University of West London.
		3. Reciprocal Membership; the Union may enter into reciprocal membership arrangements with other students’ unions or educational institutions, both within the United Kingdom and overseas.
		4. Honorary Life Membership; this shall be awarded to persons agreed by the Trustee Board.
		5. Partner Membership; available to any students studying at providers which have entered into Academic Partnership with the University.

# Bye-Law 2: Complaints

1. **Scope**
	1. In accordance with the 1994 Education Act, this is the Union’s complaints procedure.
	2. Student Members, Associate Members, Sabbatical Officers and opted-out students may complain under this procedure to any Union staff member, Trustee or Sabbatical Officer. For the purpose of clarity, such complainants shall be referred to within this bye-law as ‘members’.
	3. Complaints from Union staff members shall not be within the scope of this procedure, but may be considered under other procedures such as the Union Staff Handbook, Student Group Rules or the Elections Bye-Law.
	4. Complaints from University staff members or members of the public shall initially be dealt with informally by the relevant Union staff member, Sabbatical Officer or Trustee, and may be formally considered by the Union Leadership Team or any other committee that the Trustee Board deem to be appropriate, but are not required to otherwise follow this procedure.
	5. Complaints will be considered under this procedure when they relate to:
		1. dissatisfaction with the Union’s operations or services;
		2. conduct of another member contradictory to the UWLSU Student Code of Conduct;
		3. conduct of a trustee including Sabbatical Officers contradictory to the Trustee Code of Conduct;

or any other issues which cannot be dealt with under alternative procedures, provided that the complaint is within the Union’s jurisdiction to act.

* 1. A complaint shall not be considered under this procedure if:
		1. it is not within the Union’s jurisdiction to act, in that it is not relevant to Union activity, operations or services and does not affect the membership rights and privileges of the complainant as set out in the Articles and the Membership bye-laws; or
		2. it would be more appropriately considered under an alternative procedure.
1. **Referral**
	1. At any stage of this procedure it may become evident that referral to an alternative procedure is the most appropriate outcome. In such circumstances the student should be advised that this is the case at the earliest opportunity.
	2. If it becomes evident that an alternative procedure is more appropriate at an informal stage, in particular when the complaint is initially received informally, members should be referred to the more appropriate procedure and members have the right to decide whether or not to proceed under the alternative procedure.
	3. If it becomes evident that an alternative procedure is more appropriate at a formal stage, then the person handling the formal complaint (usually the President - see Formal Stage) shall notify the member that they will refer the complaint to the alternative procedure.
	4. More appropriate procedures may include but are not limited to:
		1. the Student Disciplinary Procedure Bye-Law for major breaches of the UWLSU Student Code of Conduct;
		2. the Trustee Disciplinary Procedure Bye-Law for major breaches of the Trustee Code of Conduct;
		3. the democratic processes for removal of trustees and Sabbatical Officers set out in the Articles and Bye-Laws for complaints about the performance and conduct of Trustees and elected Sabbatical Officers;
		4. the Student Group Rules for complaints about the conduct of student group committee members;
		5. the Elections Bye-Law for complaints about elections;
		6. the Union Staff Handbook or Union Student Staff Handbook for complaints about Union staff members;
		7. the University complaints procedures for complaints relating to the University;
		8. the Advice Service Office Manual for complaints relating to the advice service;
		9. the Union Leadership Team or Trustee Board if appropriate.
	5. In some circumstances, more than one procedure may apply, in which case members should be advised of their options.
	6. The person handling the complaint, at either a formal or an informal stage, may seek advice from their manager or a member of the Union Leadership Team to ensure they are able to refer the complaint appropriately, but must be mindful to respect the confidentiality of the member making the complaint.
2. **Informal Stage**
	1. Complaints may be initially made informally to any Union staff member, Trustee or Sabbatical Officer, who will decide the appropriate course of action which will usually include one or more of the following:
		1. attempt to resolve the complaint informally themselves; or
		2. advise the member to ask a more appropriate person to resolve the complaint informally, and who that person might be; or
		3. advise the member to escalate the complaint to a formal stage if the complaint is deemed too serious to resolve informally; or
		4. refer the member to a more appropriate procedure; or
		5. advise the member to seek support from the Union Advice Service.
	2. In the instance of any safeguarding or duty of care concerns, they will immediately inform the Safeguarding Lead or in the absence of the Safeguarding Lead they will inform their manager, and advise the student that they are going to do this.
	3. Informal attempts to resolve complaints could include mediation, conflict resolution, an apology, an appropriate refund/reimbursement, or any other informal action designed to resolve the complaint.
	4. If a member has a complaint which they feel they can take up informally, without raising a formal complaint using this procedure, with a view to its being resolved quickly, they are encouraged to do so.
	5. If, for any reason, a member feels unable to make a complaint informally as referred to above, or they are dissatisfied with progress or outcome of making a complaint informally, they may make a formal complaint.
	6. If a member feels unable to seek advice from an individual, because their complaint relates to or concerns that individual, or for any other reason, they should seek advice from the Chief Executive or another member of the Union Leadership Team.
3. **Formal Stage**
	1. If a member wishes to raise a formal complaint they should do so by emailing the Union President, or, if the complaint relates to or concerns the President, by emailing one of the Vice Presidents. Please note, for the purposes of the following provisions, if a member’s complaint relates to or concerns the Union President, all references to “the President” should be read as references to “the Vice President.”
	2. Statements of formal complaints should include:
		1. the nature of the complaint;
		2. details of the circumstances in which it has arisen;
		3. details of any steps taken so far to have the complaint dealt with; and
		4. details of the steps the member considers should be taken to deal with the complaint.
	3. The Member should also attach to their e-mail or otherwise clearly identify any documents they wish to be taken into account in the consideration of their complaint.
	4. The President will consider requests for confidentiality in dealing with a complaint but an anonymous complaint or anonymous contributions cannot be considered.
	5. The President may deal with the complaint as they consider appropriate in all the circumstances. On receipt of a complaint, the President will respond to the Member within 10 working days setting out how complaint will be considered.
	6. The complaint will be considered in one or a combination of the following ways as appropriate:
		1. the President may investigate the complaint themselves; or
		2. may refer the complaint for investigation to another individual on their behalf; or
		3. may refer the matter to be dealt with under other Union procedures.
	7. Where a complaint is in relation to more serious breaches of the UWLSU Student Code of Conduct such as individual bullying, harassment or attack, the President will usually refer the complaint to the Student Disciplinary Procedure Bye-Law
	8. In some circumstances, a complaint may relate to various issues which require several procedures to be followed simultaneously in order for the complaint to be considered appropriately. In such circumstances the President shall determine the most appropriate course of action.
	9. In case of referral to be dealt with under any other Union procedure, it may not be possible deal with a complaint within a specific time but the member will be kept informed of the anticipated timescale.
	10. In the course of any investigation of the complaint the President or nominee may, but need not, invite the member to a meeting with them and/or other specified individuals to discuss the member’s complaint.
	11. If the matter has not been referred to be dealt with under any other Union procedure as referred to above, the President or nominee will take a decision in relation to the complaint and notify the member by email of such decision by no later than 20 working days of the complaint being received, or by such later reasonable time notified to the member.
	12. If the member is dissatisfied with the President’s decision in relation to their complaint, they may apply for a review of the decision by a reviewer in accordance with the procedure set out below.
	13. If the matter has been referred to be dealt with under any other Union procedure as referred to above, the member will be notified of the final decision under that procedure, and the member will not be entitled to any review under this Complaints Bye-Law.
4. **Complaint Review**
	1. If a member is dissatisfied with the decision relating to their complaint, they may apply within 10 working days of the decision being communicated for a review of that decision.
	2. A request for a review should be sent by email to the Deputy Chair of the Board of Trustees headed Request for Review of Complaint Decision and should set out:
		1. details of the original complaint;
		2. details of the complaint decision; and
		3. details of why the member considers the decision should be reviewed.
	3. The Member should also attach to their e-mail or otherwise clearly identify any documents they asked to be considered in relation to their complaint and any further documents they consider relevant to the review.
	4. As soon as practicable after a request of review the Deputy Chair of the Board of Trustees or another Lay Trustee will review the complaint. This person must have had no significant involvement in investigating the initial complaint.
	5. The reviewer may, but need not, invite the member to attend a part of their meeting to discuss their request for a review.
	6. In considering the request, the reviewer will review all aspects of the complaint and the process by which it has been dealt with and may decide to uphold or vary the complaint decision on such terms as they consider appropriate.
	7. The decision of the reviewer will be notified to the member by the reviewer by e-mail within 5 working days of the review taking place (or within such later reasonable period notified to the member). The reviewer’s decision will be final for the purposes of all Union Procedures.
	8. If the complainant is dissatisfied with the complaint review they can refer their complaint to the University for an independent review.
5. **Complaints principles**
	1. Anonymous complaints and contributions cannot be considered.
	2. Students may be accompanied by, or represented by, another UWL student at investigation meeting. Alternatively, students are entitled to advisory support with informal or formal complaints under this procedure from the Union Advice Team or a University of West London staff member, provided that conflicts of interest and the general provision of advisory support to the member is managed in line with Union Advice Team policy and at the discretion of relevant team managers.
	3. Under no circumstances may any members be accompanied by, or represented by, any other persons including external legal advisors, and contributions from such persons cannot be considered. Meetings and communications under this procedure, including at an informal stage, will only involve the appropriate participants and will not proceed otherwise.
	4. Members may at any time withdraw their complaint or decline referral to an alternative procedure. However, if the complaint causes safeguarding or duty or care concerns, or significant legal or reputation risk for the Union, appropriate action will be taken by the relevant Union staff member, Sabbatical Officer or Trustee which could compromise the confidentiality of the member. In such circumstances, a member will be advised that their confidentiality will be breached and the reasons why.
	5. The person dealing with a complaint shall be empowered to request appropriate additional information from any relevant parties to assist in the investigation.
	6. Decisions made and the reasons for such decisions shall be communicated in a clear and timely manner to members.

Bye-Law 3: Member Code of Conduct

1. **Scope**
	1. The Code of Conduct applies to the following categories of membership who will in this bye-law be referred to as ‘members’:
		1. Student Members
		2. Associate Members
		3. Opted-out students
		4. Sabbatical Officers
2. Introduction
	1. The Students’ Union aims to foster a community with an atmosphere of trust, harmony and respect. The Students’ Union’s priority is to work in the best interests of the membership by providing a safe environment within our designated premises and during all Students’ Union activities on and off University premises. The Code of Conduct is designed to underpin this understanding.
3. Policy
	1. members are expected to conduct themselves according to the guidelines laid out in the following University and Students’ Union documents:
		1. the University Student Code of Conduct;
		2. the Union Student Group Rules relating to student groups;
		3. the Union’s Articles and Bye-Laws; and in particular
		4. the expectations set out in this bye-law.
	2. Members are obliged to read, understand and comply with the above documents.
	3. Full copies of the documents will be available via the Students’ Unions website.
4. **Geographical Limits of Jurisdiction**
	1. This bye-law covers activities and behaviour in all buildings and premises managed by the Students’ Union.
	2. In addition, the Policy may be invoked for activities and behaviour of members off Union premises and outside of Union activities.
	3. the following list gives examples where the Policy may be applied but should not be considered exhaustive:
		1. car parks managed by the Union
		2. sports fields/grounds managed or hired by the Union
		3. sporting events held at other colleges or universities involving members of the Union
		4. sports tours involving members of the Union
		5. trips in this country and abroad arranged by the Union
		6. entertainment/balls held off campus by the Union or affiliated student groups
		7. Student group events held off campus
		8. circumstances where members’ rights and privileges as set out in the Code of Practice are affected which may include events and activities not hosted by the Union
5. **Application**
	1. the Code of Conduct applies to all members and in particular to the following people who will be referred to in this bye-law as ‘members’:
		1. all Student Members;
		2. all Opt-out students.
		3. all Associate Members of the Students’ Union.
		4. all University and Union staff on premises or engaged in Students’ Union activities.
	2. All areas of student membership are subject to the University’s Student Code of Conduct demanding reasonable and considerate behaviour.
	3. Student Groups of the Union may also have disciplinary action applied against them as a group in line with the Student Group Rules and these bye-laws.
	4. Guests are the responsibility of the introducing member and are not subject to disciplinary procedures but may be dealt with via agreed sanctions in force at that time.
	5. In the event of a guest causing damage to property or breaching good order, the member who signed that guest in bears full responsibility for their guest’s actions.
	6. If a disciplinary hearing is necessary the introducing member will be the accountable party.
6. Disciplinary action
	1. The Member Disciplinary Procedures in force at the time shall be invoked following a breach of the Code of Conduct.
	2. Multiple or repeated incidents of misconduct may be more serious than a single act of misconduct and previous findings will be taken into account when determining what sanction should be imposed.
	3. The Students’ Union reserves the right to request the University to take additional disciplinary action where necessary.
7. **Violence, abuse and harassment**
	1. All students and staff have the right to live, study, work and relax in an environment where and are free from any form of sexual violence, physical violence, abuse and harassment and where their body and personal boundaries are respected.
	2. No student or staff member should be forced to just ‘put up’ with violent behaviour from others, threats of such behaviour or any forms of abuse or harassment. Action must be taken where necessary to ensure all students and staff are able to enjoy the university life without experiencing these.
	3. Any harassment will not be tolerated by the University or the Students’ Union, and those who commit or threaten acts of harassment should be stopped (i.e. their behaviour challenged) and disciplined as appropriate for their actions.
8. **Behaviour towards others**
	1. You should treat all Union and University staff, students and visitors with courtesy and respect.
	2. You should respect other members’ basic rights to work and live in a safe, secure environment, free from anxiety, fear, intimidation and harassment.
	3. You should not bully, discriminate or harass anyone on the basis of their age, disability, gender re-assignment, marital status, pregnancy, race, religion or belief, sex or sexual orientation.
	4. On no occasion should you use personally abusive, threatening or violent behaviour either in person or through the use of email, texts, messaging services or social media.
9. **Safety and Security**
	1. The Union owes a duty of care to its members and staff and, as far as is reasonably practical, seeks to ensure that the Union is a safe place in which all members can participate. Members are required to comply with reasonable instructions from any member of staff and to observe the safety regulations of the University and Union.
	2. You should ensure that you do not take any action that endangers yourself or others.
	3. You should comply promptly with any requests in the event of an emergency.
10. **Care of property**
	1. You should treat University and Union property, equipment and other materials and the property of others with care and respect.
	2. You must abide by the University and Union policies regarding food and drink where this is signposted as this can damage equipment.
	3. You should take care of your own property and not leave valuables unattended.
11. **Smoking, drugs and alcohol**
	1. Smoking and vaping are prohibited inside any building operated by the Union (including the Bar, corridors, foyers, toilets and entrances etc). You should make sure that you do not smoke or vape near doors and outside areas where it is clearly designated as no smoking.
	2. You must not take or supply illegal drugs. Drugs found in your possession will be confiscated.
	3. You may only drink alcohol supplied by the Union or University on campus at organised functions or in the Union bar.
	4. Any member causing a nuisance or engaging in disruptive behaviour as the result of taking illegal drugs or alcohol may be asked to leave the premises and disciplinary action may be taken against them.
12. **Unacceptable behavior**
	1. Disciplinary procedures may be invoked if it is alleged that a student has committed misconduct, examples of which may include but are not limited to the following:
		1. Abusive, threatening or unreasonable behaviour or assault and/or behaviour which causes fear or distress to others;
		2. sexual violence, abuse or harassment;
		3. racist activity or behaviour;
		4. damage to Union property or the property of any student or member of staff;
		5. any action likely to cause injury to any person or impairing the safety of the premises; including fighting on Union premises or during Union activity;
		6. conduct that interferes with the academic or administrative activities of the University, such as disruption of teaching, research, examinations, working of staff and other campus services;
		7. falsification or misuse of personal records including in elections or student group eligibility checks;
		8. misappropriation or misuse of Union funds or assets or those of others;
		9. false pretence or impersonation of others within or without the Union;
		10. offering, promising, giving, receiving or soliciting a financial, academic or other advantage or favour as a means to influencing the actions of others
		11. conduct, either on or off campus, which brings the Union or University into disrepute
13. **ID cards**
	1. Members are expected to carry their University identification card at all times and produce it when entering the Students’ Union’s buildings, and on request by a member of Students’ Union staff, a Sabbatical Trustee or an outside security firm employed by the Students’ Union or the University.

# Bye Law 4: Member Disciplinary Procedures

1. **Scope**
	1. Alleged breaches of the Member Code of Conduct Bye-Law by Student Members, Associate Members and Opted-out students shall be considered under this bye-law, as well as any other circumstances deemed appropriate by the President or nominee, Chief Executive, Union Leadership Team or Trustee Board.
	2. Items not considered under this bye-law may include:
		1. Breaches of the Trustee Code of Conduct Bye-Law;
		2. Breaches of the Student Group Rules;
		3. Breaches of the Election Rules;
		4. Breaches of the Union Staff Handbook or Union Student Staff Handbook
		5. Democratic procedures such as votes of no confidence or votes to remove trustees and Sabbatical Officers as outlined in the Articles and Bye-Laws;
		6. Complaints relating to the University;
		7. Circumstances leading to withdrawal of advice services as outlined in the Advice Service Office Manual;
		8. Any issue outside of the Union’s jurisdiction to act, in that it is not relevant to Union activity, operations or services and does not affect the membership rights and privileges of the complainant as set out in the Articles and the Membership bye-laws; and
		9. Any other issue which would be more appropriately considered under an alternative procedure.
	3. It may be necessary to consider matters under this procedure in addition to alternative procedures.
	4. The procedures in this bye-law may be activated by:
		1. a complaint referred to these procedures by the President or nominee, Chief Executive, Union Leadership Team or Trustee Board to the Chief Executive or nominee;
		2. an incident report referred to these procedures by the President or nominee, Chief Executive, Union Leadership Team, Compliance Group or Trustee Board to the Chief Executive or nominee;
		3. a decision to refer an issue to these procedures by the President or nominee, Chief Executive, Union Leadership Team or Trustee Board to the Chief Executive or nominee.
	5. Written notice of a referral to these procedures will be made in writing to the complainant and respondent at the earliest opportunity by the Chief Executive or nominee, outlining the reasons why the referral has been made (including a brief outline of the allegations made - note this will not be anonymous) and explaining that they will receive written communication from the Chair of the Disciplinary Panel or nominee within 5 working days.
2. **Disciplinary Panel Membership**
	1. The membership of a Disciplinary Panel shall be established by the Chief Executive in consultation with the Union Leadership Team and shall include:
		1. The Chief Executive or nominee who shall act as Chair.
		2. Two additional members of the Union Leadership Team or the Trustee Board.
	2. No member of the panel shall have been involved with the matter under consideration.
	3. At least one member of the panel shall be a Sabbatical Officer unless conflicts of interest prevent all Sabbatical Officers from participating.
3. **Investigation Lead and Secretary**
	1. The Chair of the Disciplinary Panel shall nominate a relevant Union Staff Member to be the Investigation Lead. As long as there is no conflict of interest, this will usually be a manager.
	2. The Investigation Lead is responsible for:
		1. collecting evidence and statements in relation to the issue in question;
		2. circulating their summary investigation report to the Disciplinary Panel, the complainant and the respondent at least 10 working days in advance of the hearing;
		3. presenting their summary findings and recommendations to the Disciplinary Panel Hearing;
		4. undertaking any other investigatory activities required by the Chair.
	3. Such recommendations to the panel will be limited to the validity of any allegations, the likelihood of any claimed course of events, and any other information which will help the Panel decide against the balance of probability whether the allegations are true.
	4. Such recommendations to the panel shall not extend to punishments or sanctions.
	5. Investigations should last no longer than 10 working days without good reason and agreement from the Chair of the Disciplinary Panel.
	6. The Chair of the Disciplinary Panel shall nominate a relevant Union Staff Member to be the Disciplinary Panel Secretary.
	7. The Secretary shall be responsible for:
		1. arranging the hearing time, date and location;
		2. liaising with attendees to support their attendance at the hearing, including any required access needs and refreshments;
		3. taking minutes of the meeting and circulating them to the Disciplinary Panel Members;
		4. storing the minutes securely;
		5. undertaking any other administrative activities required by the Chair.
	8. The Secretary shall not participate in the questioning and decision-making discussions at the hearing or before.
4. **Disciplinary Panel Hearing**
	1. The Panel shall operate in accordance with the following procedure:
		1. The Panel shall initially meet with the Investigation Lead only. The Investigation Lead will present a brief summary of their findings and the panel can question them, and then the Investigation Lead leaves.
		2. The Panel shall then call the complainant and respondent into the hearing and introduce themselves.
		3. The Chair shall outline the procedure.
		4. The complainant shall present details of the complaint and their witnesses.
		5. The respondent and the panel shall have an opportunity to question them before each witness leaves.
		6. The respondent shall present their response and their witnesses.
		7. The complainant and the panel shall have the opportunity to question them before each witness leaves.
		8. The complainant shall be given the opportunity to make a final statement.
		9. The respondent shall be given the opportunity to make a final statement.
		10. The members will leave and the panel will decide on the outcome. They may call the Investigation Lead back into the hearing if required.
		11. The chair will close the hearing and write to each member within 5 working days outlining the decision and the reasons for the decision, and their right to appeal.
	2. In the event that it is not appropriate to have both complainant and respondent present at the same time, the procedure will be the same but with only the complainant or the respondent and respective witnesses present.
	3. In such circumstances, the complainant must submit a written statement which must be available to the respondent at least three days prior to the meeting. Should any new evidence emerge in the meeting the Chair will determine its relevance, and if deemed relevant the Chair will make every effort to give the other party a chance to respond to it.
	4. It shall be the responsibility of the complainant and respondent to make arrangements for the attendance of any witnesses that they wish to call, and for somebody to support them in line with this bye-law.
	5. Any written statements, evidence, and names of witnesses who are to be called, shall be given to the Chair of the Disciplinary Panel five working days prior to the hearing and should be made available to the complainant, respondent and members of the Disciplinary Panel no less than three days prior to the hearing.
	6. If the complainant or respondent fail to attend the hearing, the Discipline Panel may, with the agreement of all panel members, rearrange the hearing. Alternatively, the panel may proceed to consider the complaint in their absence.
	7. Disciplinary Panels shall have the power to:
		1. Dismiss the complaint.
		2. Issue a verbal or written warning.
		3. Request a verbal or written apology.
		4. Exclude any persons from the Union premises permanently or for a specified time.
		5. Exclude any persons from Union activities or services permanently or for a specified time.
		6. Revoke membership of the Union or any student group permanently or for a specified time.
		7. Revoke any privilege, benefit or entitlement created under the Articles and bye-laws permanently or for a specified time.
		8. Refer the matter to the University for further disciplinary action or the police for investigation.
		9. Refer the matter to any other committee or procedure for further action.
5. **Disciplinary Appeal Panels**
	1. The complainant or respondent may appeal against the decision of the Disciplinary Panel within 10 working days on the following grounds:
	2. There was procedural impropriety in the original hearing;
	3. That the decision of the panel was irrational or disproportionate.
	4. Notice of appeal, specifying on which of the above grounds the appeal is made, should be given in writing to the Deputy Chair of the Trustee Board within ten days of notification of the panel decision.
	5. The Deputy Chair shall refer the appeal to the Disciplinary Appeal Panel.
	6. Disciplinary Appeals Panels shall have the power to consider the appeal only based on the grounds stated in 5.1. The disciplinary panel may:
		1. Overturn all or part of the decision of the Disciplinary Panel.
		2. Uphold the decision of the Disciplinary Panel.
	7. The Disciplinary Appeals Panel shall include three Trustees who were not members of the Disciplinary Panel.
	8. A University staff member may act in an advisory and non-voting capacity.
	9. No member of the panel shall have been involved with the matter under consideration.
	10. The panel shall operate in accordance with the following procedure:
		1. The Panel shall introduce themselves.
		2. The Chair shall outline the procedure.
		3. The complainant shall present details of the grounds for appeal.
		4. The Chair of the original panel shall be the respondent.
		5. The Panel shall question both the complainant and respondent.
		6. The complainant shall be given the opportunity to make a final statement.
		7. The respondent shall be given the opportunity to make a final statement.
		8. The complainant and respondent leave the hearing.
		9. The panel will decide on the outcome.
		10. The chair will close the hearing.
	11. The complainant and respondent shall be given written notification of the Panel’s decision within five working days of the meeting.
	12. The decision of the Appeals Panel shall be final.
	13. If the complainant is dissatisfied with the complaint review they can refer their complaint to the University for an independent review.
	14. The same rights and responsibilities as the original panel shall apply to the Appeal Panel.
6. **Member Disciplinary Procedure**

*Step 1: Activating the procedure*

* 1. The procedure will be activated by a written referral to the Chief Executive or nominee as outlined in 1.3.
	2. The Chief Executive or nominee will then provide written notice of the referral to the complainant and respondent at the earliest opportunity as outlined in 1.4.

*Step 2: Establishing the Disciplinary Panel*

* 1. within 5 working days:
		1. the Chair of the Disciplinary Panel (Chief Executive or nominee) shall establish the Disciplinary Panel in consultation with the Union Leadership Team, in line with section 2.
		2. the Chair shall establish an Investigation Lead and a Secretary to the Panel as outlined in section 3
		3. the Chair or nominee shall send written communication to the complainant and respondent.
	2. This written communication will outline:
		1. an outline summary of the allegations against them, which may not be treated anonymously;
		2. what decisions the Disciplinary Panel is empowered to make;
		3. who the panel have appointed as Investigation Lead, what their responsibilities are and the expectation that they may be in contact;
		4. the anticipated timeline and approach for that investigation;
		5. the membership of the panel and who the panel have nominated as Secretary and what their responsibilities are;
		6. if the Chair deems suspension without prejudice necessary to aid the investigation, the reasons and terms of such a suspension;
		7. the next steps and any other relevant information.

*Step 3: Investigation*

* 1. The Investigation Lead shall carry out their responsibilities in line with section 3, which usually takes no longer than 10 working days.
	2. When the investigation is concluded, the Investigation Lead informs the Secretary and Chair and sends them the summary investigation report which the Secretary will circulate to panel members on the same or next working day.

*Step 4: Arranging the Panel Hearing*

* 1. within three working days of the conclusion of the investigation, the Chair or nominee shall agree the time, date and location of the Panel Hearing and the Secretary shall write to the complainant and respondent with at least ten working days’ notice to advise them:
		1. of the time, date and location of the Panel Hearing;
		2. that they should submit written statements and evidence to the Chair at least five working days before the hearing, and that these statements will be circulated to the Panel members and the respondent;
		3. who they can get support from in line with this bye-law;
		4. the Chair’s contact details for any questions they may have in advance of the hearing.
	2. This written communication must include the summary investigation report from the Investigation Lead.

*Step 5: Panel Hearing*

* 1. The Panel Hearing takes place in line with section 4.

*Step 6: Appeal (if required)*

* 1. The Appeal Panel takes place if required in line with section 5.
1. **Member Disciplinary Procedure Principles**
	1. Anonymous complaints and contributions cannot be considered.
	2. Students may be accompanied by, or represented by, another UWL student at investigation meeting. Alternatively, students are entitled to advisory support with informal or formal complaints under this procedure from the Union Advice Team or a University of West London staff member, provided that conflicts of interest and the general provision of advisory support to the member is managed in line with Union Advice Team policy and at the discretion of relevant team managers.
	3. Under no circumstances may any members be accompanied by, or represented by, any other persons including external legal advisors, and contributions from such persons cannot be considered. Meetings and communications under this procedure, including at an informal stage, will only involve the appropriate participants and will not proceed otherwise.
	4. Members may at any time withdraw their complaint or decline referral to an alternative procedure. However, if the complaint causes safeguarding or duty or care concerns, or significant legal or reputation risk for the Union, appropriate action will be taken by the relevant Union staff member, Sabbatical Officer or Trustee which could compromise the confidentiality of the member. In such circumstances, a member will be advised that their confidentiality will be breached and the reasons why.
	5. The Investigation Lead and the Panel shall be empowered to request appropriate additional information from any relevant parties to assist in the investigation.
	6. Decisions made and the reasons for such decisions shall be communicated in a clear and timely manner to members at all times.
	7. The Panel shall be empowered to require the complainant and respondent to attend and make a statement regarding the complaint, except in exceptional circumstances such as cases of individual harassment or attack where the complainant may be granted the right to make a written statement only or attend the hearing separately from the respondent.
	8. The Chair may request additional information from the complainant or respondent in advance of or following a hearing.
	9. The minutes of proceedings shall be confidential to Panel members, complainants and respondents. The decision of Panels may be published in such way as the Board of Trustees determine.
	10. Should the requisite number of trustees not be available the board may delegate this function to individuals with appropriate sector knowledge who are not members of the University Community. This may include staff members or Trustees from other students’ unions.
	11. A record of proceedings and the decision of the Panel shall be recorded by the Secretary, who shall attend the Panel Hearing. Minutes shall be available to the complainant and respondent on request and shall be sent within 10 working days of the request being communicated to the panel Chair.
	12. The respondent shall be given written notice from the Chair outlining the terms of and reason for any suspension without prejudice enforced to allow an investigation to take place within three working days of the suspension taking effect. There shall be no appeal to this suspension.
	13. The decision of the Disciplinary Panel shall be deemed upheld until the outcome of the Disciplinary Appeal panel is resolved.
	14. If any member breaches the terms of any exclusion from premises, services or activities of the Union, the Chair of the Disciplinary Panel shall be empowered to:
		1. Extend the exclusion for a period not exceeding the full length of the original exclusion; or
		2. Refer the matter to the University for consideration under the University Discipline Regulations.
	15. The Panel’s meeting shall be held in private except for the presence of those presenting evidence at a given moment.
	16. The investigation and the Panel are not legal proceedings and shall be conducted appropriately.
	17. The respondent should be given adequate opportunity and right to reply to any allegations before the Panel make their decision.
2. **Precautionary action and suspension**
	1. Where a member is being investigated under this bye-law, they or other members involved may be suspended as a precautionary measure if it is considered that it is necessary to protect the member, the integrity of the investigation and or other members from harm. Precautionary action will be reasonable and proportionate and may include:
		1. imposing conditions on any members (for example, requiring them not to contact any other members and/or certain witnesses);
		2. suspending a member from participating in Union activities or services, such as student groups and events;
		3. excluding a member (for example, prohibiting a member from entering Union premises).
	2. These actions are a precautionary measure only. It is not a penalty or sanction and does not indicate that the Union has concluded that the accused member has committed a breach of the Member Code of Conduct. Any precautionary actions taken will be reviewed on a regular basis.
	3. Where precautionary actions are taken, the member has no right of appeal.

# Bye-Law 5: Trustee and Sabbatical Officer Code of Conduct

I will respect and uphold the values of University of West London Students’ Union (the Union).

1. **General**
	1. I will act within the governing document of the Union and the law, and abide by the policies and procedures of the organisation. This includes the Memorandum and Articles of Association, Bye-Laws and relevant policies and procedures.
	2. I will support the objects and mission of the Union, championing it, using any skills or knowledge I have to further that mission and seeking expert advice where appropriate.
	3. I will be an active trustee, making my skills, experience and knowledge available to the Union and seeking to do what additional work I can outside trustee meetings, including sitting on sub-committees.
	4. I will respect organisational, board and individual confidentiality, while never using confidentiality as an excuse not to disclose matters that should be transparent and open.
	5. I will develop and maintain a sound and up-to-date knowledge of the Union and its environment. This will include an understanding of how the Union operates, the social, political and economic environment in which it operates and the nature and extent of its work.
	6. I will use the Union’s resources responsibly, and when claiming expenses will do so in line with the Union procedures.
	7. I will seek to be accountable for my actions as a trustee of the Union, and will submit myself to whatever scrutiny is appropriate.
	8. I accept my responsibility to ensure that the Union is well run and will raise issues and questions in an appropriate and sensitive way to ensure that this is the case.
	9. I will lead by example by conducting myself in line with the Member Code of Conduct.
2. **Managing Interests**
	1. I will not gain materially or financially from my involvement with the Union unless specifically authorised to do so.
	2. I will act in the best interests of the Union as a whole, and not as a representative of any group – considering what is best for the Union and its present and future beneficiaries and avoiding bringing the Union into disrepute.
	3. Unless authorised, I will not put myself in a position where my personal interests conflict with my duty to act in the interests of the organisation. Where there is a conflict of interest I will ensure that this is managed effectively in line with the Union policy. I understand that a failure to declare a conflict of interest may be considered to be a breach of this code.
3. **Meetings**
	1. I will attend all appropriate meetings and other appointments at the Union or give apologies. If I cannot regularly attend meetings I will consider whether there are other ways I can engage with the Union.
	2. I will prepare fully for all meetings and work for the organisation. This will include reading papers, querying anything I do not understand, thinking through issues before meetings and completing any tasks assigned to me in the agreed time.
	3. I will actively engage in discussion, debate and voting in meetings; contributing in a considered and constructive way, listening carefully, challenging sensitively and avoiding conflict. I will participate in collective decision making, accept a majority decision of the board and will not act individually unless specifically authorised to do so.
4. **Governance**
	1. I will actively contribute towards improving the governance of the trustee board, participating in induction and training and sharing ideas for improvement with the board.
	2. I will help to identify good candidates for trusteeship at the Union and, with my fellow trustees, will appoint new trustees in accordance with agreed selection criteria.
5. **Relationships with Others**
	1. I will endeavour to work considerately and respectfully with all those I come into contact with at the Union. I will respect diversity, different roles and boundaries, and avoid giving offence.
	2. I recognise that the roles of trustees, volunteers and staff of the Union are different, and I will seek to understand and respect the difference between these roles. Where I also volunteer with the organisation I will maintain the separation of my role as a trustee and as a volunteer.
	3. I will seek to support and encourage all those I come into contact with at the Union. In particular I recognise my responsibility to support the chair and the senior staff members.
	4. I will not make public comments about the organisation unless authorised to do so. Any public comments I make about the Union will be considered and in line with organisational policy, whether I make them as an individual or as a trustee.
6. **Leaving the Board**
	1. I understand that substantial breach of any part of this code may result in procedures being put in motion that may result in my being asked to resign from the trustee board. Should this happen I will be given the opportunity to be heard.
	2. In the event that I am asked to resign from the board I will accept the majority decision of the board in this matter and resign at the earliest opportunity.
	3. If I wish to cease being a trustee of the Union at any time, I will inform the chair in advance in writing, stating my reasons for leaving.
7. **Nolan Principles**
	1. I will conduct myself in line with the Nolan Principles.

The seven ethical Nolan principles are:

* Selflessness
* Integrity
* Objectivity
* Accountability
* Openness
* Honesty
* Leadership

*Selflessness*

I will act solely in the best interests of the students of UWL. I will not do so in order to gain financial or other benefits for myself, my family or my friends.

*Integrity*

I will not place themselves under any financial or other obligation to non-students or organisations that might seek to influence me in the performance of my official duties.

*Objectivity*

In carrying out my role, including the appointment of other students, awarding contracts or recommending individuals for rewards or awards, I will make decisions on merit.

*Accountability*

I am accountable to students and the Board for my decisions and actions and will submit myself to whatever level of democratic scrutiny is appropriate to my office.

*Openness*

I will be as open as possible about all the decisions and actions that I take. I will be able to give reasons for my decisions and restrict information only when the wider collective interest of the students of UWL clearly demands it.

*Honesty*

I have a duty to declare any private interests relating to my duties and to take steps to resolve and conflicts arising in a way that protects the collective interests of the students of UWL.

*Leadership*

I will promote and support these principles by leadership and example.

1. **Professional Standards**
	1. In keeping with most professional bodies, or standards required of staff or volunteers through the charity sector, the following behaviours whilst performing official duties will be considered unprofessional under most circumstances:
		1. Heavy alcohol or other substance abuse,
		2. Theft, fraud or any other crime regulated by the laws of England & Wales,
		3. Bullying or Anti-Social behaviours which go beyond mere differences of opinion,
		4. Being found at fault as the outcome of a complaint without any evidence of remorse or a genuine attempt to apologise for the behaviour which led to the complaint,
		5. Being in violation of the ethical principles given above.
		6. ‘Official Duties’ includes anything said on Social Media whilst performing a role or referring to a performed role.

# Bye-Law 6: Trustee and Sabbatical Officer Disciplinary Procedure

1. **Scope**
	1. Alleged breaches of the Trustee and Sabbatical Officer Code of Conduct Bye-Law by Trustees and Sabbatical Officers shall be considered under this bye-law, as well as any other circumstances deemed appropriate by the Trustee Board.
	2. Items not considered under this bye-law may include:
		1. Breaches of the Student Group Rules;
		2. Breaches of the Election Rules;
		3. Breaches of the Union Staff Handbook or Union Student Staff Handbook
		4. Complaints relating to the University;
		5. Complaints about Student Members, Associate Members and Opted-out Students;
		6. Complaints about policy issues which would be more appropriately dealt with through democratic processes as set out in the Articles and Bye-Laws
		7. Any other issue which would be more appropriately considered under an alternative procedure.
	3. Any person wishing to complain about the conduct of a Trustee or Sabbatical Officer may do so in writing to the Chair of Trustees, or, if the complaint relates to or concerns the Chair, by emailing the Deputy Chair. Please note, for the purposes of the following provisions, if the complaint relates to or concerns the Chair, all references to “the Chair” should be read as references to “the Deputy Chair”
	4. The Articles must be followed at all times, and in the case of conflicting guidance the Articles will supersede this Bye-Law.
2. **Procedure**
	1. The Chair will deal with the complaint themselves or nominate another Trustee, provided there are no conflicts of interest.
	2. The Chair or nominee will give written notice to the complainant within 10 working days outlining how the complaint will be handled.
	3. The Chair or nominee will decide whether the complaint can be handled formally or informally. Should it be possible to resolve the complaint informally then the Chair or nominee will attempt to do so.
	4. If the complaint cannot be resolved informally, or attempts to reach an informal resolution are not successful within 10 working days of the Chair or nominee having sent written notice as outlined in 2.2, then the complaint shall be handled formally.
3. **Formal Stage**
	1. The Chair or nominee shall investigate the complaint themselves or nominate another Trustee to investigate the issue, provided that there are no conflicts of interest.
	2. The investigation findings shall be presented to the Board, who shall decide an appropriate course of action in line with the Articles
	3. Possible decisions include, but are not limited to:
		1. Dismiss the complaint.
		2. Issue a verbal or written warning.
		3. Request a verbal or written apology, or mandating other remedial action.
		4. Exclude any persons from the Union premises permanently or for a specified time.
		5. Exclude any persons from Union activities or services permanently or for a specified time.
		6. Revoke membership of any student group permanently or for a specified time.
		7. Revoke any privilege, benefit or entitlement created under the Articles and bye-laws permanently or for a specified time.
		8. Refer the matter to the University for further disciplinary action or the police for investigation.
		9. Remove the office holder from post in line with the Articles and Bye-Laws.
		10. Call a Student Members Meeting with a special resolution to remove the office holder from post in line with the Articles and Bye-Laws.
		11. Call a Referendum with a special resolution to remove the office holder from post in line with the Articles and Bye-Laws
		12. Refer the matter to any other committee or procedure for further action.
	4. This decision of the Trustee Board shall be final and there will be no right to appeal.

# Bye-Law 7: Elections

1. **General**
	1. This bye-law governs the elections of the Sabbatical Officers, NUS Delegates and other positions as deemed appropriate by the Trustees.
	2. Additional rules and information will be provided in the Candidate Handbook.
	3. These rules are in addition to general Union and University rules and regulations.
2. **Returning Officer and Deputy Returning Officer**
	1. The Union Leadership Team shall appoint the Returning Officer and Deputy Returning Officer annually.
	2. During an election the Returning Officer will take sole responsibility for interpretation of election rules and the Union bye-laws. Interpretation and rulings will be in the interest of the electorate above all others, including election candidates.
	3. The Deputy Returning Officer is responsible for the day to day management of the election and has the responsibility to ensure that the election is efficient and fair in accordance with this bye-law and any additional rules.
	4. The Deputy Returning Officer has full delegated authority from the Returning Officer to implement the regulations including issuing minor sanctions, overseeing the election count and answering questions.
	5. The Returning Officer shall and has the power to:
		1. approve the Additional Election Rules in the Candidate Handbook
		2. provide guidance and advice to the staff of the Union regarding best practice to ensure the integrity of the election.
		3. Approve the Election Rules and information for candidates
		4. Have final say on decisions, complaints and rulings during the elections
		5. Hear appeals against decisions made by the Deputy Returning Officer
		6. Approve the appointments of counting personnel as required
	6. Candidates must abide by the Election Rules, Union Code of Conduct, Sabbatical Officer Code of Conduct and related Union policies, as well as with information provided by and decisions made by the Returning Officer and Deputy Returning Officer
3. **Eligibility Rules**
	1. All and only Student Members may stand and vote in Union elections, provided that:
		1. Candidates standing for election for a Sabbatical Officer position must be eligible to be a Trustee and Company Director in accordance with the relevant legislation;
		2. Student Members who have already completed two terms of office as a Sabbatical Officer of the Union are not eligible to stand for election for Sabbatical Officer;
		3. Candidates will be Student Members at the time of their election; and
		4. Candidates meet eligibility requirements set out in the Union Leadership Team bye-law.
	2. It is an election candidate’s responsibility to ensure their eligibility to stand, including ensuring their courseenrolment record and visa status is up to date, before submitting their nomination.
	3. Student Members cannot stand for or hold more than one position at any one time, except for the role of NUS National Conference Delegate.
	4. For the purpose of clarity, students who have opted-out of Student Membership will not be eligible to vote or stand in the election.
	5. The Deputy Returning Officer will takes steps to ensure the eligibility of candidates to stand in the election. No candidate shall be eligible to take office until the Returning Officer has certified that they have met the criteria of these Eligibility Rules.
	6. The nomination or election of any candidate who does not meet the criteria of these Election Rules shall be null and void.
4. **Nomination Process**
	1. Positions for each election will be advised in the Notice of Election.
	2. For each position being elected an option to Re-Open Nominations (RON) shall be provided on every ballot.
	3. By standing for election all candidates agree to be subject to the Union Articles, Bye-Laws, regulations, policy and values.
	4. Candidates must complete a nomination form submitted for each position they are contesting. Forms completed incorrectly may be ruled invalid by the Returning Officer.
	5. Completed nomination forms must be submitted in accordance with the notice of Election.
	6. All candidates and nominators agree for their data to be shared with the University for election administration purposes.
	7. Late nomination forms will be automatically declared invalid.
5. **Notice of the Election**
	1. The Deputy Returning Officer shall publish a Notice of Election at the latest by the following times:
		1. Sabbatical Officer and NUS National Conference Delegate elections; four weeks prior to the close of poll.
		2. By-election for any positon or when nominations are re-opened; two weeks prior to the close of poll.
		3. The Notice of Election shall specify:
		4. Details of the positions for election;
		5. Details of eligibility for each of the positions for election.
		6. The dates of the conference concerned where relevant if NUS National Conference Delegates are being elected.
		7. Methods by which nomination packs, forms or equivalent material may be obtained.
		8. Details of the place, date and time by which completed nominations must be submitted.
		9. For Sabbatical Officers and NUS National Conference Delegate elections, details of the place, date and time of the Candidates’ Meeting
		10. The Deputy Returning Officer’s contact details, or their chosen point of contact.
		11. Any mandatory and optional election material to be provided with a valid application.
		12. The Notice of Election shall be published on the Union website and in such other form as the Deputy Returning Officer shall deem appropriate.
6. **Notice of Poll**
	1. The Deputy Returning Officer shall publish a Notice of Poll to Student Members at a time no later than 5.00pm on the last working day before the opening of polls.
	2. The Notice of Poll shall specify:
		1. The name of each candidate and the position for which they have been nominated and any other relevant information the Deputy Returning Officer deems to be appropriate.
		2. The location and opening times of polling stations, where applicable.
		3. Details of the arrangements for online voting.
		4. The dates, locations and times of any candidates’ debate sessions.
		5. The date and location of the count, if a physical count is required.
		6. The Deputy Returning Officer’s contact details, including the email which must be used for all correspondence.
	3. The Notice of Poll shall be published on the Union website and in such other form as the Deputy Returning Officer shall deem appropriate.
7. **Candidates Meeting and Training**
	1. A Candidates Meeting for all nominated candidates will be held after the close of nominations.
	2. At this meeting the Returning Officer or the Deputy Returning Officer, will explain the election process, outline campaigning guidelines and set the tone of the election.
	3. Candidates will have the opportunity to ask questions about any aspect of the election process.
	4. If a candidate is unable to attend they must inform the Deputy Returning Officer of this in advance of the meeting by email.
	5. If a candidate is unable to attend they are expected to meet with the Returning Officer or Deputy Returning Officer before they commence any campaigning, to ensure they are completely clear about all election regulations and procedures.
	6. Candidates who do not attend the meeting or contact the Returning Officer or Deputy Returning Officer by the deadline set may be withdrawn from the election.
	7. Additional training may be provided at the discretion of the Deputy Returning Officer.
8. **Elections Complaints Procedure**
	1. Any student or staff member can submit a complaint about a candidate or their campaigner or about the election process until the close of voting. These complaints may be on any of the following grounds:
		1. Failure in good conduct of the election.
		2. Behaviour and activities of candidates or their supporters.
		3. The administration of the election.
		4. Breaches in regulations.
	2. Complaints raised after this point will not be accepted, except in relation to the conduct of the count.
	3. Any student can submit a complaint about the conduct of the count within one day of the announcement of results. Grounds for complaint are limited to:
		1. The STV/AV calculations are inaccurate.
		2. There is a physical error in the count.
	4. All complaints must be sent, in writing on the complaint form, to the Returning Officer or the Deputy Returning Officer.
	5. Complaints will normally be heard within 2 working days. The Returning Officer or the Deputy Returning Officer will respond in writing and candidates and complainants will be informed of any action taken.
	6. In responding to a complaint the Returning Officer or Deputy Returning Officer, after hearing all the appropriate evidence, may decide to apply any of the following:
		1. Not to uphold the complaint.
		2. Refer the complaint to a more appropriate procedure.
		3. Suspend elections for a specified period pending an investigation(s).
		4. Apply sanctions to specified candidates (see sanctions below).
		5. Hold the election count and decide whether the basis of the complaint has any impact on the outcome of the vote.
		6. Re-run or void the election
		7. uphold the complaint with no further action
	7. In the event the Deputy Returning Officer ruled on the complaint, a candidate can appeal the decision of the Deputy Returning Officer to the Returning Officer, except if a minor sanction has been ruled.
	8. The appeal must be made in writing to the Returning Officer within 24 hours of the Deputy Returning Officer’s decision.
	9. Appeals will normally be on the grounds that the decision of the Deputy Returning Officer was:
		1. Procedurally incorrect
		2. Taken outside the scope of the powers of the Deputy Returning Officer as defined by these regulations
		3. Disproportionate.
	10. The Returning Officer will normally rule on the appeal within three working days. The decision of the Returning Officer is final.
	11. If the Returning Officer ruled on the complaint, their decision is final.
9. **Elections Sanctions**
	1. Any student found in breach of the regulations during any stage of the election may be penalised.
	2. The penalty will be determined by the Returning Officer or Deputy Returning Officer.
	3. Possible “minor sanctions” may include a verbal warning from the Deputy Returning Officer, or any other minor remedial action deemed appropriate by either the Returning Officer or the Deputy Returning Officer.
	4. Other sanctions that may be determined by the Returning Officer or Deputy Returning Officer shall include:
		1. A formal written warning, which will be published in locations deemed appropriate by the Returning Officer or Deputy Returning Officer.
		2. Disqualification from the election.
	5. Any student found to be interfering with the smooth running of the election, acting fraudulently or otherwise illegally may be referred for disciplinary action:
		1. under the Union’s disciplinary procedures;
		2. and/or under the University’s disciplinary procedures;
		3. and/or be reported to the police.

# Bye-Law 8: Referendums

1. **Scope**
	1. This bye-law sets out regulations in addition to those outlined in the Articles.
2. **Calling for a referendum**
	1. Where a referendum is called by a secure petition of 500 members, the business of the proposed referendum must first be debated at a Student Members Meeting called by the Union Leadership Team. This meeting shall allow ordinary members to suggest and approve amendments to the wording of the proposed referendum and will have no other content or purpose unless the Union Leadership Team see fit. This meeting must take place within 6 term-time weeks of receiving the petition and has a quorum of 50.
	2. The proposed wording of a referendum must be published 7 clear days before the ballot to allow comment and proposed changes from ordinary members. The Union Leadership Team shall consider the comments and proposed changes, publishing notes of their decisions on any changes in the wording of the referendum.
3. **Conduct of the referendum**
	1. No business can be taken to a referendum more than once in the same academic year.
	2. The business of a referendum shall be restricted to the motion or business for which the referendum was called.
	3. The Union Leadership Team shall appoint an independent Returning Officer who will not be a member, a Trustee or a staff member of the students’ union, who has the power to appoint a Deputy Returning Officer, and who shall supervise the referendum.
	4. The Returning Officer and Deputy Returning Officer have the same powers as outlined in the election Bye-Law.
	5. A referendum ballot must be held not more than twenty working, term-time days after the Members Meeting takes place.
	6. A referendum shall take the form of a secret cross campus ballot in which members are asked to vote either yes or no in answer to a clearly defined question or questions. The referendum may be conducted by paper ballot or by electronic means.
	7. Voting for a referendum shall remain open for no less than six hours.

# Bye-Law 9: Student Members Meeting Regulations

1. **Scope and General Provisions**
	1. These regulations refer to Student Members Meetings as described in the Articles. They do not refer to Company Law Meetings.
	2. An Annual Student Members Meeting must take place once in each calendar year.
	3. A Student Members Meeting may be called at any time.
2. **Calling of Meetings**
	1. The Annual Student Members Meeting shall be called by the Union Leadership Team. Notice may be given to members via the Union’s website.
	2. a Student Members Meeting may otherwise be called as follows:
		1. the Trustees can call a Members Meeting at any time.
		2. the Union Leadership Team can vote to call a Members Meeting at any time.
		3. the Trustees must call a Members Meeting on receiving a request to that effect signed by at least 50 ordinary members.
3. **Contents of Meetings**
	1. the Union Leadership Team must give at least 10 clear working days’ notice to specify the nature of the business to be transacted at the Student Members Meeting, which unless otherwise determined by the Union Leadership Team, the Trustees or the Student Members Meeting shall be:
		1. ratification of minutes of the previous annual Student Members’ meeting;
		2. receiving the report of the Trustees on the Union’s activities since the previous annual Student Members’ meeting;
		3. formally presenting the accounts of the Union to the Student Members;
		4. approving the list of affiliations of the Union; and
		5. open questions to the Trustees by the Student Members
	2. Student Members, the Union Leadership Team and the Trustees may suggest amendments to the agenda up to 5 clear working days in advance of the Student Members Meeting.
	3. The President shall be the Chair of Student Members Meetings.
	4. Ordinary members present may vote to remove the President from the position of Chair and to appoint a new Chair, who will be a Student Member or a Trustee.
	5. Student Members may call the Sabbatical Officers, NUS Delegates and Trustees to account as follows:
		1. they may vote to mandate the postholders to take remedial action to address any issue(s) relating to their conduct or performance.
		2. they may vote to refer matters pertaining to the conduct or performance of the postholders to the Trustee Board.
		3. the Student Members Meeting will have the power to call a Referendum with a vote to remove Sabbatical Officers, NUS Delegates or Trustees from office. Any vote of no confidence must be conducted in accordance with the Articles
		4. voting will be by a show of hands unless the meeting agrees to a secret ballot on the issue

# Bye Law 10: Union Leadership Team

1. **Scope**
	1. this Bye-Law sets out the collective purpose and responsibilities of the Union Leadership Team and the individual responsibilities of the Sabbatical Officers
2. **Purpose**
	1. The purpose of the Union Leadership Team is to hold responsibility for and ensure that:
		1. the union is run efficiently, effectively, legally, and that we achieve our strategic aims.
		2. that the Unions activities are safe, legal, and in line with regulation.
		3. that the Union has a high performing and highly satisfied staff team able to achieve targets.
		4. to ensure that all union activity is driven by The Test.
3. **Membership**
	1. the Union Leadership Team members include:
		1. the Union Chief Executive (Chair)
		2. Sabbatical Officers
		3. the Senior Management Team, shall be invited and act as non-voting members
	2. The President shall have a casting vote in the instance of a tie.
	3. The Union leadership team is responsible to the membership through the Trustee board.
4. **Responsibilities**
	1. the Union Leadership Team shall be responsible for meeting at least annually to:
		1. decide how Union Leadership team responsibilities will be managed within the Union
		2. ensure that the annual people, compliance and operating calendar is published to Trustee Board
		3. review and publish criteria for associate and honorary memberships
		4. determine the date of the Annual Members Meeting
		5. appoint the Returning Officer and Deputy Returning Officer for elections
		6. undertake any other area of work or policy as delegated by the Trustees or set out in the Bye-Laws.
	2. The Union Leadership Team shall be responsible as required to:
		1. Support the resolution of complaints and disciplinary matters
		2. Call Student Members Meetings, provide notice and specify the business to be transacted
		3. Consider proposed amendments to the wording of referendums
		4. Appoint a Returning Officer for referendums
		5. Consider issues raised by student representatives
		6. Support the Scrutiny Panel
5. **Sabbatical Officer Roles**
	1. all Sabbatical Officers shall:
		1. be responsible to the Union’s Membership, through The Trustee Board, the Union Leadership Team, Referenda, Company Law Meetings and Student Member Meetings.
		2. be members of the Trustee Board and Union Leadership Team
		3. be responsible for co-ordinating the work of any committee(s) to which they act as Chair. Such responsibility shall include reviewing the attendance record of committee members and ensuring the accountability of the membership in terms of the Committees’ Terms of Reference and the attendance requirements laid down in the Memorandum and Articles of Association.
		4. represent the Students’ Union on relevant University Committees.
		5. present a Strategic Plan for the year at the Annual Members Meeting
		6. determine who amongst the elected Sabbatical Officers, shall be responsible for priority campaigns
		7. take no part in the organisation and administration of Union elections.
		8. review the Strategic Plan in the summer term of each academic year**.**
		9. hold office from for a period of 12 months in the following year.
		10. the attendance regulations shall not apply to the Sabbatical Officers–elect nor Sabbatical Officers - nor shall they be included in the membership of any committee for the purposes of determination of quorum.
		11. be remunerated as per their conditions of employment outlined in their employment contract.
	2. The President shall:
		1. be responsible for ensuring that all Union activities are properly co-ordinated and executed. This is to be undertaken in conjunction with the Vice-President(s).
		2. Chair the Union Leadership Team meetings, Company Law Meetings, Student Members Meetings and the Trustee Board.
		3. be responsible for ensuring that the Strategic Plan, consisting of Priority Campaigns and a plan of action for the Union Leadership Team for the year, and subsequent updates, are prepared and presented to the appropriate Union Meetings.
		4. be responsible under the provisions of the Articles for Union staffing in conjunction with relevant senior managers.
		5. ensure the active representation of the Union at appropriate conferences.
		6. be responsible for leading the NUS Conference delegation from the Union.
		7. co-ordinate the submission of proposals for next academic year’s priority campaigns to the Union Leadership Team.
		8. be responsible for developing and implementing the Union’s Communications Strategy.
	3. The Vice-President Education shall:
		1. be responsible for all matters concerning the Education, Quality Assurance, Welfare, individual representation interests of students and the Union’s sustainability strategy and do so, when appropriate, in conjunction with the President and Vice-President Student Activities & Participation.
		2. represent the Union on relevant University Committees.
		3. be the Deputy President and take over the duties of the President in the absence of the President, either when authorised by the President or in the event of the President being absent for more than three consecutive working days.
		4. be a higher education student at the point of standing for election.
		5. develop academic representation through student representatives.
		6. organise Education and Welfare campaigns throughout the year.
		7. liaise with the University regarding education policy development, student representation, individually and collectively.
		8. to Chair Student Representatives Forum/Conferences across the University and to feedback Student Representatives issues both back to Union Leadership Team, and to other University Committees.
		9. to work with Union staff to ensure that there is training and support for student representatives.
	4. The Vice-President Student Activities & Participation shall:
		1. be responsible for all matters concerning student activities and opportunities including Sport, student groups, Enterprise, Social, Community and recreational activities and do so, when appropriate, in conjunction with the President and Vice-President Education.
		2. be responsible for student enterprise, employability, community organising and activism.
		3. be responsible for the overseeing of, and development of, the student publication.
		4. to specifically support student committees and student leaders within the wider remit of Student Activities & Participation.
		5. represent the Union on relevant University Committees.
		6. liaise with NUS on all issues relating to increasing student engagement with the Union.
		7. liaise with the University regarding student development and extra-curricular activity.
		8. be the Union’s primary representative for all of the Union’s sports and societies.
		9. be specifically responsible to the Trustee Board for the grants allocated to sports and societies.
		10. to promote and develop Sports Clubs, sports, and societies across the Union.

# Bye-Law 11: Scrutiny Panel

1. **Scope**
	1. This bye-law sets out the purpose and processes of the Scrutiny Panel.
2. **Purpose**
	1. the Scrutiny Panel has responsibility for:
		1. scrutinising the work of the Students’ Union by commissioning independent audits of the Students’ Union’s work to ensure the activity meets the standards outlined in the Test.
		2. making recommendations to the Trustee Board and the Union Leadership Team
3. **Membership**
	1. The Alumni Trustee shall be the Chair of the Scrutiny Panel unless determined otherwise by the Trustee Board.
	2. The Chair shall have the power to appoint panel members for each audit.
	3. The Union Leadership Team shall provide the Chair with guidance for the Scrutiny Panel membership and process.
	4. The Sabbatical Officers may not be members of the Scrutiny Panel.
	5. The Chief Executive or nominee may attend Scrutiny Panel meetings in a non-voting capacity.
4. **Power**
	1. The Scrutiny Panel Chair may:
		1. undertake audits of the Students’ Union’s work as requested by the Trustee Board.
		2. request evidence, information or data from the Union Leadership Team as part of the audit process.
		3. request meetings with members of the Union Leadership Team as part of the audit process.
		4. observe or commission observation of any activity that is being audited.
		5. undertake or commission any other reasonable activity or request to assist the completion of the audit
	2. The Scrutiny Panel Chair has the power to make specific recommendations arising from the audit to the Trustee Board and Union Leadership Team.

# Bye-Law 12: The Union Test

1. The Test is a set of criteria that the Scrutiny Panel shall use to audit the work of the students’ union.
2. the criteria is as follows:
	1. Is there a student demand for the work?
	2. Does the work answer a genuine student need?
	3. Are students involved in the design and delivery of the work?
	4. Does the work meet benchmarked standards?

# Bye-Law 13: Affiliations

1. **Affiliating to an External Organisation**
	1. The Union can affiliate to an external organisation through either a:
		1. Student Members’ Meeting by a two thirds majority vote;
		2. Trustee Board resolution by a simple majority;
		3. Referendum by a two thirds majority vote.
	2. Members of the Union can request to affiliate to an organisation by submitting a motion to the appropriate meeting or following the regulations in the Referendums Bye-Law.
2. **Student Group Affiliations**
	1. Student groups of the Union can affiliate to external organisations, including political and religious organisations.
	2. All affiliations must be approved by a two-third majority vote at the student group’s General Meeting which will be run in line with the Student Group Rules.
3. **Board of Trustees Responsibilities**
	1. The Trustee Board may override any decision to affiliate to an external organisation, if the Trustees consider it (in their absolute discretions):
		1. Has or may have any financial implications for the Union;
		2. Is or may be in breach of, contrary to or otherwise inconsistent with charity or education law or any other legal requirements (including ultra vires);
		3. Contravenes the charitable aims and objects of the Union;
		4. Does not further the aims of the student group; or
		5. Will or may otherwise affect the discharge of any or all of the responsibilities referred to in the Articles.
4. **Notice of Affiliations**
	1. Notice of new affiliations shall be made available on the Union’s website stating the name of the organisation and details of any subscription or similar fee paid or proposed to be paid, and of any donation made or proposed to be made, to the organisation.
	2. The Union shall make available annually to all Student Members a list of all external organisations to which the Union is currently affiliated with associated fees and costs.
5. **Review of Affiliations**
	1. The Union shall annually submit to its members for approval a list of all affiliations including those of student groups to external bodies through either a:
		1. Student Members’ Meeting; or
		2. Referendum.
	2. Student Members of the Union may call a referendum on the question of continued affiliation to any particular organisation in accordance with the referendum bye-law.

# Bye-Law 14: Finance Regulations

1. **The full financial regulations are set out in a financial procedures manual, which shall include the following provisions:**
	1. The financial year of the Union shall be from 1 August to 31 July.
	2. The President of the Union shall oversee all Union accounts and liaise with the relevant Senior Manager to monitor all Union finances subject to direction from the Trustees.
	3. The relevant Senior Manager shall have the responsibility for the administration of the Union’s financial affairs. The Trustees shall be ultimately accountable for the Union’s financial management and control. Trustees, in the event of a conflict of interest, must act in the best interests of the Union, demonstrate a duty of care and due diligence to the Union, and act in accordance with the rules set out under the Staff Protocol Agreement.
2. **Book of Accounts**
	1. The Union shall keep and maintain sufficient records of accounts.
	2. Recognised student groups and other bodies of the Union shall not operate any accounts external to the Union of any description and every such body must direct its financial transactions through the appropriate Union accounts.
3. **Regulation**
	1. The Union shall be registered with the Charities Commission and Companies House and its accounts will be regulated and compliant with the requirements as laid out by Charities and Company Law.
	2. An external registered auditor shall audit the accounts of the Union on an annual basis. The final audited accounts shall be available to the Trustees for approval. Once approved the Trustees shall sign the final accounts, these will then be presented at the next Annual Members Meeting.
4. **Budgetary control**
	1. The Trustees in conjunction with the senior managers shall be responsible for budgetary control.
	2. All income and expenditure shall, on a monthly basis, be reconciled against those department/cost centres and monthly management accounts submitted to the Senior Management Team each month and the University of West London on request. The relevant Senior Manager shall be responsible for monitoring performance against budget and reporting these results to the Trustees.
	3. Budgets shall be drawn up for all areas of proposed expenditure. These areas shall be determined by the Trustees through consultation with senior managers.
	4. The approved budgets in the form of a budget proposal shall be presented, together with the previous year’s expenditure figures, to the University’s Board of Governors annually.
5. **Income**
	1. All income received shall be processed in accordance with the Financial Procedures Manual.
6. **Expenditure**
	1. Expenditure may only be incurred against a department/cost centre by the person(s) accountable for the control of that department/cost centre.
	2. Any goods or services ordered under the Unions accounts must be carried out under the procedures as set out in the Financial Procedures Manual.
7. **Payments**
	1. All payments are to be effected in accordance with the Financial Procedures Manual.
	2. No payments may be made for party political purposes, but this shall not prevent affiliation to a recognised national student body by student groups as per the Articles.
8. **Union business expense reimbursements**
	1. Any expenses incurred by elected officers of the Union, Union staff, students or appointees which relate directly and wholly for Union business may be claimed, with the prior agreement of the relevant Senior Management Team or Central Management Team member.
	2. The Union allows for the reimbursement of any reasonable travel expenses incurred whilst carrying out the business of the Union, with the prior approval of the relevant Senior Manager, and must be made in accordance with the Financial Procedures Manual.
9. **Bank accounts**
	1. The Union’s bank accounts shall be held under the title of West London Students’ Union.
	2. The Bank Mandate shall require two authorizing signatories to approve any payment. Authorising signatories shall be appropriate staff members as assigned by the relevant senior manager, two senior managers and two sabbatical officers. All cheque payments must be authorized by one Sabbatical Officer and one senior manager.
	3. The Bank Mandate must be reviewed periodically in line with the period of office of the Sabbatical Trustees.
10. **Investments**
	1. Any Union cash surpluses may be invested in short term deposits. Funds may only be placed in secure, low risk opportunities in line with requirements of charity law.
11. **Stock and Fixed Assets**
	1. Stock should be held at a minimum level, it should be kept secure and adequate records maintained. Regular stock counts should be performed.
	2. items purchased above the value of £1000, which have a long term usage will be capitalised under fixed assets
	3. The relevant Senior Manager shall ensure an adequate register of the Unions’ fixed assets is maintained, and that assets are kept secure.
12. **Loans**
	1. The Union shall be empowered to raise loan finance subject to the prior approval of the Trustees, subject to the terms and conditions of the University’s Financial Memorandum.
13. **Guarantees/indemnities and financial agreements**
	1. The Trustees and senior managers of the Union shall be empowered to enter into financial agreements, guarantees or indemnities as may be required in the pursuit of the objects of the Union. Authorisation must be made in the form of three signatories; one must be by a Sabbatical Trustee, and the second by the relevant senior manager of the Union and the third by an External Trustee. Such agreements shall be entered into subject to the terms of the University’s Financial Memorandum.
14. **Financial risk and insurance**
	1. The Union must ensure that it has sound financial control systems in place.
	2. The Union’s financial risk shall be reviewed and monitored under the Union’s Management Risk Register, and at least annually submitted to the Trustees, the University and any other body as required for regulatory purposes.
	3. The relevant Senior Manager shall be responsible for ensuring that proper insurance cover is undertaken, including fire risks, theft, damage and loss of property, terrorism, staff indemnity, public liability and employee’s liability.
	4. Any financial anomalies, irregularity or suspicion of fraud should be notified to the Trustees immediately, and actions taken will be determined by the trustees.
15. **Winding up**
	1. In the event of the Union or other associated business, outlet or affiliated trading operation being closed or “wound up” for whatever reason, any remaining assets will be transferred to the successor or parent body.
16. **Breaches of Finance Regulations**
	1. All members of the Union must comply with these financial regulations.
	2. Any breaches of the Finance Regulations Bye-Law may result in action under the appropriate disciplinary procedures. The relevant senior manager must immediately report any instances to the University.
17. **Financial Memorandum**
	1. There will be a Financial Memorandum between the Union and the University.

# Bye-Law 15: Freedom of Speech

1. The Union will adopt the UWL Code of Practice on Freedom of Speech.
2. The Union will consult the University Secretary or nominee concerning ‘No Platform’ decisions.

# Bye-Law 16: Appointments Committee

1. **Membership and frequency**
	1. The Membership of the Appointments Committee will be the President, one External or Alumni Trustee, and one other trustee appointed by the Board on an ad hoc basis. The Chief Executive will attend in an advisory, non-voting capacity.
	2. The Chair of the Appointments Committee shall be the President. The committee may choose to nominate a secretary from among their members or a person they deem suitable.
	3. The Appointments Committee shall meet as deemed required by the Chair or by resolution of the Board of Trustees.
2. **Business of the Appointments Committee**
	1. To ensure that the roles for External, Alumni and Student Trustees are properly advertised and recruited with due regard to any skills and diversity needs.
	2. To hold any recruitment processes required to fill appointments, with due consideration to fair and accountable appointments.
	3. Any other duties as agreed by the Board of Trustees from time to time that is appropriate to the duties outlined above.