



Bye Laws

Approved by the Trustee Board of Bucks Students' Union on

23rd May 2011

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1. BYE LAW 1 - The Executive Committee

The membership of the Executive Committee shall be as follows

- 1.1. The Elected Officer Trustees also referred to as Sabbatical Officers throughout these Bye-Laws who shall be full time, paid officers elected in accordance with Bye-Law 4

The President.
The Vice President Student Involvement.
The Vice President Education & Welfare.

- 1.2. The Role Descriptions for all officers are laid out in Bye-Law 3.

2. BYE LAW 2 - Union Council

- 2.1. The Representative Body of the Union shall be the Union Council, hereinafter referred to as the "Council"

- 2.2. Membership: Union Council will comprise of the following members

- 2.2.1. The Sabbatical Officers
- 2.2.2. 20 ordinary members of the Union elected by cross campus ballot in accordance with Bye-Law 4
- 2.2.3. Any Student Trustees who are in their second year of office as Board members
- 2.2.4. The Chief Executive Officer as an ex-office member without voting rights.

- 2.3. Meetings of Council

- 2.4. Council shall meet at least two times each academic term. The Executive committee shall set the date for the first Council meeting of the academic year, but thereafter dates of meetings shall be set by Council.

- 2.4.1. Notice, submission of business and distribution of agendas shall be provided in accordance with Bye-Law 5
- 2.4.2. Extraordinary meetings shall be called in accordance with Bye-Law 5
- 2.4.3. The quorum of council shall be 50% + 1 of its elected members as detailed above. The proceedings of Council shall not be invalidated by any vacancy among their number, or by any defect in the election or qualification of any member thereof.
- 2.4.4. The Chair and Deputy Chair of Council shall be elected by a simple majority vote at the first Council meeting of the academic year. The Deputy Chair shall preside on the following occasions.

2.4.4.1. When the chair wishes to speak from the floor of Council.

2.4.4.2. When an issue is raised directly involving the chair.

2.4.4.3. When the chair is unable to attend a Council meeting.

- 2.5. The Secretary to Council shall be the Chief Executive Officer.

- 2.6. Council may be attended by the following:

- 2.6.1. members of the Union as detailed in the constitution

- 2.6.2. Non-members of the union, subject to permission being granted by a simple majority vote of council members as detailed.
- 2.6.3. Officer Trustees of the Union
- 2.6.4. Lay Trustees of the Union
- 2.7. Duties and powers of Council
 - 2.7.1. To consider and scrutinise the resolutions, recommendations and work of the Elected Officers, the Executive, and sub-committees.
 - 2.7.2. To consider matters of major policy for recommendation to the Board.
 - 2.7.3. To hold Elected Officers and Elected Representatives accountable for their work.
 - 2.7.4. To receive the Annual Accounts
 - 2.7.5. To create sub committees to consult with students and progress areas of work
 - 2.7.6. To receive minutes and reports from Athletic Union and Societies Council
 - 2.7.7. To receive reports as requested from the Board
- 2.8. Election of Ordinary Members to the Trustee Board and Standing Committees shall be undertaken by Council in accordance with Standing Order C.
- 2.9. Council meetings shall be conducted in accordance with Standing Order A of Bye-Law 12

3. BYE LAW 3 - Sabbatical Role Descriptions

- 3.1. **The President shall;**
 - 3.1.1. Be the principle officer of the Union and member of University Council.
 - 3.1.2. Be responsible for setting the political direction of the Union and communication with all stakeholders.
 - 3.1.3. Be the primary representative of all students at Bucks on issues within the University, the local community and the national stage.
 - 3.1.4. Have responsibility for engaging with the national student movement and the future direction of Higher Education and enabling others to do so as well, in order to strengthen the Unions sphere of influence.
 - 3.1.5. Be a trustee of the Union and chair the Trustee Board, and the Executive Committee.
- 3.2. **The Vice President Education & Welfare shall;**
 - 3.2.1. Be responsible for improving the educational experience of all students at Bucks.
 - 3.2.2. Be the principle course representative and assume political responsibility for the Union's input into the University's system of course representation.
 - 3.2.3. Hold the university accountable for its promises and delivery of education.
 - 3.2.4. Be a trustee of the Union.
- 3.3. **The Vice President Student Involvement shall;**
 - 3.3.1. Be responsible for improving the non academic experience of all students at Bucks.

- 3.3.2. Bold political responsibility for the development and delivery of all student activities by the Union.
- 3.3.3. Be responsible for increasing overall participation and maximising its diversity, in all areas of the Union's work.
- 3.3.4. Be a trustee of the Union.

4. BYE LAW 4 - Sabbatical Terms and Conditions

- 4.1. This statement sets out the terms and conditions of Sabbatical Officers as agreed by the Trustee Board of Bucks Students' Union.

4.2. EMPLOYERS AND EMPLOYEES

- 4.2.1. The Employer is Bucks Students' Union.
- 4.2.2. The employee is the Sabbatical Officer as elected by the Students' Union.

4.3. ACCOUNTABILITY

- 4.3.1. The Sabbatical is accountable to the Students' Union Membership through the Board of Trustees and Union Council
- 4.3.2. They will report to Union Council and the Board of Trustees.
- 4.3.3. Sabbatical Officer shall produce regular reports to committees and for publication in the Union newspaper and on its website.
- 4.3.4. They will attend fortnightly Executive Meetings and produce a report and plan for this, which will form the basis of 3.3 above.
- 4.3.5. The Sabbatical Officer will also be required to report to other Union Meetings as requested.

4.4. EMPLOYMENTS STATEMENT

- 4.4.1. The Sabbatical Officer will be on a twelve month fixed term contract which can be renewed once only through election as specified in the Union's Constitution.
- 4.4.2. It is a condition of the fixed term contract that Sabbaticals automatically waive all rights relating to unfair dismissal and/or redundancy arising from the cessation of employment on the expiry of this contract at the end of its fixed term.
- 4.4.3. Employment will be from the 1st of July after election to June 30th of the following year. In addition there will normally be a paid two week induction period commencing immediately prior to the start of the first term of office
- 4.4.4. Where an officer is re-elected for a second consecutive year continuous employment applies from the commencement of their first term of office.
- 4.4.5. A Sabbatical Officer who starts their term of office later than 1st July shall serve from the declaration of their election until June 30th of the following year.

4.5. TERMINATION OF EMPLOYMENT

- 4.5.1. The Sabbatical can resign by giving one month's notice in writing to the Executive Committee Meeting.
- 4.5.2. They can be removed by a vote of no confidence by referendum as outlined in the standing orders. In the event of this the Officer will leave office immediately, will receive one month's pay in lieu of

notice and will not thereafter be eligible to hold office in this Students' Union.

- 4.5.3. The Sabbatical Officer is subject to the Union's disciplinary code for members and may be removed through this procedure for issues relating to misconduct

4.6. **EXCLUSIVITY OF EMPLOYMENT/ SERVICE TO OTHERS**

- 4.6.1. Sabbatical Officers may not continue or enter into any other paid employment during their year of Office without the prior approval in writing of the Board of Trustees.
- 4.6.2. Sabbatical Officers will be required to devote their full attention and abilities to their duties during working hours and to act in the best interests of the Students' Union at all times.
- 4.6.3. Sabbatical Officers shall not, use for their own benefit or divulge to any person(s), firm, company or other organisation whatsoever any confidential information belonging to the Students' Union or relating to its affairs or dealings which may come to their knowledge during your employment.

4.7. **PRINCIPLE RESPONSIBILITY**

- 4.7.1. Whilst Sabbatical officers are also elected Officer Trustees of Bucks Students' Union this does not form part of the contract of employment which is in respect of the operational and representative duties outlined below. Sabbatical officers are not paid to undertake their responsibilities as Officer Trustees of the organisation.
- 4.7.2. To be responsible for the activities and administration of the Students' Union in general and in particular for the specific duties in their job description and any others agreed.
- 4.7.3. To act as a representative of the Student body at Buckinghamshire New University to the University and to external organisations.
- 4.7.4. Detailed duties are outlined in Bye-Law 3

4.8. **WORKING CONDITIONS**

- 4.8.1. Hours will be based around Monday - Friday 9.00am to 5.00pm with one hour for lunch totalling 37 hours per week.
- 4.8.2. The Sabbatical will be expected to attend meetings outside of these hours as appropriate and is expected to work whatever overtime is necessary. Sabbatical Officers will be expected to work weekends and evenings as necessary.
- 4.8.3. Overtime will not be paid but some flexibility of hours is permissible
- 4.8.4. Sabbatical Officers shall be employed to work at both the High Wycombe and Uxbridge campuses of the University and shall split their time accordingly as agreed by Union committees.
- 4.8.5. A report and plan of movements, hours and activity will be given at each Council Meeting.

4.9. **HOLIDAY**

- 4.9.1. The Sabbatical Officer will be entitled to Public Holidays and periods when the University is shut over Christmas and Easter.
- 4.9.2. In addition they shall be entitled to 25 days paid holiday.
- 4.9.3. Holiday is taken at the convenience of the employer.

- 4.9.4. Holiday time must be agreed in advance at Executive Committee Meetings.
- 4.9.5. Holiday of more than three days must be booked two weeks prior to commencement.
- 4.9.6. In the event of a post holder not completing a full term of office their holiday entitlement shall be calculated pro rata to the nearest completed month.

4.10. **SICKNESS**

- 4.10.1. The Officer shall be entitled to all benefits as specified by current legislation.
- 4.10.2. Sabbatical Officers must notify the Union office of sickness before 9.30am on each and every day of sick leave unless this has already been covered by a sick note as 4.10.3 below
- 4.10.3. University sickness regulations shall apply namely self certification on the fourth day of sickness and a doctor's note after eight days.
- 4.10.4. All records to be presented to the Chief Executive Officer who will monitor Sabbatical Officer absence.
- 4.10.5. Arrangements for operations or important health appointments to be agreed with Executive Meeting.

4.11. **COMPASSIONATE LEAVE**

- 4.11.1. Compassionate leave of up to 5 days may be given by the Executive Meeting or the President. Leave for any longer than this must be applied for to the Executive Meeting.

4.12. **PAY**

- 4.12.1. The Annual salary will be, in accordance with the Universities and Colleges Employers Association Single Pay Spine 14. Any change in scale must be approved by the Unions Remuneration Committee Meeting and then agreed by the Board of Trustees
- 4.12.2. Sabbatical Officers may elect to be paid monthly or weekly. This will be paid monthly/weekly on the last working day of each month/week in arrears.
- 4.12.3. Payment should be by transfer into a Bank or Building Society Account.
- 4.12.4. Sabbatical Officers will be eligible to join the Union's Pension Scheme
- 4.12.5. Payment of salary and deductions for Tax and National Insurance will be carried by the pay-roll section of Bucks Students' Union.
- 4.12.6. Any other financial arrangements or advances must be authorised by the Chief Executive Officer, and reported to the Board of Trustees.
- 4.12.7. Executive Officers shall be entitled to maternity/paternity leave in line with statutory regulations
- 4.12.8. Bucks Students' Union shall be entitled to deduct from salary at source any monies owed by the Sabbatical Officer to the Union.

4.13. **EXPENSES**

- 4.13.1. They shall be entitled to claim, in accordance with Union finance regulations, reimbursement for genuine out of pocket expenses incurred in carrying out their duties. This shall include travel costs to meetings, events and between sites.

- 4.13.2. They shall be entitled to a subsistence allowance, in accordance with approved rates, for attending meetings and conferences away from University.
- 4.13.3. Officers with children will be entitled to claim Childminding expenses as agreed with the Officers Remuneration Committee.

4.14. **COMPLAINTS**

- 4.14.1. Sabbatical Officers shall be subject to the complaints procedures contained in Bye-Law 9.

4.15. **DISCIPLINARY**

- 4.15.1. Sabbatical Officers shall be subject to the Disciplinary Procedures in accordance with the Union's Code of Conduct.

4.16. **DISMISSAL**

- 4.16.1. Dismissal of Sabbatical Officers shall be subject to under Paragraph 49 of the Constitution.
- 4.16.2. Sabbatical Officers shall be covered by the Disciplinary Procedures in accordance with the Union's Code of Conduct in the event of issues of misconduct.
- 4.16.3. Grievance: Sabbatical Officers who have a grievance should take these up with the Board of Trustees having first declared a conflict of interest.
- 4.16.4. Appraisal: Sabbatical Officers will be expected to take part in an appraisal scheme as determined by the Union's Board of Trustees.
- 4.16.5. Business Gifts: The Unions regulations regarding the acceptance of business gifts are contained in the Financial Procedures

5. BYE LAW 5 – General Election

- 5.1. Election shall be held in accordance with the regulations contained within Appendix A. These will follow rules approved by the Electoral Reform Society for Alternative vote and Single Transferrable Vote elections with the addition of Re-Open Nominations as a standard option.

6. BYE LAW 6 – Notice of meetings, submission of business and distribution of agendas.

- 6.1. Subject to paragraph 6.7 below, there shall be at least 5 clear working days notice of all Union meetings
- 6.2. Subject to paragraph 6.7 below, there shall be at least 2 clear working days notice of business to be submitted to all Union meetings
- 6.3. Subject to paragraph 6.7 below, the agenda for all Union meetings shall be displayed and distributed at least 1 day in advance of the assembly. Copies shall be lodged with the Chief Executive Officer.
- 6.4. Subject to paragraph 6.5 below, urgent business may be submitted to Union meetings and if, and only if, the following conditions apply:
 - i. The item(s) to be submitted deals with matters which have arisen since the closing date for submission of business, and
 - ii. Those eligible to vote at the meeting agree by a simple majority to accept the urgency of the business.
- 6.5. Urgent business shall not be accepted by any Union meetings which have been called in accordance with the provisions of Schedule 5.

- 6.6. If the submission is accepted by a Union meeting urgent business shall not be discussed until after the completion of all agenda items except Any Other Business.
- 6.7. Where the agenda includes motions of no confidence in a member of the Executive Committee, proposals for amendments to or rescission of the Constitution and its supporting Schedules, there shall be at least 10 clear working days notice. The agenda for the meeting, including the details of the proposed amendments and/or rescissions, shall be available at least 5 clear working days in advance of the meeting.
- 6.8. The agenda for all meetings of the Union shall adopt the following order of arrangement:
 - i. Election of Chair, Deputy Chair and Secretary, (unless specified in the Constitution) as appropriate.
 - ii. Apologies for absence
 - iii. Minutes of the previous meeting
 - iv. Matters arising from the minutes
 - v. Regular business arising from the terms of reference of the meeting or other Committee
 - vi. Business referred from other Committees
 - vii. Business submitted by individual members of the meetings or other committees
 - viii. Any Other Business
 - ix. Date of next meeting

7. BYE LAW 7 – Extraordinary meetings of The Union

- 7.1. Subject to paragraph 7.7 below, requests for extraordinary meetings of the Union shall be made in writing to the President at least 3 clear working days in advance of the proposed date of the extraordinary meeting.
- 7.2. The written request for extraordinary meetings of the Union shall specify the nature of the business to be discussed.
- 7.3. Requests for extraordinary meetings of the Union shall be made only by those individuals and assemblies in Section 4.1.1 of the Constitution.
- 7.4. Subject to paragraph 7.7 below, the agenda for an extraordinary meeting of the Union shall be displayed 1 day in advance of the extraordinary meeting, shall be available from the Chief Executive Officer.
- 7.5. Extraordinary meetings of the Union shall only discuss the business for which the extraordinary meeting was called.
- 7.6. Extraordinary meetings of the Union shall not consider Urgent Business or Any Other Business.
- 7.7. Requests for extraordinary meetings of the Executive Committee which have been called in order to discuss motions of no confidence in a member of the executive committee, amendments to or rescission of the Constitution and its supporting schedules shall be made at least 10 clear working days in advance of the proposed extraordinary meeting, and the detailed agenda shall be made available at least 5 clear working days in advance of the extraordinary meeting.

8. BYE LAW 8 – Officers Remuneration Committee

- 8.1. The aim of the Officers Remuneration Committee is to review the Officer Trustees wages and expenses regulations.
- 8.2. The Committee shall consist of the following:

- i. Two Lay Trustees from the Board of Trustees
 - ii. Two Student Trustees provided that they have not publicly declared an intention to stand for election as Officer Trustees
 - iii. The Chief Executive Officer(non- voting)
- 8.3. The terms of reference of the committee shall be:
- i. To review the wages and benefits of Officer Trustees
 - ii. To review the expenses regulations for Officer Trustees
 - iii. To produce a written report of their deliberations to the Trustee Board with recommendations.
- 8.4. It shall be convened at the discretion of the Board or at the written request of the Executive Committee or Union Council

9. BYE LAW 9 - CLUBS AND SOCIETIES

- 9.1. Any club or society shall be recognised by the Union provided that:
- 9.2. The club presents a constitution with the petition. This Constitution to include:
- i. The name of club/society
 - ii. The aims and objectives
 - iii. A list containing the name and ID number of at least 10 members who have signed to indicate they are prospective members of the club or society
 - iv. Regulations relating to membership eligibility;
 - v. Provision for the election of a committee of officers (only full members of the Union may hold such posts);
 - vi. The responsibility of the committee of officers;
 - vii. Provision for any General Meetings of all members of the club/society;
 - viii. Provision for an AGM at which accounts shall be presented.
- 9.3. The procedure for allocating funds to recognised Clubs and Societies shall be consistent with the Education Act 1994
- 9.4. The Union's Trustee Board will determine the grant available for allocation to student clubs and societies as part of its annual budget setting exercise.
- 9.5. The Clubs and Societies Finance Committee, which shall be a sub committee of the Union's Finance & Staffing Committee, will allocate grants to student societies based on a set of criteria agreed annually by the Finance & Staffing Committee.
- 9.6. The membership of the Societies Finance Committee shall be as follows:
- 9.6.1. The Vice President Student Involvement (who shall chair the meeting)
 - 9.6.2. Two members from University Council who do not sit on Athletic Union or Societies Council
 - 9.6.3. Two representatives each from the Athletic Union and Societies Council
 - 9.6.4. The Student Activities Co-ordinator who will act as an advisor and who will arrange for the minutes to be recorded
 - 9.6.5. The Chief Executive Officer (CEO) or Deputy Chief Executive Officer (DCEO) will act as advisor to the Committee
 - 9.6.6. The Union's Finance Manager

- 9.6.7. The quorum of the Committee shall be the Vice President plus half of the other student members. The meeting shall not be considered quorate if the CEO or DCEO are not present.
- 9.7. The committee will consider budget requests from student clubs and societies as part of a fully documented and clearly timetabled annual process which is easily available and understood by students.
- 9.8. Details of all grants allocated shall be published by the Union and recorded in the minutes of meetings.
- 9.9. The Student Activities Co-ordinator shall be responsible for the administration of Student Clubs and Societies
- 9.10. The recognition of the Club or Society may be withdrawn by the Executive Committee in the event of evidence of contravention of the Club, Society or Union constitution.
- 9.11. In the event of such evidence being made available to the Executive Committee the following procedure shall be followed:
- i. The President shall notify the officers of the Club or Society concerned;
 - ii. The President shall invite the officers of the Club or Society to speak at the Executive Meeting where the matter is to be discussed;
 - iii. The Executive Meeting shall recommend that the Club or Society be suspended for a specified period of time or whatever course of action they feel is appropriate.

The approved template for Club & Society Constitutions is contained within Appendix

10. BYE LAW 10 - Casual Vacancies

- 10.1. Casual Vacancies shall be filled as follows:
- i. Casual vacancies for Council Members shall be filled by an election in accordance with Standing Order C - Elections at Union Meetings. Any Ordinary member of the Union may stand for election, but only members of the Union Council Committee may vote.
 - ii. Other student officer casual vacancies should be made by the relevant body to which that officer reports using the same procedure as in a) above.
 - iii. A person appointed or elected to fill a casual vacancy shall hold office for the rest of the current term of office.

11. BYE-LAW 11 – Standing Orders: See appendix C

12. BYE LAW 12 – Code of Practise & Student Complaints Procedure

This document documents how the Union will ensure compliance with the Education Act 1994 and includes the documented process whereby students may raise complaints about the students' union itself. This forms Appendix D

13. BYE LAW 13 - DISCIPLINARY PROCEDURES

- 13.1. The Union's procedure for dealing with disciplinary issues relating to ordinary members and sabbatical officers is included in Appendix E

14. BYE-LAW 14 - Standing Orders and the conduct of Union meetings

- 14.1. The formal rules of debate for use in Union meetings, the procedures for holding a referendum and the rules covering elections held at Union meeting are contained within APPENDIX F

15. BYE LAW 15 – Financial Procedures

- 15.1. The Chief Executive Officer shall maintain a manual of Financial Procedures which are approved by the Trustee Board and the Director of Finance of Bucks New University. These form Appendix G of the bye-Laws

APPENDIX A – ELECTION REGULATIONS

1. 'General Election' means any campus wide election of Union Officers, and of the delegation to NUS Conference, with the exception of the President who shall be an Automatic delegate and shall be Delegation Leader. General elections will normally be held in the first half of the Second Semester of each year.
2. The overall responsibility for the conduct of general elections is the responsibility of the Trustee Board and/or their nominees
 - 2.1. The Returning officer appointed by the Trustee Board shall ensure that the general elections are conducted in accordance with the constitution; standing orders and any rules governing the conduct of campaigns. The Returning Officer will appoint electoral officers to who shall be delegated operational responsibility for the conduct of the Elections.
3. **Procedures prior to election.**
 - 3.1. Not less than 14 days before a general election is due to be held, the Returning Officer shall appoint two electoral Officers who will normally be members of staff of the Union.
 - 3.2. The Returning officer in consultation with Union Council shall fix the dates, times of day of voting, the hustings and the copy date of the publishing of manifestos.
 - 3.3. The election dates shall be set with regard to term dates, Public holidays and major Union events.
 - 3.4. The electoral Officers shall be responsible for the conduct of the ballot within his or her constituency in accordance with the Constitution and Bye-Laws.
 - 3.5. The Returning Officer will draft the "Supplementary Election Information" which will set out regulations governing the conduct of candidate's campaigns, husting times, manifesto deadline, details of polling and any other regulations required to ensure the smooth running and fairness of the election process.
 - 3.6. The Returning Officer will issue the electoral officers with a copy of this schedule and instructions as to how to conduct the ballot.
 - 3.7. The Returning Officer shall also instruct the Electoral Officers to publicise the place, date and times of the voting and hustings, copy dates for manifestos and closure date of nominations.
4. **Nominations**
 - 4.1. Each candidate, a proposer, one seconder shall sign a nomination form. All must be ordinary members of the Union.
 - 4.2. No member of the Union shall sign more nomination papers than there are vacancies at that election, nor may they sign a nomination paper for any election in which they are not entitled to vote.
 - 4.3. Nominations for all elections, shall close at noon five working days, or another period of time at the discretion of the Returning Officer, before the election is due to take place.
 - 4.4. Any candidate may withdraw their nomination by so informing the Returning Officer in writing before the commencement of voting.
 - 4.5. The Returning Officer shall publicise, as they are received, details of all nominations.
 - 4.6. Candidates shall appear on the ballot paper in the order in which they are drawn by lots. The forename and surname by which the candidate is commonly known shall be used. In the event of any doubt or dispute the forename and surname as recorded on the University student records

database. The candidate may use up to an extra six words or initials in brackets as a description.

- 4.7. The ballot paper(s) shall include the statement 're-open nominations'. 'Re-open nominations' shall be treated as a candidate. If the re-open nominations candidate is elected the Returning Officer shall declare the vacancy unfilled. If re-open nominations is elected in an election for two or more positions all subsequent positions in that election will be declared vacant.
- 4.8. Counting shall be by the Alternative Vote or Single Transferable Vote as appropriate.

5. **Hustings and the Media**

- 5.1. Hustings may be held after the close of nominations.
- 5.2. The Returning Officer or their nominee shall be responsible for the organisation and conduct of Hustings, and shall ensure that all candidates receive an equal opportunity to speak.
- 5.3. The Returning Officer or their nominee shall be responsible for advising the Union's media on coverage of the elections, but shall not have editorial control over the media. Union media shall treat coverage of the elections with due balance and fairness.
- 5.4. No candidate shall play any part in the coverage of elections in the media.

6. **The Campaign**

- 6.1. No campaign material shall be released until permitted by the Returning Officer.
- 6.2. Candidates shall not advertise:
 - i. On the windows, walls or doors of Union Offices.
 - ii. Within 4 metres of a ballot box or counter servary.
 - iii. On material produced on facilities not available to all candidates from within the University.
 - iv. By painting or marking any road, wall or similar surface within the Union or the University.
- 6.3. No publicity material may be affixed in such a way as to interfere with the publicity of another candidate, no candidate may remove or deface the publicity of another candidate, each poster is assumed to have one face only.
- 6.4. No candidate may incur or initiate personal expenditure beyond a maximum of £100 in Executive Committee elections, £50 in all other elections. That must be accounted for and receipts provided and must be submitted to the Returning Officer prior to the close of voting in any election. The Union shall provide the following facilities for each candidate:-
 - i. Executive Elections - 500 A4 posters (or equivalent).
 - ii. All other positions - 100 A4 posters (or equivalent)
- 6.5. No candidate shall use publicity to primarily promote another candidate in the same election, or to promote a commercial activity, or use the Union's commercial services to promote their candidature.
- 6.6. The Returning Officer may establish and publish other regulations governing the conduct of the campaign as set out in paragraph 3.11 of this Schedule.

7. **Re open Nominations (RON) Campaign**

- 7.1. Any full member wishing to run a RON campaign against any post should be registered at the office of the Chief Executive Officer within three days from the publication of the nominations. Only one RON campaign will be allowed for each post. If more than one full member registers to run a RON campaign

against a post, the returning officer will call a meeting and instruct all these members to form a group to run the campaign.

- 7.2. RON will be treated like any other candidate and as such will have a campaign budget equal to the other candidates, and will fall under the same disciplinary actions as the other candidates.

8. Voting

- 8.1. Any member who is entitled to vote in an election, but who will not be present at the University on the days of the election may register for a postal vote.
- 8.2. Candidates and their representatives shall not approach within four metres of the voting area except for the purpose of voting.
- 8.3. A voter may express a preference to vote for a candidate. A voter shall express a first preference by placing the figure '1' on the ballot paper adjacent to their first preference. A voter may express further preferences by placing candidates in their respective order.
- 8.4. The list of voters may only be scrutinised by the Returning Officer and the tellers on duty. This list shall remain confidential except in the event of a formal complaint.

9. Counting Procedures

- 9.1. Where the election is for a single post, the Alternative Transferable Vote System shall be used as approved by the Electoral Reform Society.
- 9.2. Where the election is for multiple posts, the Single Transferable Vote System shall be used as approved by the Electoral Reform Society.

10. Complaints and Results

- 10.1. Any complaint on the conduct of the election or of any violation of these Standing Orders shall be made in writing to the Returning Officer before the close of ballot boxes or in the case of a complaint relating to the count within five clear working days from the announcement of results. The Returning Officer shall make any recommendations they may see fit to the Trustee Board.
- 10.2. Any candidate who is declared elected and against whom a complaint is lodged shall be deemed elected until a decision is made on the complaint.
- 10.3. All results of elections shall be reported by the next meeting of the Executive Committee. The Returning Officer shall keep all papers pertaining to the election until this meeting, or for one calendar month or until the complaint has been resolved, whichever is the longer period.

11. The Returning Officer

- 11.1. The Returning Officer shall be responsible, in liaison with the Executive Committee for producing all literature with respect to notification of election procedures and timetables. This literature shall include:
 - i. The positions open for election and all rules and conditions governing the election and the conduct of campaigns.
 - ii. The opening and closing dates for nominations, and the conditions for nomination.
 - iii. The list of all candidates for all positions open for elections.
 - iv. The closing date for submission of candidates' literature, for approval prior to printing and distribution.
 - v. The designated areas in which publicity may be displayed.
 - vi. The opening and closing times that voting will be open, where voting will take place and how to vote.

- vii. The date and time at which voting will be closed and the count conducted.
- viii. Announcing the outcome of the count.

11.2. The Returning Officer shall also be responsible for:

- i. Ensuring all procedures governing elections are rigorously applied.
- ii. Producing a report on the results and conduct of the election to the following meetings of the Executive and the Board of Trustees.
- iii. Notifying the student body of the outcome of the election.
- iv. Notifying the University of any irregularities and also that all elections have been carried out in accordance with the requirements of the 1994 Education Act, Schedules and Standing Orders.

11.3. The Returning Officer shall be responsible, at the appropriate times, for producing all relevant literature with respect to notification of referendum procedures and timetables. This literature shall include:

- i. Notice that a petition to hold a referendum has been received in accordance with the provisions of [Standing Order B](#) of Bye-Law 12.
- ii. The nature of the question to be put.
- iii. The designated areas in which publicity may be displayed.
- iv. The opening and closing dates for hustings, if any.
- v. The dates and times of day that ballot boxes will be open, and on which campus of the college they will be lodged.
- vi. The date and time of the count.
- vii. Announcing the outcome of the count.

11.4. The returning officer will also be responsible for:

- i. Ensuring that all procedures governing referenda are rigorously applied.
- ii. Reporting the referendum results to the next meeting of the Executive and the Board after the count.
- iii. Notifying the student body of the outcome of the referendum.

APPENDIX B

CLUB/SOCIETY CONSTITUTION Template

DATE

NAME

The name of the Club/Society shall be the Bucks Students' Union
.....Club/Society.

OBJECTIVES

To promote an interest in and provide facilities for the following at
Buckinghamshire New University;

.....
.....

MEMBERSHIP

All full members as laid out in the constitution shall be entitled to join, take part in
activities and hold office in the club or society. Opted -out, Associate and Life
members of Bucks Students' Union shall not be entitled to hold office in the
society.

SUBSCRIPTION

All members of this club or society must pay a subscription of £..... and will
be issued with a membership card upon receipt.

COMMITTEE MEETINGS

Notice and submission of business will be run in accordance with Bye-Law 6 to this
constitution

AMENDMENTS

Amendments may be made to the constitution at the AGM or an Ordinary General
Meeting of the Club or Society. Such meetings must be advertised for at least five
normal working days. A simple majority vote is sufficient to amend the constitution
provided at least 40% of the society members are present.

REMOVAL OF COMMITTEE MEMBERS

The removal of a committee member must be decided by a two thirds majority at a
General meeting of the society. Five signatures are needed to call a General
meeting and 50% of the voting members must attend for the meeting to be quorate

COMMITTEE AND OFFICERS

The following posts/officers shall be elected at the Annual General Meeting of the
society by its full members only:

POST	NAME	COURSE
<u>CHAIRPERSON</u>	_____	_____
<u>TREASURER</u>	_____	_____
<u>SECRETARY</u>	_____	_____

OTHERS

APPENDIX C

STANDING ORDERS

Standing Order A

Union Meetings

General Guidance

As a matter of guidance all meetings should be chaired to allow the proper recording of clear and informed decision making. As a matter of principle chairs of meetings should encourage participation from all present and allow meetings to reach consensus and conclusion through the natural flow of discussion.

When this is not desirable, due to the formal nature of a proposal, or possible chairs of meetings should use their judgement in applying the formal rules of debate in section 7 below.

1. The Meeting

- 1.1. Union meetings shall be convened as under Bye-Law 3

2. Quorum

- 2.1. A quorum for any given committee shall be as set out in the relevant passage of the Constitution & Bye-laws
- 2.2. A challenge to the quorum can be made under a point of order.

3. The minutes

- 3.1. The minutes of the meeting shall be a true and accurate summary of the business transacted at the Union meeting. The minutes shall be a record of proceedings rather than giving only resolutions that were passed at the meeting.
- 3.2. The minutes of all meetings are the responsibility of the Union Manager but may be taken by a suitable nominee.
- 3.3. Meeting minutes shall be approved at the following meeting as a true and accurate record of the proceedings and shall be signed by the chairperson.
- 3.4. Minutes of the meeting must be available to all members of the union.

4. Guillotine

- 4.1. A guillotine, or time limit, may be set at the start of the meeting for the length of the meeting.
- 4.2. The reasons for setting a guillotine must be explained, and the guillotine must be supported by a simple majority vote to be valid.

5. Extraordinary Meetings

- 5.1. Notice of such meetings should be advertised in accordance with Bye-Law 5.

6. The Chair

- 6.1. The Chair shall be responsible for preserving order, for ensuring that proceedings are conducted in a proper manner and for seeing that the minutes of the preceding meeting are signed.
- 6.2. All other persons at the meeting will address the meeting through the Chair.
- 6.3. With the permission of the meeting, the Chair may offer points of information to the meeting.
- 6.4. In the event of a tied vote on a procedural motion the Chair shall have a casting vote.

- 6.5. The Chair will act as the teller of all results when a vote is taken on motions, amendments and elections at the meeting.
- 6.6. In the absence of the Chair, the Deputy Chair shall undertake the duties of the Chair for the duration of that meeting.

7. Debating Procedure

- 7.1. After an initial proposing speech for the main motion, each amendment will be debated in turn.
- 7.2. Speeches for both the substantive motion and the amendments will be taken for and against in turn.
- 7.3. The Proposer and Seconder of the substantive motion and amendments will be the first and second speakers respectively for their motion.
- 7.4. Each speech may last up to two minutes.
- 7.5. Each speaker may ask the meeting for a 30 seconds extension, and use that 30 seconds with the permission of the meeting.
- 7.6. Members, except the Proposer and Opposer, may speak once only during any one debate, except at the discretion of the Chair.
- 7.7. The Proposer and Opposer have one minute each to give a summary for and against the motion.

8. Procedural Motions

- 8.1. The following motions may be put to a Union meeting
 - i. That the question be put to the vote immediately – if carried by a simple majority the current round of speeches will be completed and a summary allowed before the vote is taken, if not carried by a simple majority the discussion shall continue.
 - ii. That the question not be put to the vote, and if carried by a simple majority the discussion will end, but may be brought to a subsequent meeting.
 - iii. That specified officer(s) or Committee(s) of the Union be censured.
 - iv. That there be a temporary adjournment of the meeting for not longer than 30 minutes and with a period of 90 minutes between any two adjournments.
 - v. That the matter be postponed to a later specified meeting.
 - vi. That the matter be referred to a committee or sub-committee.
 - vii. That the matter be referred back to a Union body for re-examination.
 - viii. That the motions be taken in parts
 - ix. That the matter be taken to a referendum in accordance with the Standing Orders for referendum.
 - x. That the vote be taken to secret ballot.
 - xi. That a presentation should be given for a period of no more than 20 minutes.

All procedural motions must be passed by a simple majority to come in to effect except motion (iii) which shall require a two-thirds majority.

There shall be no order of precedence amongst procedural motion except that motion (iii) shall take precedence over all others.

9. Points of Order

- 9.1. Where a member of a Union meeting feels that the procedure of the meeting conflicts with these Standing Orders or the Constitution & Bye-Laws, they may raise a point of order. In doing so, they must cite the section of the Constitution or Bye-Laws with which they feel there is conflict.

- 9.2. A point of order may not be raised whilst a vote is being taken unless it concerns the conduct of the vote.

10. Points Of Clarification

- 10.1. A point of clarification may only be used to make points clear to the meeting, and must be made through the Chair.
10.2. A point of clarification may be made at any point during the meeting.

11. Challenges To The Chair

- 11.1. If a member wishes to challenge the Chair's ruling on any question, that member may challenge the Chair under a point of order.
11.2. The procedure is as follows:

- i. The Chair shall nominate immediately a temporary Chair who shall preside until the question is decided.
- ii. The challenger may then propose the challenge.
- iii. The Challenged Chair may then reply.
- iv. The Challenger may then give a summary.
- v. No other member has the right to speak, except the temporary Chair.
- vi. The question shall immediately be put to the vote.
- vii.

12. Voting

- 12.1. A vote will normally be taken by a show of hands.
The Chair may deem the vote to be carried if no dissent is shown.

Standing Order B

Referenda

1. Remit

- 1.1. Any question, save those relating to private and confidential matters, or those for which alternative procedures are established in the Union's constitution or its Bye-Laws, may be put to a referendum, subject to the provision of paragraph 4 of this standing order.

2. Calling a Referendum

- 2.1. Subject to the provisions of this standing order, a referendum may be called by:
- i. The Executive Committee, or
 - ii. The Board of Trustees or
 - iii. Not less than 2% of the Union's Ordinary Members.

3. Notice of intention to call a Referendum

- 3.1. Notice of intention to call a referendum shall be by way of:
- i. Resolution of the Executive Committee, or
 - ii. Resolution of Union the Board of Trustees, or
 - iii. Petition to the President.

4. Petitioning for a Referendum

- 4.1. In the event of a petition to the President, the signatories to the petition shall:

- i. Provide proof of ordinary membership status of the union.
- ii. Number not less than the percentage of ordinary members indicated in section 2.1 above.
- iii. Provide a contact name and address, to which acknowledgement of the petition may be sent.

5. Acknowledgement of a petition

- 5.1 On receipt of a petition for a referendum, The President shall notify the Returning Officer, who shall forward written acknowledgement of receipt to the contact name and address.

6. Phrasing the Question

- 6.1. Phrasing the question to be put to a referendum shall be the responsibility of the Returning Officer, who shall consult with the Executive Committee on the matter. The phrasing shall ensure that responses can be gauged by a 'Yes/No' vote.

7. Timing of Referenda

- 7.1 Subject to the provisions of this section of the constitution, the outcome of any questions put to a referendum shall be known by the 3rd (third week, counting from the Monday after the resolution of the Executive Committee or Board of Trustees, or Receipt of the petition.

8. Publicity

- 8.1 The Executive Committee shall make appropriate arrangements for publicising the referendum on all sites of the University.

9. Referendum Campaigns

- 9.1 No Union funded resources, except for room bookings, shall be made available for referendum campaign activity. Use of union facilities for referendum campaign activity shall be subject to the standard scale charge(s) applicable.

10. Hustings

- 10.1. The Returning Officer may call hustings at which interested parties may debate the question to be put to a referendum, in order to inform the union membership of the issues involved.

11. Method of determining the outcome of a referendum

- 11.1. All referenda shall be conducted by open cross campus ballot in a manner approved by the electoral reform society.
The question shall be determined by the means of a Yes/No vote.

12. Timetable for Referenda

- 12.1. Publicity shall be produced on the Monday of the 1st (first) week after receipt of the petition.
- 12.2. Publicity shall be distributed to all campuses of the University by the Friday of the 1st (first) week after receipt of the petition.
- 12.3. Hustings (where applicable) shall be held during the 2nd (second) week after receipt of the petition.
- 12.4. Ballot boxes shall be open on the Tuesday, Wednesday and Thursday of the 3rd (third) week after receipt of the petition.
- 12.5. The referendum count shall be on the Friday of the 3rd (Third) week after the receipt of the petition.

12.6. Declaration of results shall be the responsibility of the returning officer, whose determination shall be final, except that the petitioners may request a recount if the difference in yes/no votes is 5% (five percent or less of the total valid vote).

13. Quorum

13.1. The quorum for a referendum to mandate the Union to take a course of action shall be no less than 5% of all registered students of the University

14. Notification of the outcome of a Referendum

14.1. It shall be the responsibility of the Returning officer to ensure that the outcome of the referendum is advertised to the Union's membership, the Executive Committee and put to the Board of Trustees for ratification

15. Questions of Like Nature

15.1. No questions of like nature shall be put to a referendum within 12 (twelve) calendar months of a previous referendum.

Standing Order C

Conduct of Elections at Union Meetings

1. The Chair shall call for nominations of eligible candidates.
2. Candidates shall be proposed and seconded by two ordinary members of the meeting.
3. Candidates shall be invited to make a brief speech in support of their candidacy.
4. At the discretion of the meeting, questions may be addressed to candidates. Questions should be applicable to all candidates and answered by each in turn.
5. Where the election is for a single post, the Alternative Transferable Vote System shall be used.
6. Where the election is for multiple posts, the Single Transferable Vote System shall be used.
7. Where there is only one candidate more than the number of posts available, the vote may be taken by a show of hands, after candidates have been asked to leave the room.
8. The vote shall be taken by secret ballot at the request of any member.
9. 'Re – open nominations shall be entered in all elections held at union meetings and should be treated as if it were another candidate.
10. Only ordinary members of the Union are entitled to vote at meetings of the Union. The chair of the meeting may ask for members to produce proof of membership.

APPENDIX D

BUCKS STUDENTS' UNION

CODE OF PRACTICE

INTRODUCTION

Bucks Students' Union is the independent, representative body of students at Buckinghamshire New University and is so recognised within the University's Articles of Government. As such Bucks Students' Union is the designated students' union at Buckinghamshire New University as defined under Section 22 of the 1994 Education Act (part 2).

It is the purpose of this "Code of Practice" to demonstrate that Bucks Students' Union operates in a fair and democratic manner and is accountable for its finances. In particular it will set out how the requirements of the above Act are carried into effect, detailing the arrangements made to secure observance of the Act.

AIMS AND OBJECTIVES OF Bucks Students' Union

The Union's objectives are the advancement of education of students at Buckinghamshire New University for the public benefit by:

promoting the interests and welfare of students at Buckinghamshire New University during their course of study and representing, supporting and advising Students;

being the recognised representative channel between students and Buckinghamshire New University and any other external bodies; and

providing social, cultural, sporting and recreational activities and forums for discussions and debate for the personal development of its students.

The Union will seek at all times to:

ensure that the diversity of its membership is recognised and that equal access is available to all members of whatever origin or orientation;

pursue its aims and objectives independent of any political party or religious group; and

pursue equal opportunities by taking positive action within the law to facilitate participation of groups discriminated against by society.

PRACTICES OF BUCKS STUDENTS' UNION

1. Bucks Students' Union has a written constitution which is approved by the Governing Body of Buckinghamshire New University, the University Council.

1.1. Any changes to the constitution must be ratified by the University Council.

- 1.2. The constitution sets out the process for approving amendments. Amendments to the main body of the constitution must be approved by a 75% majority at a Union General Meeting or Referendum. Any such amendments must subsequently be submitted to the University Council for ratification.
- 1.3. The University Council will formally review Bucks Students' Union's constitution every five years with the next review will be due in 2016.
- 1.4. The constitution and bye-laws shall be available for view at the Union's offices by any member at the Union's during normal opening hours.
2. Bucks Students' Union's constitution entitles all full members of the Union to stand for election to Union offices and to vote in elections to such offices. The rules governing elections to Union offices are set out in the bye-laws.
 - 2.1. Union elections are overseen by the Returning Officer, who shall be nominated by the Board of Trustees of Bucks Students' Union ,
 - 2.2. All votes are cast via secret ballot.
 - 2.3. Members of the Union who have a complaint on the conduct of the election shall in the first place put their complaint in writing to the Returning Officer within five working days of the date of the election.
 - 2.4. Ultimately, members of the Union who have a complaint about the fairness or propriety of Union elections rules or regulations, or about the conduct of an election have the right to complain as outlines in section 9 below.
 - 2.5. No member may hold sabbatical office for more than two years in total.
3. The schedules to the constitution contain regulations to ensure proper conduct of the Union's financial affairs.
 - 3.1. A budget estimate shall be submitted to the University Council by the end of May each year.
 - 3.2. Audited accounts shall be presented to the University Council annually.
 - 3.3. An interim financial statement shall be presented to the Union Council Meeting and the University Council once a term.
 - 3.4. The Union's financial practices, procedures and regulations shall be incorporated into a Financial Procedures Manual and approved by the University.
 - 3.5. Bucks Students' Union shall be subject to examination by Auditors appointed by the University as and when required by the University.
 - 3.6. The procedures through which funds are allocated to clubs and societies shall be documented and available for view at the Union's offices by any member during normal opening hours.
4. Bucks Students' Union may affiliate to external organisations which assist it in providing services, providing that such affiliation is not outside the Union's purposes.

- 4.1. The decision of the Union's Trustee Board to affiliate to any external organisation shall be notified in writing to the next Union Council Meeting. This notice will include details of any subscription or similar fee paid or proposed to be paid, and of any donation made or proposed to be made and shall be made available to the University Council.
- 4.2. At intervals of not more than one year and not less than ten months the continued affiliation to any external organisation may be challenged by any two members upon submission of a motion to a Union Council Meeting or by 50 members upon signing a petition calling for an Emergency Union Council Meeting to discuss continued affiliation.
- 4.3. Any vote on continued affiliation to an external body at either an Ordinary or Emergency Union Council Meeting shall be via a secret ballot.
- 4.4. Details of all external bodies to which the Union is affiliated along with details of any subscription or donation made, or proposed to be made, shall be incorporated into a report appended to the Union's annually audited accounts.
5. Bucks Students' Union is a registered charity and is thus governed by laws relating to charities and educational charities. In particular:
 - 5.1. Bucks Students' Union shall not expend funds for activities outside its constitutional purposes.
 - 5.2. Bucks Students' Union shall not make donations to any external organisation except where a specific collection has been taken up for that purpose, the collection accounted for separately, all those making a donation are aware of the destination of their donation, and all reasonable costs associated with collecting the donation are charged against the account (e.g. Rag donations). Notice of any such donations shall be published in accordance with section 4 above.
6. All registered students of Buckinghamshire New University are automatically members of Bucks Students' Union. Any Bucksinghamshire New University student has the right to opt-out of membership of Bucks Students' Union. The procedures for exercising that right are as follows:
 - 6.1. The right to opt-out of membership of Bucks Students' Union is available to each student for a period of three weeks after enrolment in any academic year.
 - 6.2. Any student wishing to declare his or her non-membership may do so only during that period, using the appropriate forms. This declaration remains in effect until the end of that academic session.
 - 6.3. Appropriate forms are available for this purpose from the Student Centre.
 - 6.4. A list of non-members will be maintained by the President of Bucks Students' Union and by the Director of Student Experience of Buckinghamshire New University.
7. Non-members have the following rights of access to services and activities.
 - 7.1. Access to all trading services, facilities and events provided the appropriate fee or charge for the service has been paid, which shall not be higher than that charged to members of Bucks Students' Union.

- 7.2. Ability to become a member of any Union affiliated club or society, provided the appropriate membership fee has been paid, which shall not be higher than that charged to members of Bucks Students' Union, however restrictions as to elected positions apply (see section 8).
 - 7.3. Access to advice provided by the Union and its Officers in relation to welfare and academic matters.
 - 7.4. Equal access with members to casual employment within Union operated services and facilities.
8. Non-members may not participate in the democratic processes of the Union as outlined below nor may they be involved in any position where they would be in a decision making role involving the Union's funds, policies, procedures, or services.
- 8.1. Non-members may not hold elective office in Bucks Students' Union as a sabbatical officer or any other elective position nor stand for election as a delegate to NUS national conference or similar. Non-members may not nominate candidates for such elections.
 - 8.2. Non-members are not eligible to vote in elections for Union officers or delegates to NUS national conference or similar.
 - 8.3. Non-members may not speak or vote in Union Council Meeting or propose motions to those meetings.
 - 8.4. Non-members may not serve as an officer of any Union affiliated club or society.
 - 8.5. Non-members may not vote in any election or meeting of any Union club or society.
 - 8.6. Non-members may not serve as Union nominated representatives on committees which are part of the governance structure of Buckinghamshire New University.
9. Students or groups of students have the right to complain if they are dissatisfied in their dealings with the Union or if they have been unfairly disadvantaged by reason of having exercised their right not to be a member of the Union.
- All complainants should, in the first instance approach the President of Bucks Students' Union, or if the complaint relates to the conduct of the President, the Vice President Education & Welfare, who will advise on the procedure to follow.
 - If the complaint relates to the actions or conduct of an individual officer of Bucks Students' Union the complaint will in the first instance be dealt with by the Union's internal disciplinary procedures. Copies of this are available from the Students' Union Offices.
 - If the complainant relates to the actions or conduct of member of Bucks Students' Union staff the President will raise the matter with the appropriate line manager.
 - If the complainant relates to the actions, procedures, policies of the Union as an organisation the following complaints procedure will be followed.

9.1. STAGE 1

9.1.1. The President (Vice President Education & Welfare) will discuss the complaint with the complainant and appropriate parties in order to see whether conciliation is possible without further reference. If it is not the complaint shall be referred to the Executive Committee. The complainant must put their complaint in writing to the President who will convene an Executive Committee meeting within 7 days to hear the complaint. The complainant will have the opportunity to put their case in person to the Executive Committee who will give their response in writing within 3 working days.

9.2. STAGE 2

9.2.1. If the complainant(s) are dissatisfied with the response of the Executive Committee, they may appeal to the Director of Student Experience at the University.

9.2.2. The Director of Student Experience will convene a panel to include herself/himself, a Dean of Faculty, and a member of the University Senior Management team.

9.2.3. The panel will request a report from the Union on their actions and may undertake any necessary investigation.

9.2.4. The panel will notify both the complainant and the Students' Union of their decision and suggested remedy, if any, within 2 weeks of the complaint being referred to it.

9.3. STAGE 3

9.3.1. If the complainant or the Students' Union is dissatisfied by the panel's response, they may request an independent review. The reviewer, who shall be a person external to the University with suitable experience of students' unions and higher education institutions, will be appointed by the University Council who will make recommendations to the Vice Chancellor of the University.

10. This Code of Practice shall be available for view at the Union offices.

APPENDIX E

DISCIPLINARY PROCEDURES

Governing the behaviour of members of Bucks Student' Union

1. INTRODUCTION

- 1.1. Bucks Students' Union has drawn up a Code of Conduct that governs the activities of its members. The term "member" refers to all full members of the Students' Union as defined in the Constitution (i.e. all registered students of Buckinghamshire New University who have not exercised their right not to be a member plus the full time elected officers of the Union).
- 1.2. The Code of Conduct and associated disciplinary procedures will, additionally, govern the activities of those students of Buckinghamshire New University who have exercised their right to "opt-out" of membership of Bucks

Students' Union whilst on Students' Union occupied premises or whilst using Students' Union services, facilities or activities or those of clubs or societies. The term "member" in this Code of Conduct includes such students for the purpose of these regulations.

- 1.3. The Code of Conduct and associated disciplinary procedures are intended to promote fairness and order in the treatment of individuals and in the conduct of the Students' Union, in line with the policies of Bucks Students' Union and its partner institution. All members must accept that in any organisation there have to be rules of conduct and behaviour.
- 1.4. Should it become necessary to take action against any member whose behaviour is contrary to accepted standards then the Code of Conduct explains the grounds on which members may be disciplined.
- 1.5. All members will be responsible for making themselves acquainted with all Union policies and procedures affecting them. It is a requirement of membership that members accept their obligations under the Code of Conduct, and all other relevant policies, rules and regulations.
- 1.6. Members will be issued with an identity card by the University and are encouraged to collect an NUS card from the Students' Union. One of these identity cards must be produced to any Officer or staff member of Bucks Students' Union upon request when on Students' Union occupied premises or utilising Students' Union services or facilities or taking part in activities which fall under the auspices of Bucks Students' Union. Inability to produce an identity card may lead to immediate exclusion from the premises, services, facilities or activity.
- 1.7. The Trustee Board of Bucks Students' Union may from time to time amend these regulations and procedures or replace them entirely. Any changes effected by the Board shall be deemed to have immediate effect and be binding upon current members.
- 1.8. Members whose conduct, in the opinion of the licensees of Union operated licensed services, is prejudicial to the maintenance of good order on licensed premises may be subject to action initiated and enforced by the licensees. Such action does not form part of these Code of Conduct Regulations and may be taken either independently or in addition to action arising from this Code of Conduct.

2. CONDUCT REGULATIONS

2.1. General

- i. Misconduct is defined as "improper interference with the proper functioning or activities of the Students' Union, or other members, or those who work in the Students' Union, or action which is considered detrimental to the best interests of the Students' Union." Serious or gross misconduct is defined as "misconduct which, if proven, is likely to result in exclusion from Students' Union occupied premises or withdrawal of rights to participate in or benefit from specified Students' Union services, facilities or activities for a period greater

than four weeks, or would result in suspension or expulsion from membership.”

- ii. The functioning or activities of the Students' Union include those activities undertaken by the Union's recognised student clubs and societies.
- iii. Repeated or serial misconduct may be categorised as serious misconduct for the purposes of determining jurisdiction and penalty.
- iv. Breach of any of the following regulations or other misconduct shall make a member liable for disciplinary action under the Students' Union's Code of Conduct and Disciplinary Procedure.

2.2. Behaviour Towards Other Members of Bucks Students' Union, Bucks Students' Union employees, visitors, guests and other persons.

- i. Members should always act with reasonable consideration towards other members, employees and other persons using Bucks Students' Union services, facilities or activities, or towards other persons away from the Students' Union and the University who they may have contact with whilst representing Bucks Students' Union or participating in Bucks Students' Union activities, and observe this Code of Conduct and all subsidiary regulations.
- ii. Members shall comply with any reasonable instruction issued by any officer, employee, representative or agent of the Students' Union. (In the event of proceedings being brought for non-compliance with any such instruction, it shall be a defence that the instruction was unreasonable or unnecessary in the circumstances for the proper functioning and efficiency of the Students' Union and the safety and well-being of its members or other persons).
- iii. Members shall not commit or threaten to commit any action which may lead to injury to any person. Members shall not cause any person using Students' Union services, facilities or activities or any guest of the Students' Union, or other persons away from the Students' Union and the University who they may have contact with whilst representing Bucks Students' Union or participating in Bucks Students' Union activities, to be concerned for their safety or well-being.
- iv. Members shall not commit any act of sexual harassment i.e. the making of advances or approaches or innuendoes of a sexual nature to the point at which their behaviour might reasonably cause alarm or distress to the person(s) to whom such approaches, advances or innuendoes have been made.
- v. Members shall not commit or encourage any racist or homophobic activity or behaviour. Members shall not commit or encourage behaviour which is deemed to victimise others in respect of their disability.
- vi. Members are required to observe the Students' Union's and the University's Health and Safety and Fire regulations and procedures.
- vii. Members shall observe the Health and Safety and Fire Regulations and procedures of other organisations or premises that they may visit whilst representing Bucks Students' Union or participating in Bucks Students' Union activities.

2.3. Use Of Building, Grounds And Equipment

- i. Members shall not deface nor maliciously damage any premises or property occupied, used or owned by the Students' Union.
- ii. Members shall not deface nor maliciously damage any premises or property at any other establishment away from the Students' Union whilst representing Bucks Students' Union or participating in Bucks Students' Union activities.
- iii. Members shall not intentionally or recklessly interfere with or misuse any equipment provided in the interests of health, safety and welfare.
- iv. Members shall not drop litter, eat or drink in unauthorised areas or smoke in unauthorised areas.
- v. Members shall not enter any part of Students' Union occupied premises which they do not have sufficient cause to enter which is not designated as a communal or public area.
- vi. Except for calls on official Students' Union business, or other calls authorised by a Sabbatical Officer or responsible member of staff, no member is permitted to use the Students' Union's telephone for external calls.
- vii. Members shall not make unauthorised use of Students' Union computers, photocopiers or other equipment and shall observe regulations governing the use of such equipment and services.
- viii. Members shall not make unauthorised use of Students' Union vehicle and shall observe all regulations and policies relating to the driving or use of such vehicles.

2.4. Administration

- i. Members shall observe the requirements of the Students' Union's constitution.
- ii. Members shall not interfere, or seek to interfere, with Students' Union elections with the intent to frustrate the election process, to gain unfair advantage for a candidate(s), or to disadvantage a candidate(s).
- iii. Members shall not provide false information with the intent to deceive when seeking the issue of a Students' Union (NUS) card, or applying for membership of the Athletics Union or a club/society, or seeking to register or apply for any other service or activity.
- iv. Officers of clubs/societies shall observe all regulations and policies governing the operation of clubs and societies.
- v. Members shall not forge, alter or misuse any Students' Union document, record or identification card.
- vi. Members shall not seek to utilise the services of the Athletic Union or clubs and societies without first having paid the appropriate membership fee.
- vii. Members shall not seek to gain admission to events, access to services or products for which a charge is payable without paying due charges.
- viii. Members shall pay any debts or charges due and payable (including fines) to the Students' Union at the required time.

2.5. General

- i. Members shall not commit any act that the President has reason to believe is either a breach of acceptable behaviour or which is detrimental to the best interests of the Students' Union.
- ii. Members shall not behave, whether within the premises occupied by the Students' Union, the University or anywhere else, in a way likely to bring the name of the Students' Union into disrepute.

- iii. No offensive weapon may be brought onto Students' Union occupied property even if properly licensed.
- iv. Members shall observe regulations in force with regard to the purchase of tickets for entertainments and other social activities.
- v. Members shall observe regulations in force governing admission to premises for the purposes of visiting bars or entertainments events. Such regulations may permit the member to invite guests and in such circumstances the member shall be responsible for the behaviour of their guest.
- vi. Members shall not purchase alcohol with the intention that the alcohol is consumed by a person who is under 18 years of age.
- vii. Members who are under 18 years of age shall not purchase or consume alcohol whilst on any Students' Union licensed premises.
- viii. Members shall not possess or use illegal substances whilst in Students' Union occupied premises, representing the Students' Union or participating in Students' Union activities.
- ix. Bucks Students' Union reserves the right to request members to consent to a search of their belongings and/or persons either on admission to premises/events or whilst on the premises or at events. Members will usually be asked to give such consent if their behaviour is or has been consistent with behaviour which could be associated with breaches of this Code of Conduct. In addition, a system of random searches will usually be operated at the entrance to licensed premises. Bucks Students' Union is under no obligation to provide members with reasons as to why a request for a search was made. Members may choose to decline to a search of their belongings and/or persons, in such instances admission to the premises/event will normally be denied or the member will be asked to leave the premises/event for the remainder of the trading day. Members shall be required to observe and respect such requests.
- x. Members who sign in guests to events shall be responsible for the behaviour of their guest. Where the behaviour of a guest warrants action under these regulations or regulations developed specifically for the licensed premises of the Union, the action will normally be taken against the member who signed them in.

2.6 Criminal Offences

- i. Members shall not commit any offence against the Criminal Law whilst on Students' Union occupied premises, representing the Students' Union, or participating in Students' Union activities.
- ii. Members who allegedly commits a criminal offence in their private lives may be in breach of the Code of Conduct and subject to the Disciplinary Procedure where it is felt that the alleged offence either brings the name of the Students' Union into disrepute, where the behaviour of the member has an adverse impact upon the Students' Union or the ability of other members to benefit fully from their membership of the Students' Union, or where other members or employees of Bucks Students' Union might feel threatened by their presence.
- iii. Alleged misconduct, which also appears to constitute a criminal offence, may be referred to the police.
- iv. The victim of alleged misconduct may refer the matter or require the matter to be referred to the police. Whilst there is no legal obligation to report an alleged or suspected offence, anyone may make such a report, and no person may prevent another person from making such a report.

- v. Where there is prima facie evidence that a criminal offence has been committed but the victim does not wish the alleged offence to be reported, the Students' Union's Executive Committee must decide, with due diligence, whether to report the offence or not. The Trustee Board will be notified of each such decision

2.7 Complying With Disciplinary Procedures

- i. Members shall not reasonably refuse to assist in procedures for operating the Code of Conduct and Disciplinary Procedures. This shall include a requirement that they identify themselves when requested to do so by any employee of Bucks Students' Union when on Students' Union occupied premises or utilising Students' Union services or facilities or taking part in activities which fall under the auspices of Bucks Students' Union.
- ii. Members shall comply immediately with a disciplinary decision upon receipt of notice of the decision, pending the outcome of any appeal if lodged.

3. PENALTIES

- 3.1. The Students' Union shall have the powers to impose a range of penalties for breaches of the Code of Conduct or any other Students' Union regulations. The penalties are:

- i. Reprimand or caution.
- ii. A written or verbal apology to aggrieved person
- iii. A formal and recorded written warning indicating the action which may be taken if there is a further breach of the Code of Conduct. A copy of any written warning shall be given to the student, one copy retained by the appropriate Disciplinary Officers and one copy placed on the Disciplinary File kept by the Chief Executive Officer on behalf of the President. (Normally no more than one written warning shall be issued before the imposition of a more severe penalty in the event of a further proven or undisputed breach of the code by a member to whom the warning(s) have been issued. However, the period between a first warning and a second proven or undisputed breach of the student conduct regulations as well as the nature of the incidents concerned should be considered before imposing a penalty).
- iv. Financial restitution in full or in part of the cost of making good and damage or loss suffered by the Students' Union or other members or persons.
- v. Financial penalty up to £100 for being in breach of the Code of Conduct.
- vi. Exclusion from Students' Union occupied premises or withdrawal of rights to participate in or benefit from specified Students' Union services, facilities or activities for a specified period. (Exclusion or withdrawal of rights may be imposed pending a hearing or pending further investigation of an alleged offence where the nature and/or severity of the alleged offence warranted it)
- vii. Suspension from membership of the Students' Union. This shall mean that the member ceases to be a member on a specified date for specified period of time which shall not exceed 12 months.

- viii. Expulsion from membership of the Students' Union. This shall mean that the member ceases to be a member and shall not be entitled to re-enter membership on any future occasion.
- ix. Any combination of the above penalties.

3.2. Suspension of penalty.

A penalty may be suspended for a given period, subject to the behaviour of the member in the period identified. A written communication to the member setting out such a suspended penalty shall clearly state that the penalty shall be imposed if there is any further proven or undisputed breach of the Code of Conduct or other regulations. Additionally, further conditions governing the imposition of any such penalty may be specified.

3.3. Deferral of penalty.

A penalty may be deferred to apply from a certain date to avoid any untoward consequential penalty. Certain decisions by their nature or timing entail further direct or indirect consequential penalties. An example would be were a penalty withdrawing the right of a member to enter the bars coincides with hustings to take place in the bar for an election in which the member is standing. A consequential penalty should NOT normally be taken into account when arriving at the initial decision on the appropriate penalty. It may, however, be appropriate to adjust the penalty which would otherwise have been applied to ensure the effect of any consequential penalty is also fully considered.

3.4. The Disciplinary Officers may choose to make a report of the case to the Director of Student Experience of the University. Such a report shall, in all cases, be made when a penalty is imposed under f,g,h,i above.

3.5. The Disciplinary officers may also choose to refer the matter directly to the University Disciplinary Procedures either instead of or in addition to proceeding with these procedures.

4. DISCIPLINARY PROCEDURE

4.1. The following principles govern the Disciplinary Procedure.

- i. Members shall receive a formal written charge relating to the grounds for the disciplinary hearing.
- ii. Members are entitled to be accompanied and assisted at a hearing or appeal by another member.
- iii. Members have the right to see all evidence to be presented throughout the hearing of evidence.
- iv. Disciplinary procedures will be concluded as speedily as possible consistent with fairness and the nature of the alleged misconduct.
- v. The process provides a right of appeal.
- vi. Serious cases of alleged misconduct will be heard directly by the Disciplinary Committee following the investigation carried out by the appointed Disciplinary Officers.
- vii. In all disciplinary proceedings a student shall be presumed to be innocent of the charge until the contrary is proved on the balance of probabilities.

- 4.2. The Disciplinary Procedure may be initiated by any member of the Students' Union, or by members of staff of the Students' Union through the Chief Executive Officer. The alleged misconduct, together with detail of the student(s) concerned, shall be referred by the complainant to the President (or other Sabbatical Officer in their absence) as soon as reasonably possible after the occurrence of the alleged breach. Where a member refuses to identify him/herself, this shall be regarded as a further breach of the Code of Conduct Regulations.
- 4.3. The President (other Sabbatical Officer in absence) shall nominate 2 Sabbatical Officers (one of whom will normally be the President him/herself) to act as Disciplinary Officers for the case.
- 4.4. Where an alleged breach of the Code of Conduct Regulations involves a member in an alleged act of misconduct either within or in the immediate vicinity of licensed premises, then a license holder will normally use the regulations and tariff of penalties designed and approved specifically for offences in Bucks Students' Union licensed premises. The licence holder will use the Licensed Premised regulations and tariff as a guide should the matter need to be referred and be dealt with using these Code of Conduct and Disciplinary regulations.
- 4.5. Where an alleged breach occurs in any other setting (including trips or activities away from the University) then the appropriate Officer, staff member or other agent shall have the authority to exclude the member from the facility, service or activity or to take any other reasonable action to prevent further immediate breaches of the Code of Conduct Regulations by any member whom they believe to have already breached the Regulations. This action shall at the earliest be reported to the nominated Disciplinary Officers who shall endorse, amend or withdraw the restrictions pending a disciplinary hearing
- 4.6. Where the alleged breach constitutes a criminal offence, the Students' Union may decide to refer the matter to the Police. Where a member is subject to criminal proceedings arising out of the alleged breach of the Code of Conduct Regulations, the Students' Union may, at the discretion of the Executive Committee, choose to suspend disciplinary proceedings pending the outcome. (In such circumstances, the Executive Committee may decide to impose a temporary exclusion from Students' Union occupied premises or temporary withdraw rights to participate in or benefit from specified Students' Union services, facilities or activities pending the outcome of criminal proceedings and any subsequent disciplinary action under this Code of Conduct. Such action will only be taken where it can be demonstrated that the alleged breach of the Code of Conduct, if proven, would mean that the continued presence of the member would either bring the name of the Students' Union into disrepute, where the behaviour of the member has an adverse impact upon the Students' Union or the ability of other members to benefit fully from their membership of the Students' Union, or where other members or employees of Bucks Students' Union might feel threatened by their presence or any other reasonable reason)
- 4.7. Appropriate investigations will be undertaken as soon as possible. All persons concerned in the alleged misconduct, whether complainant, respondent or witness, will be required to complete a statement. All evidence will be submitted on a statement, together with any additional documentation as appropriate. If the Disciplinary Officers determine that there is prima facie

evidence of misconduct, then they shall require that the member(s) (respondents) concerned attend a hearing, normally within 5 working days of receiving the report of the alleged breach. This request shall be made in writing and shall normally provide the member(s) with at least 2 working days notice.

- 4.8. The notification of the hearing should also give full details of the alleged breach of the Code of Conduct Regulations: the alleged misconduct charge should be framed with specific reference to the Code of Conduct. The letter should further explain the student's right to be accompanied by a friend or representative; his/her right to provide a statement on his/her behalf and the right to be provided with the evidence on which the charge(s) is based. The respondent will be advised that if he/she fails to attend without good cause the hearing may take place in their absence. Where the nature of the alleged offence and the evidence available justify an immediate exclusion this will also be referenced in the letter.
- 4.9. Where the Disciplinary Officers determine there is a prima facie evidence of serious misconduct (as defined in section 2.1) then they shall immediately bring the allegation to the attention of a member of University staff nominated by the University for this purpose, complete their investigation and refer the matter to the Disciplinary Committee.
- 4.10. A hearing will be a formal interview held by two Disciplinary Officers. A record will be kept of the hearing by a third party member of the Union's permanent staff (usually the Chief Executive Officer). Each respondent will be interviewed separately and may be accompanied by a friend (who shall not be a respondent in the case). No witnesses will be called, but any witnesses' statements will be used in evidence. The respondent(s) will be given the opportunity before the hearing to have sight of the evidence on which the charge(s) is based and to respond to the charge(s) and the evidence presented.
- 4.11. At the hearing, the Disciplinary Officers conducting the hearing should present the member(s) with the facts of the matter and provide details of any supporting evidence. The member will have an opportunity to state his/her case and to provide supporting evidence. During the hearing the member may:
 - i. Accept responsibility for the alleged breach
 - ii. Deny responsibility for the alleged breach
 - iii. Having admitted or accepted the alleged proven breach, not accept the penalty imposed
 - iv. Appeal against the finding and/or the penalty to the Disciplinary Committee. There should be no plea bargaining.
- 4.12. At the close of the hearing, the Disciplinary Officers shall, dependent on its outcome, either;
 - i. Find the allegation not proven on the balance of probabilities;Or
 - ii. Find the allegation proven on the balance of probabilities and impose an appropriate penalty or combination of penalties within his/her authority.

4.13. The details of the interview and any penalty where so determined shall be recorded and the report signed by both Disciplinary Officers. One copy of the report shall be retained by the Disciplinary Officers, one given to the respondent, and one retained on the Disciplinary File maintained by the Chief Executive Officer. Further circulation of the report will be made as deemed appropriate by the Disciplinary Officers (e.g. to the complainant).

4.14. On those occasions where:

i. The member denies responsibility for the breach of the Code of Conduct Regulations but the Disciplinary Officers considers the allegation proven;

Or

ii. The member does not accept the penalty the matter shall be referred to the Disciplinary Committee.

iii. Where a member fails to reply to a request to attend a hearing and does not attend, the hearing may be held in the absence of the Respondent and a decision reached at the discretion of the Disciplinary Officers.

5. **DISCIPLINARY OFFICERS (SABBATICAL OFFICERS)**

5.1. It is important that disciplinary matters should be resolved quickly and at the appropriate level within the Students' Union consistent with principles governing the disciplinary process. Many disciplinary cases are likely to result in minor sanctions and many violations of the Code of Conduct Regulations will not be disputed by the perpetrator. It is equally important to attempt to resolve issues in a more informal setting rather than moving too quickly into the quasi-judicial format of the Disciplinary Committee. Therefore, the Students' Union has nominated its Sabbatical Officers to act as Disciplinary Officers.

5.2. 2 Sabbatical Officers shall be nominated by the President (or other Sabbatical Officer in absence) to investigate each case and to conduct a disciplinary hearing if appropriate. Where the Disciplinary Officers considers that a prima facie case exists to suggest that the alleged misconduct was serious or gross misconduct then the Disciplinary Officers shall not hear the case but refer it onto the Disciplinary Committee.

5.3. The nominated Disciplinary Officers for each case shall not be members of the Disciplinary Committee which hears that case or appeal.

5.4. Where a Sabbatical Officer is the person bringing the complaint, he/she will not act as Disciplinary Officer or be a member of the Disciplinary Panel that hears the case or appeal.

5.5. Where a Sabbatical Officer is the subject of a complaint the matter will be referred directly to the Disciplinary Committee.

6. **DISCIPLINARY COMMITTEE**

6.1. **Membership**

i. The Disciplinary Committee (hereinafter called "the Committee") shall be made up from members of the Executive Committee of the Students' Union plus the Chair or Deputy Chair of Union Council. At least 2

members of the Executive Committee shall be present in order for a hearing to proceed, with at least 1 Sabbatical Officer present. Neither of the 2 Sabbatical Officers who acted as Disciplinary Officers in the case shall be members of the Committee which hears the appeal. The University Chaplain or the Students' Union Advice Centre Manager will act as independent advisors to the committee on issues of procedure and fairness.

- ii. All meetings of the Disciplinary Committee will be chaired by a Sabbatical Officer. The Chief Executive Officer or other permanent member of the Students' Union staff shall act as Secretary to the Committee.
- iii. Whenever a meeting of the Committee is called, any member having an interest in its proceedings, which he or she considers may prevent him or her from adjudicating upon them fairly and impartially, shall declare such interest to the Committee. Those Committee members not declaring an interest shall consider the eligibility of the member declaring an interest for membership of the Committee for the meeting in question.

6.2 Functions

- i. The Committee shall consider any alleged serious or gross misconduct by a member of a disciplinary nature which may be referred to it through the Disciplinary Officers and properly submitted appeals by a Complainant or a Respondent against a finding and/or penalty imposed by the Disciplinary Officers.
- ii. The Committee shall determine whether it is satisfied that any complaint referred to it has, on a balance of probabilities, been established. If so satisfied it may endorse the decision of the Disciplinary Officers if applicable or impose penalties as set out in section 4. If not so satisfied it may dismiss the case.

6.3 Procedure

- i. The President (or VP Education & Welfare in absence) shall nominate an eligible Sabbatical Officer (who may be him/herself) to act as chair of the Disciplinary Committee. The Chair shall be responsible for convening the Disciplinary Committee and for the proper conduct of all proceedings relating thereto. The Chair shall take advice, as appropriate, on matters of procedure from the Chief Executive Officer.
- ii. The Respondent shall be provided with, in writing, at least 5 working days before the said meeting:
 - a) notice of the time, place and date of the meeting
 - b) full details of the charge(s) of misconduct
 - c) a copy of any written evidence
 - d) a copy of these regulations
- iii. When appearing before the Committee, the Respondent may be accompanied by a friend who shall be a member of the Students' Union.
- iv. The case against the Respondent will be put by one of the Disciplinary Officers.
- v. The case for the Respondent will be put either by the respondent or their friend.

- vi. The Committee, the Respondent and the Disciplinary Officers shall be empowered to present written evidence. Such written evidence may not be provided without providing the other party via the Committee Secretary with a copy of it at least two working days before the hearing. Other forms of evidence other than written statements will be accepted at the discretion of the Chair of the Committee. The Committee, the Respondent and the Disciplinary Officers shall be empowered to cross examine each others evidence.
- vii. The Committee, the Respondent and the Disciplinary Officers shall be empowered to call witnesses and to cross examine each other's witnesses. Only witnesses from whom prior written statements have been received and circulated shall be called. The Chair may set aside this regulation at his/her discretion in the interests of natural justice, but must give his/her reasons for doing so.
- viii. It shall be the responsibility of the Chair to ensure that a Minute of the hearing is prepared. Such Minute shall be signed by him/her and copies sent to the Complainant and Respondent within 7 days of the hearing. The Chief Executive Officer shall file a copy of the minute in the Disciplinary File. The Respondent will be informed of his/her right of appeal.
- ix. All hearings of the Committee shall be conducted in private.
- x. Any questions to be determined at a meeting of the Committee shall be determined by a simple majority of the votes of the members of the Committee present excluding the Chair. Where there is an equal division of votes, the Chair shall have a casting vote.
- xi. At the end of the hearing the Chair will notify the Respondent of the decision. The Respondent will be informed that this decision will be communicated to him/ her in writing. Where the Committee finds the complaint proven, it shall impose a penalty or a combination of penalties from those available, or, in the case of appeal, confirm, quash or vary the original findings and/or penalty.

6.4. Penalties

- i. Any penalty listed in section 4 or any combination of penalties.

7. APPEAL

- i. The Respondent may appeal against the decision of the Disciplinary Committee. The Complainant may similarly appeal.
- ii. The appeal process may be against the finding or the penalty. Any appeal against the finding must be based on
 - a) Additional new evidence
 - b) Perversity of judgement against the weight of the evidence presented
 - c) Material procedural irregularity
 - d) Demonstrable prejudice or bias against the Respondent In addition, where the appeal is against the penalty imposed:
 - e) The penalty cited as ultra vires (beyond the authority of the Officer or Committee to impose) or otherwise inappropriate to the misconduct
- iii. Any appeal shall be in writing and lodged with the member of University staff nominated by them for this purpose who shall decide whether grounds exists for an appeal. The appeal shall follow the complaint process (from stage 2 onwards) for complaints against the

Students' Union as set out in the Code of Practice resulting from the requirements of the Education Act 1994, i.e.

- iv. The member of University staff nominated by them for this purpose will convene a panel to include herself/himself, a Dean of Faculty, and a member of the University Directorate.
- v. The panel will request a report from the Union on their actions and may undertake any necessary investigation.
- vi. The panel will notify both the complainant and the Students' Union of their decision and suggested remedy, if any, within 2 weeks of the complaint being referred to it.
- vii. If the complainant or the Students' Union is dissatisfied by the panel's response, they may request an independent review. The reviewer, shall be a person external to the University with suitable experience of students' unions and higher education institutions, will be appointed by the University and who will make recommendations to the Vice Chancellor of the University University.

APPENDIX F

Bucks Students' Union Financial Procedures

1. Background

This financial procedures manual sets out the procedures to be followed in the financial administration of Bucks Students' Union. It forms the reference manual for all those involved in authorising expenditure, processing, handling or recording financial transactions

The contents of this manual are ultimately approved by the Students' Union Trustee Board and require the support of the University Director of Finance.

1.1. Compliance

Compliance with the financial regulations is compulsory for all staff connected with the Union. A member of staff who fails to comply with the financial regulations may be subject to disciplinary action under the University's disciplinary policy. Any such breach will be notified to the Union's Finance & Staffing Committee.

1.2. Changing the Manual

The Unions Finance & Staffing Committee have the authority to amend procedures, to issue new procedures and to implement such revisions with immediate effect. Any changes must be submitted to the next meeting of the Students' Union Trustee Board for approval and then passed to the University Director responsible for Finance for approval

1.3. Authorisation for departure from procedure

This is permissible in exceptional circumstances by Presidential Ruling with the agreement of the members of Finance & Staffing Committee approved by the next meeting of Students' Union Trustee Board.

Staff, Officers or students operating in an official capacity (such as Club or Society Officials) who depart from this procedure without written permission may face disciplinary action.

2. Ethics

2.1. The ethical code is based on that adopted by the Chartered Institute of Purchasing and Supply, a summary of which is set out below.

2.2. Staff or Officers shall never use their authority or office for personal gain and shall seek to uphold and enhance the standing of the Union by:

- i. maintaining the highest possible standard of integrity in all their business relationship both inside and outside the University
- ii. rejecting any business practice, which might reasonably be deemed improper and never using their authority for personal gain:
- iii. fostering the highest possible standards of professional competence amongst those for whom they are responsible:

2.2.1. optimising the use of resources which they influence and for which they are responsible to provide the maximum benefit to the Union:

2.2.2. complying both with the letter and the spirit of the Laws of England and such guidance on professional practice as may be issued by the Union from time to time.

2.3. Contractual Obligations.

In applying these principles, staff should follow the guidance set out below:

- 2.3.1. **Declaration of Interest** - Any personal interest which may affect or be seen by others to affect a member of staff's impartiality in any matter relevant to his or her duties should be declared. Personal interest includes that of immediate family and friends.
- 2.3.2. **Confidentiality and Accuracy of Information** - The confidentiality of information received in the course of duty should be respected and should never be used for personal gain. Information given in the course of duty should be honest and clear.
- 2.3.3. **Competition** - The nature and length of contracts and business relationships with suppliers can vary according to circumstances. These should always be constructed to ensure deliverables and benefits. Arrangements which might in the long term prevent the effective operation of fair competition should be avoided.
- 2.3.4. **Business gifts** – Business gifts, other than items of very small intrinsic value such as business diaries or calendars, should not be accepted.
- 2.3.5. **Hospitality** – The recipient should not allow him or herself to be influenced or be perceived by others to have been influenced in making a business decision as a consequence of accepting hospitality. The frequency and scale of hospitality accepted should be managed openly and with care and should not be greater than the Union is able to reciprocate.

2.4. Decisions and Advice

- 2.4.1. When it is not easy to decide between what is and is not acceptable, advice should be sought from the Union's Chief Executive Officer, another senior colleague or the University College as appropriate. Advice on any aspect of the Code is available from the Institute.

3. Guiding Principles

- 3.1. All receipts and payments are banked intact i.e. expenses are not to be removed from takings, other than in pre agreed and specific circumstances.
- 3.2. No member of staff or officer should countersign their own claim
- 3.3. All expenditure must be authorised by the appropriate budget holder before an order is placed
- 3.4. All expenditure for equipment exceeding £1999.99 must be authorised by the Finance & Staffing Committee and the minute of the decision attached to the order form.

4. Responsibilities and Reporting

4.1. The President

The President has overall responsibility for the financial performance of Bucks Students' Union and for the administration of its finances, and is accountable to the Union Council and the Students' Union Trustee Board and ultimately the Governors of the University for the discharge of this responsibility.

4.2. Chief Executive Officer

The Chief Executive Officer acts as the Finance Manager for Bucks Students' Union. Responsible for advising the President on all matters relating to the finances of Bucks Students' Union, s/he has delegated authority to ensure that the financial arrangements of Bucks Students' Union are administered in accordance with set procedures and is responsible for ensuring that financial transactions are properly accounted for. S/he is responsible to Finance & Staffing Committee and the Union Trustee Board for the discharge of these responsibilities.

4.3. Budget Holders

Sabbatical Officers who act as budget holders shall approve all expenditure activity with the accounts for which they are responsible and be responsible for ensuring that any income targets are achieved. They shall be required to authorise expenditure from their accounts, provide effective monitoring of their accounts and initiate remedial action. They shall be accountable as appropriate to the Executive Committee, the Finance & Staffing Committee and Trustee Board for the performance of their budgets.

4.4. Staff Members who act as budget holders shall both approve all expenditure activity within the accounts for which they are responsible and be responsible for ensuring that any income targets are achieved. They shall be required to provide effective monitoring of their accounts and initiate remedial action. They shall be accountable to the Chief Executive Officer for the performance of their budgets. The Chief Executive Officer shall account for the performance of these budgets and report to the Finance & Staffing Committee and the Trustee Board.

4.5. Nominated budget holders

A register of budget holders shall be kept by the Financial Controller. This record shall include the:

- i. Budget Holders Name
- ii. Account codes for which they hold responsibility
- iii. date that responsibility started, signed by budget holder
- iv. Date that responsibility terminated, signed by budget holder
- v. Signed, approval of status by Chief Executive Officer and President.

4.6. Authorisation of expenditure

Budget holders are responsible for authorising all non-capital expenditure from the account areas for which they are responsible in accordance with the procedures set out within this manual. Budget holders must ensure that all expenditure they authorise is within budgeted levels. No budget holder shall be authorised to approve the purchase of a single item (except stock for resale, and acts for entertainments) over the value of £499.99. Such expenditure may be deemed to be capital expenditure and shall require the approval of the Finance & Staffing Committee. Such expenditure will be charged to the Union's reserves with the appropriate expenditure account being charged depreciation on an annual basis in accordance with accounting principles agreed with the Union's independent auditors.

4.7. Contracts (non artists/performers) and Direct Debits

All contracts and direct debits shall be signed by the President and the Chief Executive Officer or Financial Controller.

Copies of all contracts and direct debits will be filed by the Financial Controller.

The Chief Executive Officer shall report all signed contracts and direct debits to the Finance & Staffing Committee.

4.8. Contracts (artists/performers/tours/promotions)

Copies of all contracts must be lodged with the Financial Controller. All contracts under £3000 must be signed by the DGM and a Sabbatical officer, all contracts of £3000 and above shall additionally be signed by the Chief Executive Officer and a second Sabbatical Officer. This procedure shall also apply to artists and performers booked on behalf of clubs and societies or faculties. In special circumstances delegated authority may be given in the form of predetermined budgets such as the May Ball.

4.9. Cheque Signatories

All cheques issued in behalf of Bucks Students' Union shall require 2 signatories the Chief Executive Officer and the Financial Controller or another member of the Senior Management Team. Cheques must NOT be signed without the cheque requisition slip being signed by the person receiving the goods, the budget holder if different, and two sabbatical officers.

4.10. Monthly Account Preparation

The Financial Controller shall prepare monthly financial statements in accordance with a monthly checklist prepared by the Union's auditors. Appendix 7.

4.11. Monthly Management Accounts

Draft management accounts shall be produced by the Chief Executive Officer within 21 days of the period end with the relevant areas being passed to each budget holder.

Budget holders shall review the management accounts and report back to the Chief Executive Officer. A finalised document including a composite commentary shall be presented to the Executive Committee and Trustee Board as appropriate.

4.12. Interim Financial Statements

The Chief Executive Officer shall draft an 'Interim Financial Statement' for each Trustee Board meeting, providing an overview of Bucks Students' Union financial activities year to date and shall present the statement to the President.

The President shall submit the statement to:

- i. Executive Committee
- ii. Finance & Staffing Committee
- iii. Students' Union Trustee Board
- iv. University Director of Finance

4.13. Annual Audited Accounts

On an annual basis the Chief Executive Officer shall ensure that the annual accounts are produced by independent auditors appointed by Students' Union Trustee Board. The Chief Executive Officer shall present the Audited Accounts to the President who will submit them to the Executive Committee, Finance & Staffing Committee and to Students' Union Trustee Board for approval prior to signing.

The President shall submit signed audited annual accounts to the University Director of Finance.

5. **Purchases** – see flowchart appendix 1
6. **Receipts** – see flowchart appendix 2
7. **Payroll** – see flowchart appendix 3
8. **Patty Cash** – see flowchart appendix 4
9. **Responsibilities of Signatories** – to be read in conjunction with the appendices above

9.1. Receiving Officer

- 9.1.1. A receiving officer is anyone who signs for goods received
- 9.1.2. They will check each consignment against the delivery note, marking each item as present with a TICK on the delivery note. Damaged items should not be accepted. Items that appear on the delivery note but are not present should be clearly marked as such on the delivery note. The customer copy of the delivery note shall be retained and placed in the appropriate place or file for reconciliation against the invoice.
- 9.1.3. A record of the delivery will be made on a goods in/out sheet where the white copy is stored in a delivery folder, the blue copy is kept for stocktake purposes and the pink copy is sent to finance to be matched with the delivery note and invoice.

9.2. Requisitioner

- 9.2.1. A requisitioner is someone who orders goods or services
- 9.2.2. They must obtain the permission of the relevant budget holder
- 9.2.3. They will sign payment authorisation forms (where there is no delivery note) to confirm that order has been received.

9.3. Budget Holder

- 9.3.1. Will sign order requisition forms to authorise expenditure from budget
- 9.3.2. Will sign order requisition forms to approve payment

9.4. Sabbatical Officer Signatories

- 9.4.1. Will sign purchase orders to confirm that all other relevant signatures are present in the order requisition paperwork.
- 9.4.2. Will sign authorisation for payment slips providing all other paperwork is in place and signatories correct.
- 9.4.3. Will sign off petty cash requests providing receipts where relevant are present.

9.5. Cheque Signatories

- 9.5.1. Will sign cheques providing all paperwork is complete and signatures are in place and the correct authorisation slips have been signed by the sabbatical officers of the Union.
- 9.5.2. Where a cheque signatory is also the budget holder an alternative cheque signatory will be found.

10. Cash In Transit

10.1. Staff will at all times comply with the insurance conditions for cash in transit that form an appendix 6 to this document.

11. Safe Limits

11.1. Staff will, at all times, respect the overnight safe limits that form an appendix 6 to this document. In the unavoidable event that these may be exceeded the advice of the Chief Executive Officer or Commercial Services Manager should be sought immediately.

12. Gifts, benefactions and donations

12.1. The Chief Executive Officer is responsible for maintaining financial records in respect of gifts, benefactions and donations made to the Union and initiating claims for recovery of tax where appropriate.

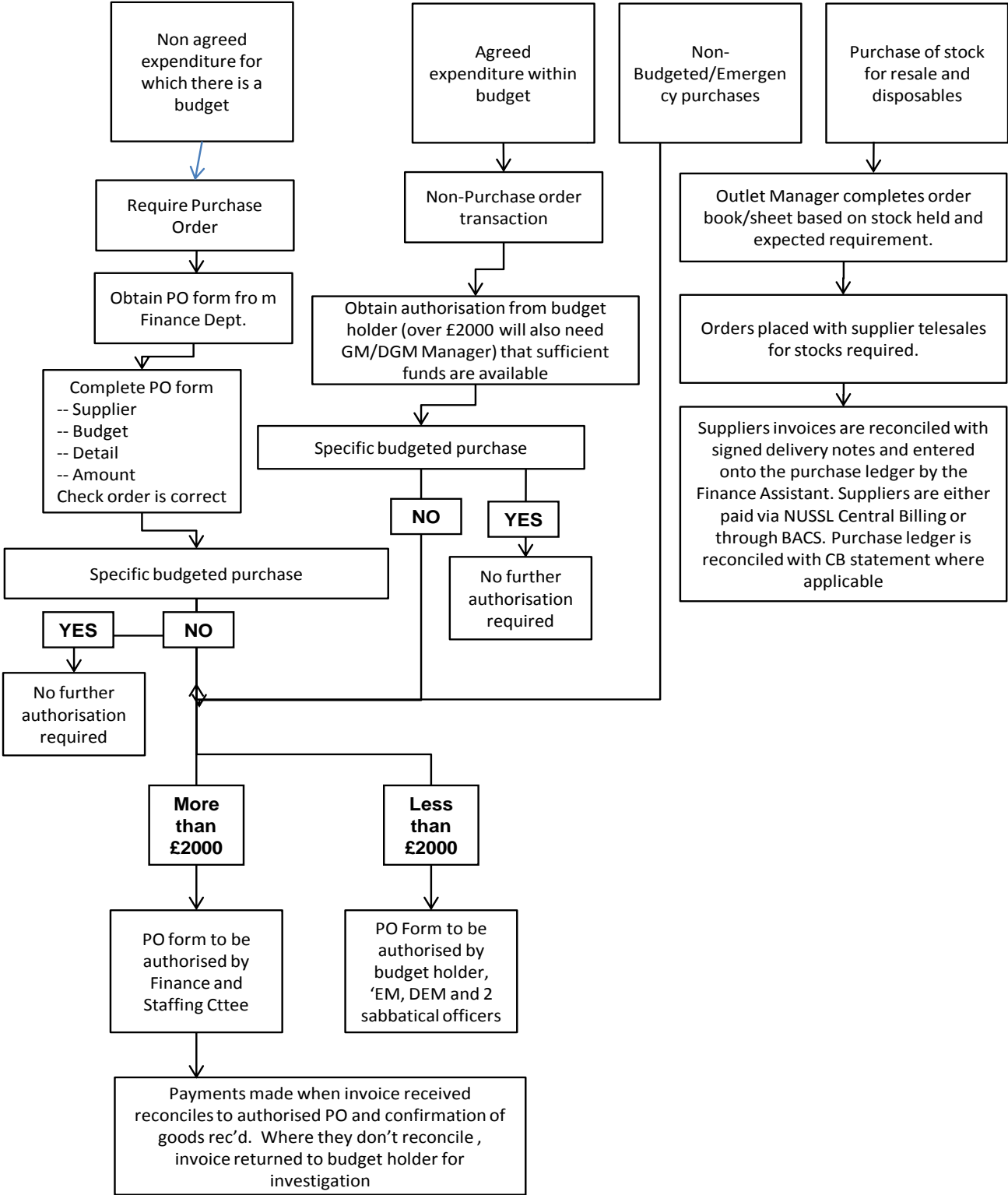
12.2. Business gifts other than those referred to in 2.3.4 above will normally be considered the property of the Union.

13. Mobile Phones

13.1. The Union does not provide mobile phones or cover call charges for any staff or officers except in exceptional circumstances and then only with the approval of Finance & Staffing Committee.

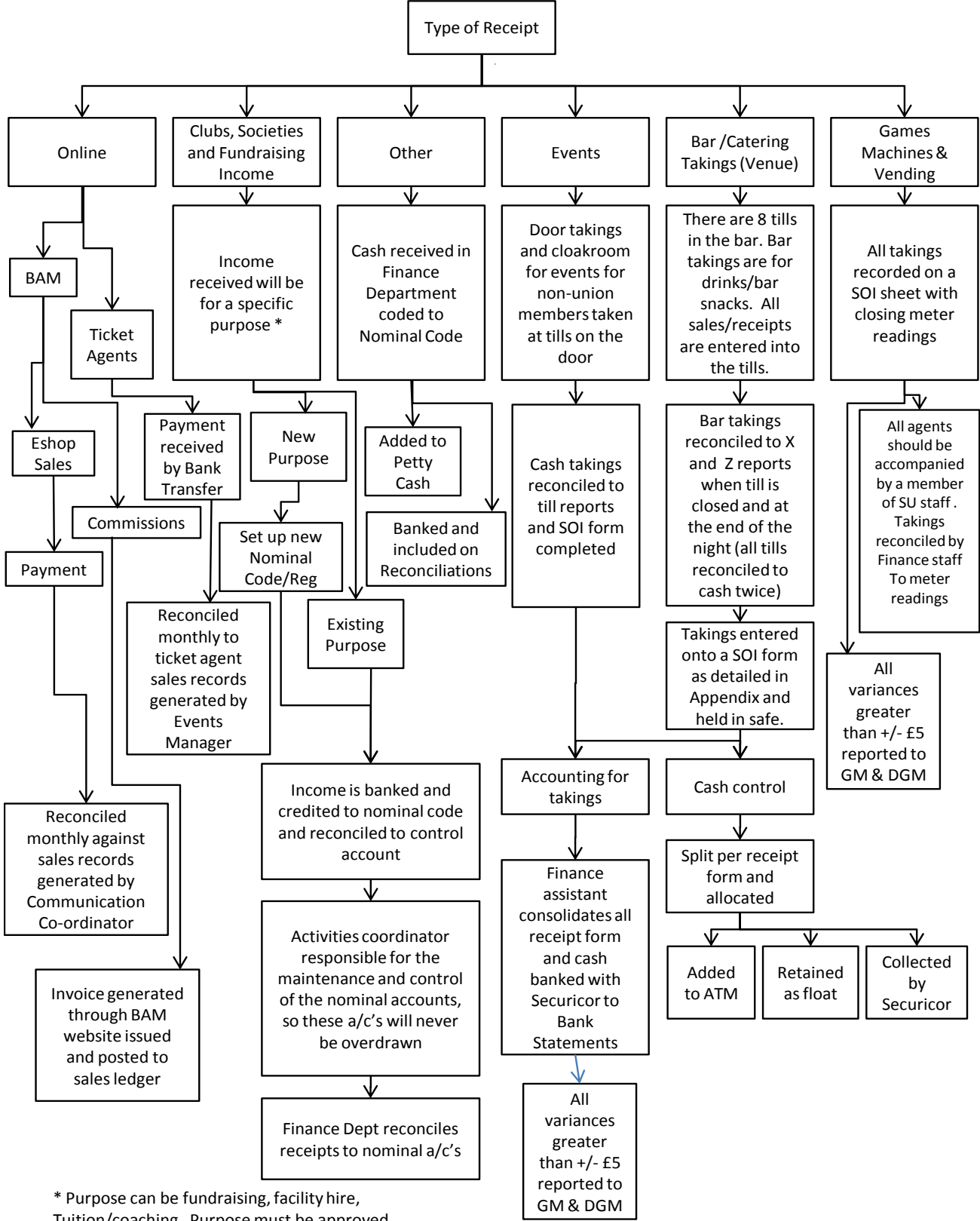
APPENDIX 1 – Purchases

PURCHASES



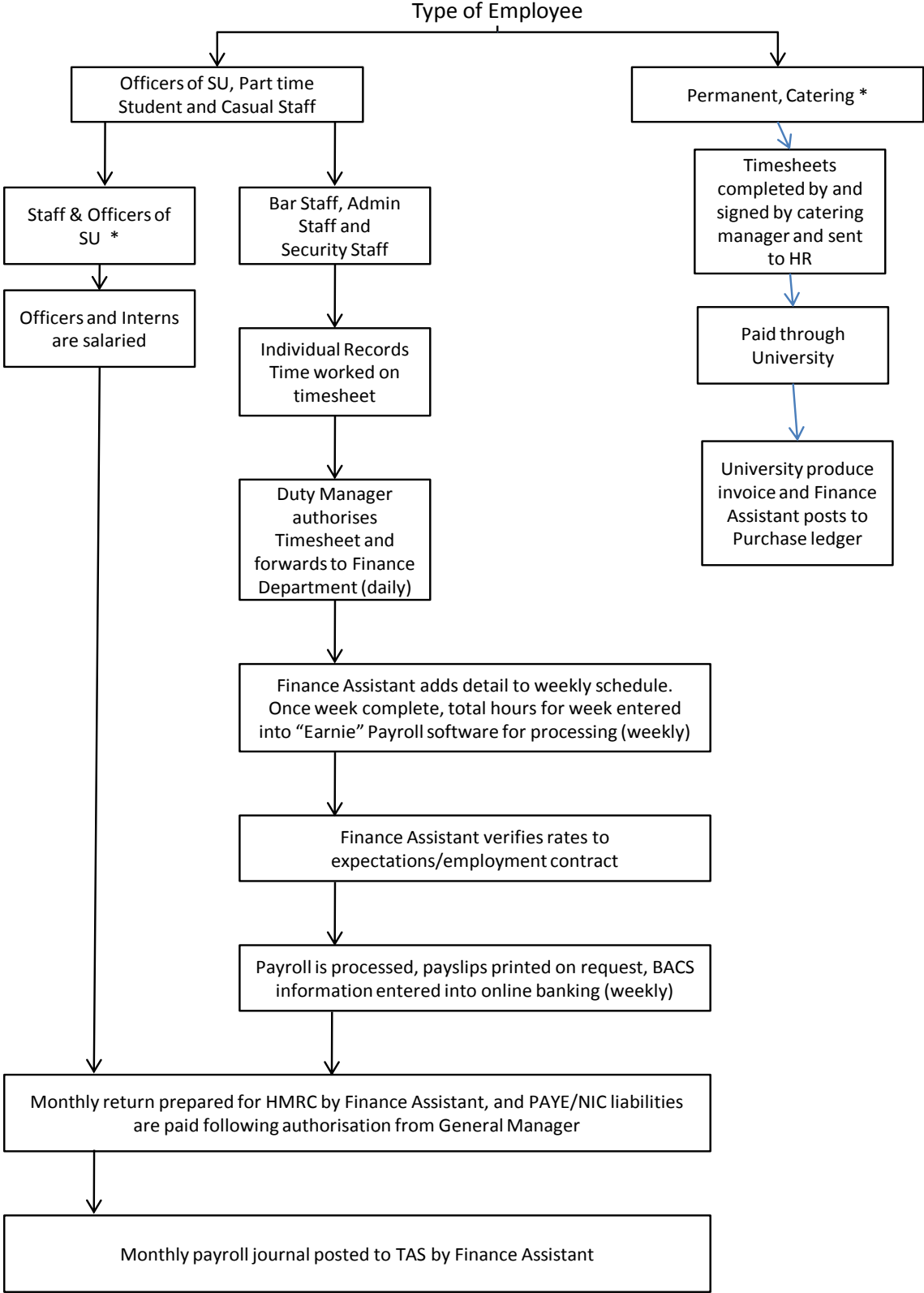
APPENDIX 2 – Receipts

RECEIPTS



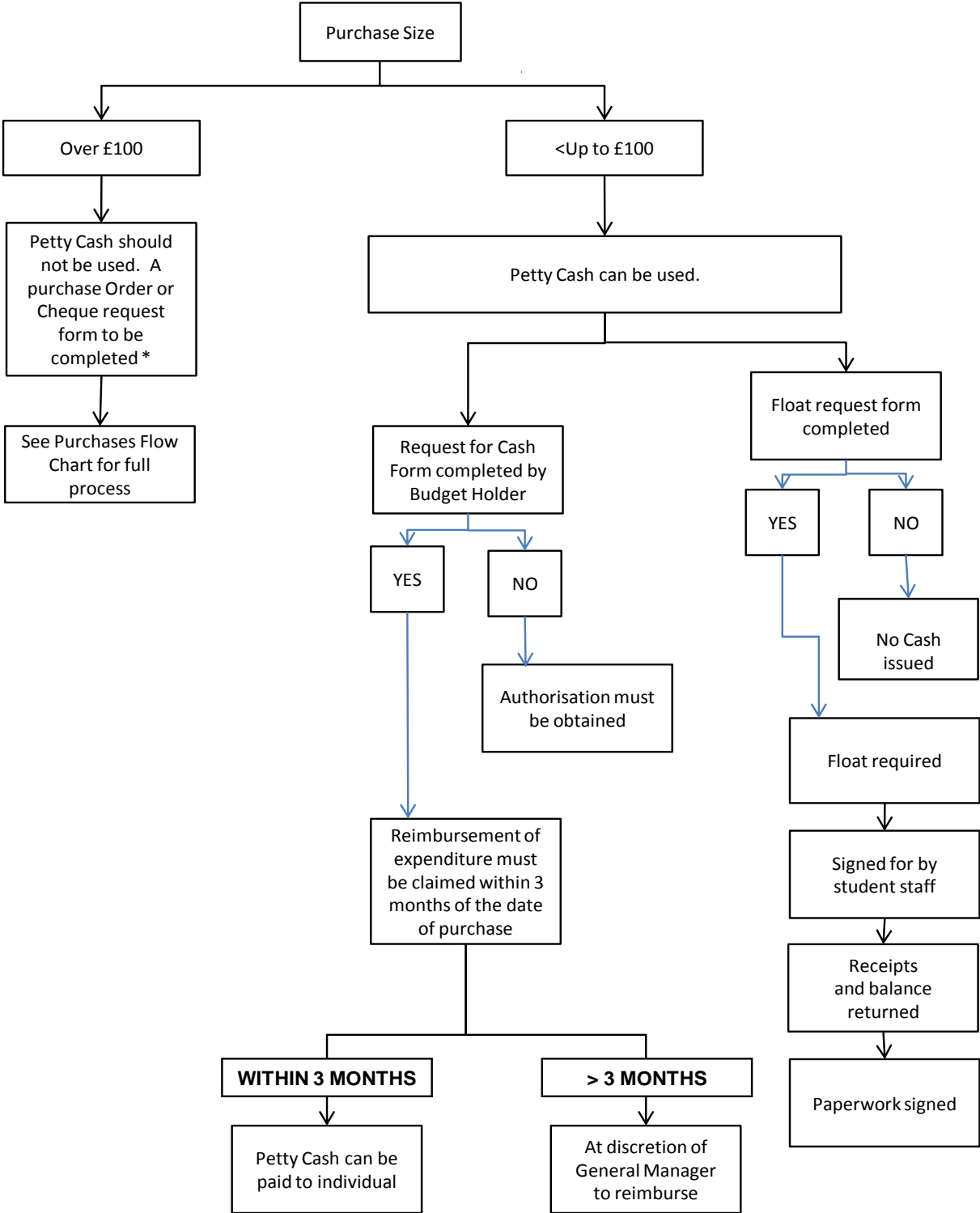
APPENDIX 3 – Payroll

PAYROLL



APPENDIX 4 – Petty Cash

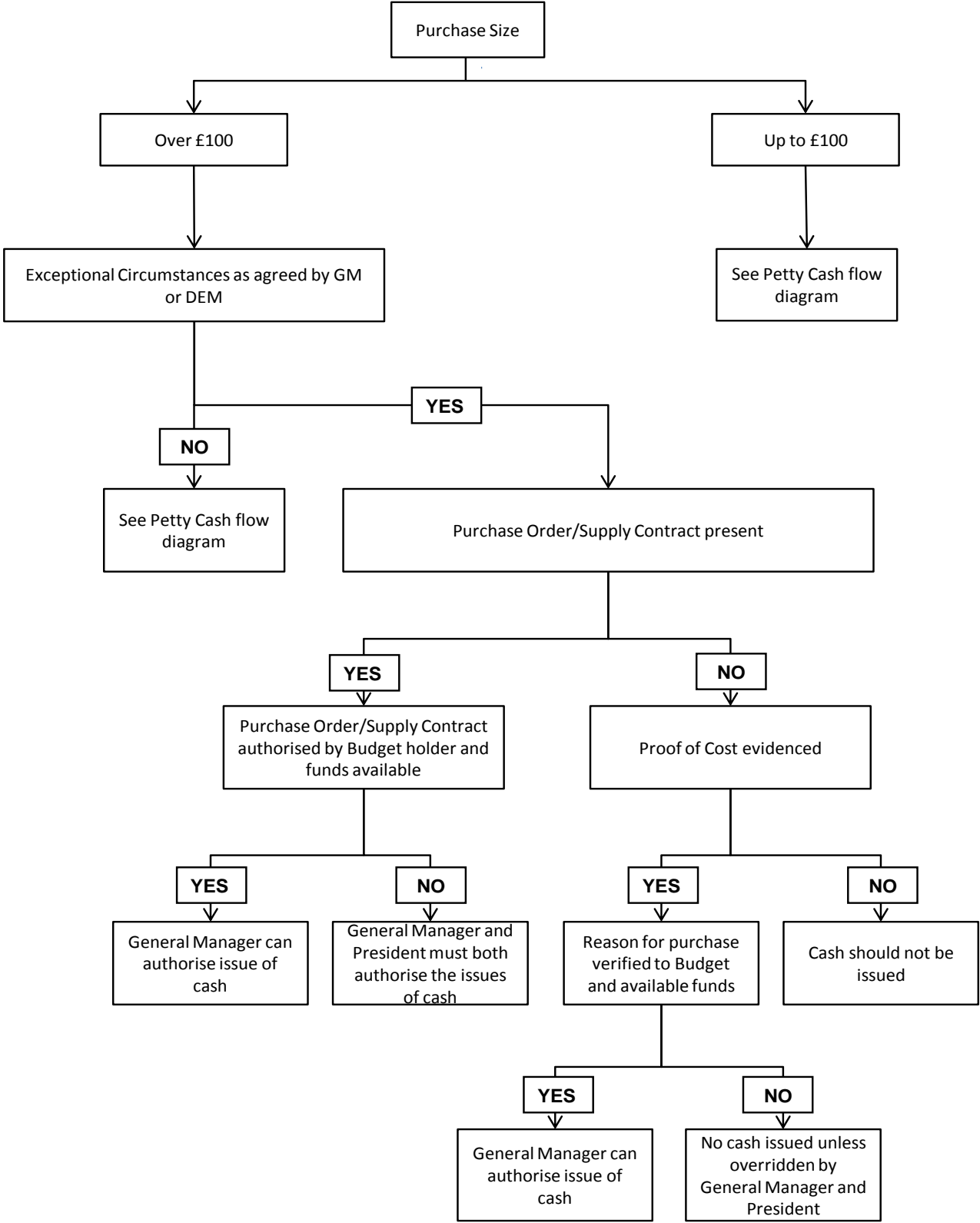
PETTY CASH



* Exceptional circumstances may exist (see attached)

Appendix 4 – Petty Cash Continued

PETTY CASH Exceptional Circumstances



APPENDIX 5 - Expenses Rates

Travel

Second class rail travel should be the regular method used, including the purchase of rail card where cost effective, except where this is not practical.

Mileage rates: Permanent Staff and FT Officers 40ppm, all others 20ppm

Air travel may be used where cheaper or where it avoids the necessity of over night accommodation.

Where appropriate the Union will reimburse the costs of Discount Travel Passes such as a Young Persons Rail Card.

Accommodation

The cheapest reasonable accommodation should be used, student halls of residence should be considered an appropriate standard. For practical purposes the price of rooms in 'Travel Lodge' should be taken as a useful benchmark.

A sum of up to £25 may be claimed where the claimant stays with friends or relatives rather than uses hotel accommodation. This allows the claimant to 'treat' and must be supported by receipts.

Substance Expenses

These are only payable where meals are not included in conference or training packages.

Snack	up to	£2.00
Breakfast	up to	£5.00
Lunch	up to	£7.50
Dinner	up to	£10.00

Receipts MUST be provided. No reimbursement will be made for purchases of alcohol included within a meal.

Parking

The Union will pay all reasonable parking charges but not fines

Networking Allowances

A sum of £5 per night is allowable for incidental expenses.

Appendix 6 - Safe Limits

Below are the overnight insurance limits for Union Safes

Office SMP Economy Safe	£1,500
Bar Rosengrens Tann Eurosafe	£35,000
Beats Chubb Safe	£4,000
Pulse Chubb Safe	£2,000
Draws in Cash Registers	£100

Cash in Transit Limits

Up to £2,000	1 employee
£2,001 - £5,000	2 "
£5,001 - £10,000	3 "

Appendix 7 – Monthly Account Checklist

BUCKS STUDENTS UNION

Preparation date:

MONTHLY ACCOUNTS REVIEW

Signed by:

Month:.....

.....

	Done	Notes/comments
FIXED ASSETS		
Agree net assets on balance sheet to fixed asset register		
Update FAR for asset additions/disposals		
Agree depreciation posting for month to accounts - to income and expenditure - to deferred capital grant release		
Update debtors/capital grant for University funded addns		
STOCK		
Check balances to stock-take schedules		
DEBTORS		
Agree sales ledger aged list to sales control		
Review aged list for older debts, query as necessary		
Update and review schedule of prepayments		
Update and review schedule of other debtors		
Review NUSSL accounts		
BANK		
Agree reconciliations to trial balance: - Alliance and Leicester - Internal - ATM		
CREDITORS		
Agree purchase ledger aged list to purchase control		
Review aged list , query as necessary		
Update and review schedule of accruals		
Update and review schedules of other creditors and provisions		
Review block grant movement for month		
Review New Offer fund		
Review various helpers,buddying, volunteers etc		
RESERVES		
Review generally		

