



# BISHOP GROSSETESTE STUDENTS' UNION

## **Bishop Grosseteste Students' Union By-Laws**

**Approved By:** BGSU Executive Committee (7/12/18)

**Ratified By:** Student Council (10/12/18)

**Confirmed By:** BGSU Trustee Board (29/01/19)

**Date of Confirmation:** 29/01/19

**Review Date:** January 2024 (Mid-Point Review in January 2021)



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### Other Union Policy that sits externally to the By-Laws:

- BGSU & BGU Data Sharing Agreement
- BGSU & BGU Student Charter
- BGSU Activities, Clubs and Societies Code of Conduct
- BGSU Code of Conduct
- BGSU Constitution
- BGSU Data Protection Policy
- BGSU Diversity and Equal Opportunities Policy
- BGSU Fire Evacuation Plan
- BGSU Health and Safety Policy
- BGSU Initiations Policy
- BGSU Licensed Vendor Partnership Agreement
- BGSU Mascot Code of Conduct
- BGSU Political Stance Policy
- BGSU Privacy Notice
- BGSU Reserves Policy
- BGSU Risk Register
- BGSU Social Media Policy
- BGSU Strategy
- BGSU Student Voice and Representation Policy



## Terminology

<b>AGM:</b>	The Annual General Meeting of the Students' Union.
<b>BGSU:</b>	Bishop Grosseteste Students' Union.
<b>BGU:</b>	Bishop Grosseteste University.
<b>BUCS:</b>	British Universities and Colleges Sport, the organisation that manages sport leagues between Higher Education Providers.
<b>By-Elections:</b>	Any additional elections that take place following the main elections.
<b>By-Laws:</b>	The By-Laws of the Union which are amended by the Trustee Board in accordance with the Constitution.
<b>Censure:</b>	The expression of disapproval.
<b>Chair:</b>	The Chairperson of a meeting, committee or working group.
<b>Co-Chair:</b>	Persons, usually two, who chair a meeting together.
<b>Constitution:</b>	The Constitution of Bishop Grosseteste Students' Union.
<b>Course Representative:</b>	An elected member of Student Council who represents a particular subject and year group of study.
<b>Deputy Returning Officer:</b>	The person responsible for assisting the Returning Officer in the Students' Union Elections or in their absence to oversee the elections on the Returning Officer's behalf.
<b>Elections:</b>	The Students' Union elections in which Sabbatical Officers, Part-Time Executive Officers and Non-Executive Elected Representatives are elected.
<b>Executive Committee:</b>	The elected officers of the Students' Union.
<b>Order of Business:</b>	The way a meeting is held.



<b>Quorum:</b>	The minimum number of elected representatives required to consider the formal business of the group.
<b>Referendum:</b>	A referendum to be held by members in accordance with the Constitution and By-Laws.
<b>Remuneration:</b>	The money that one receives in exchange for the work or services performed.
<b>Returning Officer:</b>	The person responsible for overseeing the Students' Union Elections.
<b>Independent Trustees:</b>	External Trustees who are not members, students or staff of the University.
<b>Sabbatical Officers:</b>	The President and Vice President: Education of the Students' Union.
<b>Sabbatical Trustees:</b>	See 'Sabbatical Officers'.
<b>Service Representative:</b>	An elected member of Student Council who represents a particular department of the University.
<b>Student Trustees:</b>	Trustees who are students and members of the Students' Union who hold no other office within the Union.
<b>Student Council:</b>	The main student decision-making body of the Students' Union.
<b>Trustee Board:</b>	The main decision-making body of the Students' Union.
<b>Trustees:</b>	Members of the Trustee Board appointed in line with the Constitution and By-Laws.
<b>Union:</b>	Bishop Grosseteste Students' Union
<b>Vice-Chair:</b>	The deputy Chairperson of a meeting, committee or working group.



## **By-Law 1: Membership**

### **1. Full Membership**

- 1.1. All enrolled students registered as pursuing a course of study at Bishop Grosseteste University shall be entitled to full membership of the Students' Union, unless they choose to opt out.
- 1.2. Full members are entitled to:
  - 1.1.1. Attend and speak at Student Council;
  - 1.1.2. Access all events, trips and societies of the Students' Union;
  - 1.1.3. Use all services and/or facilities available through the Students' Union;
  - 1.1.4. Stand as candidates, nominate candidates and vote in Students' Union elections;
  - 1.1.5. Call for and vote in a referendum.
- 1.3. Full membership is valid for the period of time a student is enrolled at the University.

### **2. Associate Membership**

- 2.1. Associate Membership is applicable to those who are not full members of BGSU who wish to be given limited membership privileges.
- 2.2. Associate Membership lasts a year, and must be renewed annually.
- 2.3. Associate Members are entitled to:
  - 2.3.1 Attend Student Council;
  - 2.3.2 Access all events, clubs and societies of the Students' Union;
  - 2.3.3 Use all services and/or facilities available through the Students' Union.
- 2.4. Associate Members may not:
  - 2.4.1. Stand for or hold any elected office;
  - 2.4.2. Vote in referenda or elections;
  - 2.4.3. Speak or vote at Student Council. The only exception to this is if they are invited to speak by the chair.
- 2.5. A person wishing to become an Associate Member must write a letter or email addressed to the President, and indicate which academic year they want membership for.
- 2.6. Associate Membership will be granted by a majority vote by Student Council. This must be conducted by private ballot.



### **3. Honorary Life Membership**

- 3.1. Honorary Life Membership is an honour that the Union bestow on individuals as a reward for their service to the Union
- 3.2. Honorary Life members will receive the following privileges:
  - 3.2.1. Attend Student Council;
  - 3.2.2. Access all events, clubs and societies of the Students' Union;
  - 3.2.3. Use all services and/or facilities available through the Students' Union.
- 3.3. Honorary Life Members may not:
  - 3.3.1. Stand for or hold any elected office;
  - 3.3.2. Vote in referenda or elections;
  - 3.3.3. Speak or vote at Student Council. The only exception to this is if they are invited to speak by the chair.
- 3.4. A maximum of four candidates per year will be shortlisted.
  - 3.4.1. The Trustees can nominate two individuals including, but not limited to, Sabbatical Officers and external partners.
  - 3.4.2. The two other positions will be to recognise two individuals' impact on the Union.
- 3.5. An individual wishing to nominate someone for Honorary Life Membership should do so by writing a letter to the Students' Union CEO as Clerk to the Trustees, to justify why. These should be received by the Students' Union before the 1<sup>st</sup> of March. Any later nominations will be considered in the next cycle of Awards.
- 3.6. The Clerk will present these to the Trustee Board where they will be shortlisted on their merit. The Trustees are under no obligation to shortlist any candidates if they deem this necessary.
- 3.7. The Trustees will then forward the shortlisted memberships, to the next Student Council where they will be voted on. As before, the Student Council are under no obligation to award any Honorary Life memberships if they deem this necessary.
- 3.8. Honorary Life Memberships will generally be conferred at the annual Students' Union Awards evening, although some circumstances may dictate an alternative at the discretion of the Sabbatical Officers.

### **4. Opting out of Membership**

- 4.1. All students have the right to opt out of membership of BGSU, as detailed under the 1994 Education Act.
- 4.2. If a student wishes to opt out, they should inform the BGSU President in writing.



- 4.3. The period of opt out will be assumed to be for the duration of their studies, unless the student wishes to become a member again during their studies.
- 4.4. If a student wishes to opt back in to the Union, they should inform the BGSU President in writing.
- 4.5. If an opted out student begins another programme at BGU after ceasing to be on their current programme, they will be opted back in.
- 4.6. Students who have opted out will not be entitled to any of the rights and privileges as detailed in *[Clause 1]* of this By-Law.
- 4.7. Any application to opt back in that falls between 20 working days of election nominations opening and polling closing will be not be accepted until after the election. Only members who have had full membership for 21 working days or more will be eligible to nominate and/or vote in BGSU elections.

## **5. Removal of Membership**

- 5.1. Details of membership removal can be found in *[Clause 2.3]* of *[By-Law 2: Trustee Board]*.



## By-Law 2: Trustee Board

### 1. Membership

- 1.1. The Board of Trustees will include the following members as specified in *[Clause 9.1]* of the *[Constitution]*.
  - 1.1.1. **Sabbatical Trustees X2:** The two sabbatical officers of BGSU, The President and the Vice President: Education, who are ex-officio members of the Trustee Board.
  - 1.1.2. **Executive Trustee X1:** One other member of the Executive Committee who will be elected by the Executive Committee.
  - 1.1.3. **Student Trustees X2:** Two independent student trustees who hold no other office within BGSU and have been duly elected in accordance with *[By-Law 6: Elections]*.
  - 1.1.4. **Student Member of University Council Trustee X1:** The Student Member of University Council. Much like the Sabbatical Trustees, the Student Member of University Council is an ex-officio member of the Trustee Board.
  - 1.1.5. **University Council Trustee X1:** One other member of University Council who is not employed by the University. The University Council Member of the Trustee Board is appointed by members of University Council.
  - 1.1.6. **Alumni Trustee X1:** One alumnus/alumna of BGU who is not employed by the University. This Trustee will be nominated by the Executive Committee and approved by Student Council.
  - 1.1.7. **Independent Trustees X2:** Two independent trustees who are not employed by the University. These Trustees will be nominated by the Executive Committee and will be approved by Student Council.
  - 1.1.8. **Vice Chancellor's Nominated Trustee X1:** A member of University staff nominated by the Vice Chancellor.

### 2. Duties and Powers

- 2.1. The BGSU Board of Trustees shall be responsible for overseeing the management, governance, budget and strategy of BGSU and are subject to the Education Act 1994, BGSU Constitution and these By-Laws. The Trustee Board may exercise all the powers of the Union as detailed in *[Clause 9.4]* and *[Clause 9.5]* of the *[Constitution]*.
- 2.2. The Trustee Board can override any decision or policy made by BGSU members at an AGM, a referendum, by Student Council or by the Executive Committee which:
  - 2.2.1. Has or may have serious adverse financial effects for us;
  - 2.2.2. Is or may reasonably be thought to be against the law;



- 2.2.3. May not be in the best interests of the BGSU and its members or could damage the reputation of BGSU and BGU as stated in *[Points 1 and 2]* of the *[Constitution]*. *[Constitution 9.5 a-c]*.
- 2.3. The Trustee Board also carry some Executive Powers that can be used when necessary. These include:
- 2.3.1. **Removal of Membership:** Any member (including Associate and Honorary Life Members) whose membership is thought to be harmful to the interests of the Union can have their membership removed by a vote of the Trustee Board in accordance with the Constitution.
- 2.3.2. **Calling a Referendum:** If necessary, the Trustee Board can resolve to call a referendum.
- 2.3.3. **Policy Approval:** In their oversight of governance of the Union, the Trustee Board must approve any policy changes within the Students' Union once they have been approved by Student Council.
- 2.4. The Trustees will be required to present a report to the Student Body at each AGM.
- 2.5. Trustee meetings will be run in line with *[Clauses 9.6-9.12]* of the *[Constitution]*.
- 2.6. Whenever a matter is to be discussed at a meeting or decided in line with *[Clause 9.12]* of the *[Constitution]* and a trustee has a conflict of interest, they must declare this interest to the other trustees. They will be required to leave the meeting whilst the matter is being discussed and will not be eligible to vote on the matter as detailed in *[Clause 9.13]* of the *[Constitution]*.

### **3. Meetings of the Trustee Board**

- 3.1. There will be a minimum of three meetings of the Trustee Board each Academic Year.
- 3.2. Quoracy of the Trustee Board shall be calculated at  $\frac{1}{2}$  of the total membership plus one, meaning 6 Trustees must be present for any votes to be passed.
- 3.3. Meetings of the Trustee Board will be co-chaired by the President and the Alumni Trustee. If neither co-chair is available for a meeting, the Trustee Board will appoint a temporary chair for the duration of that meeting.
- 3.4. The Students' Union CEO will act as clerk to the Trustee Board. It is the responsibility of the clerk to organise meetings of the board and distribute papers. All meeting papers must be circulated at least 7 calendar days in advance of the meeting taking place. In this



capacity, the CEO can offer recommendations and information to the Trustee Board but is not entitled to a vote.

- 3.5. Minutes of each meeting shall be taken by a Minuting Officer. The minutes shall detail date of the meeting, attendees, apologies, notes of discussion and actions for members. Minutes from previous meetings shall be approved by a simple majority of the Trustee Board at the start of each meeting.
- 3.6. Meetings of the Trustee Board should last no longer than 2 hours and the amount of time spent discussing each agenda item is at the discretion of the co-chairs.
- 3.7. Order of Business: The President and the CEO will draw up the agenda for each meeting of the Trustee Board and individual Trustees can request items be added to the agenda if necessary. An example order of business is detailed below:
  - 3.7.1. Welcome and Introductions
  - 3.7.2. Apologies
  - 3.7.3. Declarations of Interest
  - 3.7.4. Minutes and Actions:
    - 3.7.4.1. Confirmation of the minutes of the previous meeting
    - 3.7.4.2. Actions from the previous meeting
  - 3.7.5. Agenda Items:
    - 3.7.5.1. Membership and Nominations
    - 3.7.5.2. Financial Update
    - 3.7.5.3. Strategy Update
    - 3.7.5.4. Student Council Report and Motions from Council to approve
    - 3.7.5.5. Trustee Topic
    - 3.7.5.6. President's Report
  - 3.7.6. Any Other Business
  - 3.7.7. Dates of Future Meetings

#### **4. Terms of Office**

- 4.1. Trustees' terms of office shall be as follows:
  - 4.1.1. **The Sabbatical Trustees'** term of office will be for one year starting on July 1<sup>st</sup> to June 30<sup>th</sup> the following year. Sabbatical Trustees may serve a maximum of two terms of office, providing they are re-elected to a Sabbatical position for a second term.
  - 4.1.2. **The Executive Officer Trustees'** term of office will be for one year starting on July 1<sup>st</sup> to June 30<sup>th</sup> the following year. The Executive Officer Trustee may serve a maximum of two terms of



office, providing they remain an elected member of the Executive Committee during this period. If an officer is re-elected as an Executive Committee member, they can run for re-election to the Trustee Board.

- 4.1.3. **The two Student Trustees'** term of office will be one year starting on July 1<sup>st</sup> to June 30<sup>th</sup> the following year unless they resign (providing this complies with *[Clause 9.2b]* of the *[Constitution]*), are removed as a member of BGSU or cease to be a student. The two Student Trustees may serve a maximum of two terms of office.
- 4.1.4. **The Student Member of University Council Trustees'** term of office will be one year starting on July 1<sup>st</sup> to June 30<sup>th</sup> the following year unless they resign (providing this complies with *[Clause 9.2b]* of the *[Constitution]*), are removed as a member or BGSU or cease to be a student. If they resign from University Council, they will automatically cease to be a member of the Trustee Board with immediate effect. The Student Member of University Council may serve a maximum of two terms of office.
- 4.1.5. **The University Council Trustee** will serve as a trustee for as long as they hold their position on the University Council. If they resign (as long as this complies with *[Clause 9.2b]* of the *[Constitution]*) or their term of office for University Council ends, they will automatically cease to be a member of the Trustee Board with immediate effect.
- 4.1.6. **The Alumni Trustee** will serve as a trustee for a term of four years unless they resign (as long as this complies with *[Clause 9.2b]* of the *[Constitution]*). The Alumni Trustee will be able to serve for a maximum of two terms of office.
- 4.1.7. **The two Independent Trustees'** will serve as a trustee for a term of four years unless they resign (as long as this complies with *[Clause 9.2b]* of the *[Constitution]*). The Independent Trustees will be able to serve for a maximum of two terms of office.
- 4.1.8. **The Vice Chancellor's Nominated Trustee** will serve as a trustee for a term of four years unless they resign (as long as this complies with *[Clause 9.2b]* of the *[Constitution]*) or cease to be a member of staff of the University. If they cease to be a staff member, they will automatically cease to be a member of the Trustee Board with immediate effect. The staff member may serve for a maximum of two terms of office.



## **5. Student Trustees**

- 5.1. All full members of BGSU are eligible to run for election to become a Student Trustee. If they hold another position for BGSU, they are entitled to run but will be deemed to have automatically resigned if they are elected into the post of Student Trustee.
- 5.2. Both Student Trustees must be a student at the time of election and will continue to be a student for the duration of their term of office.
- 5.3. Student Trustees will be elected alongside the main Students' Union elections and will be subject to the rules and regulations stated in *[By-Law 6: Elections]*.

## **6. Independent Trustees**

- 6.1. Independent Trustees will be recruited by the Trustee Board and approved by a majority vote by Student Council.
- 6.2. Independent Trustees will have expertise in areas such as governance, management, finance, business and strategy.
- 6.3. Recruitment will be clearly communicated and in line with relevant BGSU policies.

## **7. Termination of Appointment**

- 7.1. Trustees can be removed by the Trustee Board if they fail to attend two trustee meetings in a row without sending apologies in line with *[Clause 9.2c]* of the *[Constitution]*.
- 7.2. In the case of trustees appointed by Student Council, a Motion of Censure against particular trustee can be passed by a simple majority vote by Student Council as detailed in *[Clause 2.6]* of *[By-Law 8: Conduct, Resignation, Censure and Removal from Office]*.
- 7.3. If a trustee resigns or is removed from office, a new trustee will be appointed as specified in *[clause 9.3]* of the *[Constitution]*.

## **8. Remuneration**

- 8.1. As specified in the Constitution, trustees cannot receive any money or property from BGSU except for the reasons detailed in *[Clause 3.2 a-c]*.



## **By-Law 3: Student Council**

### **1. Role of Student Council**

- 1.1. The Student Council has responsibility for:
  - 1.1.1. Creating motions that either create policy or petition the Students' Union to make change, and improve University life for students.
  - 1.1.2. Considering and recommending any motions for NUS National Conference, and to make suggestions on how BGSU delegates should vote throughout the conference.
  - 1.1.3. Working alongside the Trustee Board to maintain the governance of Students' Union. In this role, Student Council must approve any policy changes within the SU, as must the Trustees.
  - 1.1.4. Discussion of Student Issues and mandating actions to the Executive Committee to resolve any issues, feeding back to the University where necessary.
  - 1.1.5. To receive and scrutinise reports from the Executive Team's hubs and the Sabbatical Officers, and to hold elected representatives to account.

### **2. Meetings of Student Council**

- 2.1. There will be a minimum of three meetings of Student Council each Academic Year.
- 2.2. Quorum of the Student Council is one third of the elected members of Council, plus one.
- 2.3. All meetings of Student Council must have the Student Council Chair present. In the absence of a chair, individuals will put themselves forward to chair the meeting. Council will elect a temporary chair by a simple majority vote.
- 2.4. The Representation Coordinator will act as Officer to the Student Council and will take a responsibility for organising and distributing the agenda for meetings. The Sabbatical Officers may have strategic direction over Council, but it is the staff team's duty to operate Council.
- 2.5. The Students' Union CEO will act as advisor to the Chair and will be able to speak if the Chair invites them to do so.
- 2.6. The agenda and agenda items must be circulated within 7 calendar days of Student Council.
- 2.7. Late agenda items can be accepted at the discretion of the Chair. These late items require confirmation of Council that they have had adequate time to understand them before they are voted on.



- 2.8. Minutes of all Council meetings shall be taken, detailing start time, number of voting reps, record of votes, action points for officers and details of the discussions. These minutes will be publicly available on the Union website, and will be approved by Council for their accuracy at the next meeting.
- 2.9. The Executive Committee can call emergency meetings of Council, providing that seven calendar days' notice have been given.

### **3. Order of Business**

- 3.1. The Representation Coordinator will set the order of business to Council, with the Chair's approval. An example order of business is below:
  - 3.1.1. Chair's Business: Attendees/Apologies, Minutes of the previous meeting, and responses to the matters arising.
  - 3.1.2. Guest Speakers
  - 3.1.3. Motion Proposals
  - 3.1.4. Other Business
  - 3.1.5. Hub and Sabbatical Reports
  - 3.1.6. Any Other Business.
- 3.2. The proposer of a motion will have 2 minutes to present their argument which shall be followed by a 2-minute speech against if there are any to present. The Chair may grant additional rounds of speeches if they feel this is required. Following all rounds of speeches, the Proposer will have 1 minute to summarise. Points of clarification can be used to clear up any queries, but must not be used as an argument for or against.
- 3.3. Students with access needs or learning difficulties can request additional time to speak, the length of which can be decided at the discretion of the chair.
- 3.4. The number of debating rounds is at the discretion of the Chair.

### **4. Membership**

- 4.1. Certain elected representatives are ex-officio members of Student Council, and are given the right to vote on motions presented. The Student Council members are:
  - 4.1.1. The two Students' Union Sabbatical Officers;
  - 4.1.2. The part-time Officers of the Students' Union Executive;
  - 4.1.3. A member of each Club or Society Executive team;
  - 4.1.4. A Course Representative from each study year of each subject of study. Where study years on subjects have more than one rep, only one rep will be able to vote on behalf of their course.



- 4.1.5. The three elected Student Trustees who do not receive a vote.
- 4.2. Full members of the Union, who are not representatives as detailed in the membership above, may attend council with full speaking rights but with no right to vote.
- 4.3. Elected members of Student Council may only hold one elected position at any one time, except where a Course Representative is also a Club or Society executive member who will only receive one vote.
- 4.4. If a member of Student Council ceases to be a registered student, they automatically cease to be a member of Student Council. They should inform the Representation Coordinator in writing that this is the case.

## **5. Attendance**

- 5.1. If a member of Student Council is unable to attend a council they must send written apologies to the Representation Coordinator by noon on the day of the meeting. Apologies received after this time will not be accepted and recorded.
- 5.2. If a member fails to attend three meetings in a row without sending apologies, an immediate Motion of Censure is triggered which, if passed by Council, will give a formal warning. If the members fails to attend the meeting following their censure without sending apologies, a Motion of No Confidence is triggered which, if passed, will remove them from their position as detailed in *[By Law 8: Conduct, Resignation, Censure and Removal from Office]*.
- 5.3. If a member is removed from their position on Student Council, then they are automatically removed from their elected position.
- 5.4. If an elected representative has not engaged with training up to six weeks after the first Student Council of the year, an immediate Motion of Censure will be triggered. If the Motion of Censure passes and these representatives have still not been trained up to two term weeks after the Motion of Censure has been passed, and immediate Motion of No Confidence will be triggered and Student Council will vote to remove them from their position. This clause shall be conducted in accordance with the procedures outlined in *[By-Law 8: Conduct, Resignation, Censure and Removal from Office]*.

## **6. Voting Procedures**

- 6.1. If a vote is required then all members of Student Council will be entitled to one vote to either:



- 6.1.1. vote for a motion;
- 6.1.2. vote against a motion;
- 6.1.3. abstain from a motion.
- 6.2. A motion will be passed by a simple majority, unless the Constitution or By-Laws specify otherwise.
- 6.3. If a member of Student Council feels that the vote has been incorrectly counted, they may submit a procedural motion for a recount.
- 6.4. The Chair of Student Council will hold the casting vote and shall use this to break a tied vote.
- 6.5. Motions passed at Student Council meetings will become, or inform, Students' Union policy for one year from the date the policy is passed unless the motion caused an amendment to the By-Laws or the Constitution.
- 6.6. After this time the policy will lapse unless a motion in favour of retaining the policy/policies is received and passed by Student Council or AGM.
- 6.7. If Council is not quorate a proxy vote via email may take place at the discretion of the Chair.

## 7. Procedural Motions

- 7.1. Any member of Student Council may submit a procedural motion during the meeting.
- 7.2. A procedural motion may be heard between speeches by a member of Student Council if a majority vote agrees to this.
  - 7.2.1. **Guillotine Extension:** To extend the guillotine of the meeting by a specified period of time.
  - 7.2.2. **Vote Now:** To call for a particular issue to be taken straight to a vote.
  - 7.2.3. **Extra round of speeches:** To request an extra round of speeches
  - 7.2.4. **Revote:** To call for a recount on a particular vote.
  - 7.2.5. **Secret Ballot:** To have the vote taken as a secret ballot
  - 7.2.6. **Quorum Count:** To recount the number of voting members in the room.
  - 7.2.7. **Remit to another body:** To call for a vote on whether to pass the particular issue to another forum to discuss such as the Executive Committee or the Trustee Board.
  - 7.2.8. **No Confidence in Chair:** To call for the chair to be removed as chair for the duration of the formal business item being discussed.
  - 7.2.9. **Amend the motion:** To change or remove a part of the motion
  - 7.2.10. **Overturn Chair's Decision:** To overturn a particular decision made by the Chair.



## **By-Law 4: Referenda**

### **1. Calling a Referendum**

- 1.1. A Referendum may be called on any issue by:
  - 1.1.1. A resolution of the Trustees as stated in *[Clause 2.3.2]* of *[By-Law 2: Trustee Board]*;
  - 1.1.2. A majority vote by Student Council;
  - 1.1.3. A Petition signed by 2% of the Union's membership.

### **2. Referendum Proposals**

- 2.1. Any desired outcome of a Referendum shall specify a single proposal or separate proposals, and shall be put to students as a question. One proposal may not have more than one outcome.
- 2.2. Each proposal shall not exceed 100 words, except in the case of a change to the Constitution or By-Laws.
- 2.3. A Referendum can overturn policy set by Student Council or AGM.
- 2.4. A proposal may not be put to Referendum twice in one academic year.

### **3. Referendum Organisation**

- 3.1. The annually Appointed Returning Officer and Deputy Returning Officer as detailed in *[Clause 2]* of *[By-Law 6: Elections]* will oversee the running of this referendum.
- 3.2. The Returning Officer or Deputy Returning Officer may appoint a Counting Officer to oversee the ballot count if this is deemed necessary.
- 3.3. The Deputy Returning Officer shall actively seek statements for and against referenda proposals to assist those voting to consider the issues involved.
- 3.4. Any alternative proposals shall be listed under the question in the Referendum. The deadline for alternative proposals is the 7<sup>th</sup> day after the Referendum is called, or the following working day.
- 3.5. There shall be a "No" option added automatically to a Referendum where the proposal is not actively opposed.
- 3.6. There shall always be an "Abstain" option.
- 3.7. If more than one statement is submitted, the Deputy Returning Officer shall decide upon which one is published, or may prepare a statement that combines multiple statements. The Returning Officer will settle all disputes on this.
- 3.8. Below is a timetable of events for the Referendum:



- 3.8.1. This timetable, Referendum rules, and the Referendum proposal must be published on the 7<sup>th</sup> day after a Referendum is called, or the following working day.
- 3.8.2. Alternative proposals may not be submitted after the deadline as detailed above.
- 3.8.3. Campaigning may begin for each side of the debate 7 days after the Referendum is called.
- 3.8.4. A full meeting will be organised for full members to attend in order to hear the motion's sides and debate. This will occur after campaigning has begun, but within 14 days of the Referendum being called.
- 3.8.5. The voting timetable is outlined in *[Clause 5]* of this By-Law.
- 3.9. The Chair of Student Council will chair the members meeting. If they are unable to do this, another Chair will be chosen using the procedure in *[By-Law 3: Student Council]*.

#### **4. Referendum Conduct**

- 4.1. Any information produced by the Students' Union on the proposals of a Referendum must be balanced and equal towards each side.
- 4.2. No campaign material is allowed within sight or sound of a ballot station.

#### **5. Voting**

- 5.1. Polling will begin on day 21 or the following working day, and shall last for at least 12 hours. Any additional time added to this is at the discretion of the Deputy Returning Officer.
- 5.2. Only full members of the Union may vote in Referenda.
- 5.3. A proposal will only pass under the following criteria
  - 5.3.1. It receives the majority of the vote; and
  - 5.3.2. 5% of the Union's full members cast a vote, unless the By-Laws or Constitution state otherwise.



## **By-Law 5: Elected Officers of the Union**

### **1. Terms of Office**

- 1.1. The general terms of Office for elected Officers of the Union will be from July 1<sup>st</sup> to June 30<sup>th</sup> in the academic year following their election; except:
  - 1.1.1. If the Officer is elected during that academic year, they will begin their term pursuant to the conditions of their election and it will end on June 30<sup>th</sup>.
  - 1.1.2. Sabbatical Officer's terms of office may differ in their employment contracts and if this is the case, the terms in the contract will have priority over those in these By-Laws.

### **2. Sabbatical Officers**

- 2.1. The Sabbatical Officers of the Union shall be:
  - 2.1.1. The President;
  - 2.1.2. The Vice President: Education
- 2.2. Sabbatical Officers have the power to:
  - 2.2.1. Set the strategic direction of BGSU and any company established by BGSU, as required by the Trustees;
  - 2.2.2. Make decisions on behalf of Student Council and the Executive Committee. Any decision made must then be reported to Student Council for ratification. Council and the Trustees have the power to override any such decision, and can hold the officer to account if necessary.
- 2.3. Sabbatical Officers are expected to:
  - 2.3.1. Act as a Trustee of the Union as a charity, and as a director of any company established by BGSU, as required by the Board of Trustees;
  - 2.3.2. Chair, attend or observe any BGSU, BGU or external body meetings as required by the Constitution, By-Laws, Trustees, Staff Team or role requirement;
  - 2.3.3. Produce a report on their workload to the Executive Committee, Student Council and Board of Trustees when required;
  - 2.3.4. Ensure that motions from Student Council are being actioned, and support the Executive Committee in this role.



### **3. Students' Union President**

#### 3.1. The President will:

- 3.1.1. Be a paid Sabbatical Officer, and will have the responsibilities of a Sabbatical Officer as listed above;
- 3.1.2. Lead the Students' Union and implement the strategic plan;
- 3.1.3. Follow, enforce and maintain the Constitution, By-Laws and other Union policy;
- 3.1.4. Alongside the CEO and the Trustees, set and approve the budget for the Students' Union. The President is a signatory of the Union accounts;
- 3.1.5. Be a main point of contact for external bodies and the media. This role should be undertaken with support from appropriate areas (i.e. Media through BGU's PR team);
- 3.1.6. Chair the Executive Committee, co-chair the Board of Trustees, and be a full member of University Council;
- 3.1.7. Be responsible for the co-ordination of the members of the Executive Committee;
- 3.1.8. Be the ex-officio delegate to NUS' National Conference.

### **4. Vice President: Education**

#### 4.1. The Vice President will:

- 4.1.1. Be a paid Sabbatical Officer, and will have the responsibilities of a Sabbatical Officer as listed above;
- 4.1.2. Assist the President in their duties and deputise for them when necessary;
- 4.1.3. Be the full-time Officer responsible for the Course Rep System, including the Representative Feedback System (RFS);
- 4.1.4. Represent Students in regards to their Academic concerns and issues;
- 4.1.5. Lead the strategic direction of Student Council and AGM;
- 4.1.6. Be the strategic lead for the SU Awards, Student Led Teaching Awards and Student Rep Awards.

### **5. Part Time Executive Officers**

#### 5.1. The Part Time Executive Officer roles are separated into four Hubs.

#### 5.2. The Welfare Hub's membership is:

- 5.2.1. Welfare Officer;
- 5.2.2. Campaigns Officer;
- 5.2.3. Disabled Students' Officer;
- 5.2.4. Gender & Sexuality Officer;
- 5.2.5. International Students' Officer.



5.3. The Opportunities Hub's membership is:

- 5.3.1. Societies Officer;
- 5.3.2. Sport Development Officer;
- 5.3.3. Sport Social Officer;
- 5.3.4. Volunteering and Charity Officer.

5.4. The Activities Hub's membership is

- 5.4.1. 5 Activities Officers.

5.5. The Representation Hub's membership is:

- 5.5.1. Postgraduate Officer.

5.6. Part Time Executive Officers are expected to:

- 5.6.1. Undertake their roles with regards to the needs of the members they represent;
- 5.6.2. Chair, attend or observe any BGSU, BGU or external body meetings as required by the constitution, By-Laws, Trustees, Sabbatical Officers or Staff Team.;
- 5.6.3. Produce a report on their workload to the Executive Committee, Student Council and Board of Trustees when required;
- 5.6.4. Display appropriate behaviours and attitudes when working events as outlined in the *[BGSU Code of Conduct]*.

## **6. The Executive Committee**

6.1. The membership of the Executive Committee is:

- 6.1.1. The Sabbatical Officers of the Union;
- 6.1.2. The Part Time Executive Officers.

6.2. The Executive Committee is responsible for:

- 6.2.1. Ensuring the expansion and implementation of the Students' Union's values and objectives;
- 6.2.2. Creating motions and policy for students through Student Council, and to action motions and policy passed by Student Council;
- 6.2.3. To approve new Societies and Clubs;
- 6.2.4. To exercise all Powers and responsibility required of the committee by the Constitution, By-Laws and the Trustees.

## **7. Meetings of the Executive Committee**

7.1. Meetings of the Executive Committee will be chaired by the President. If the President is unable to attend the Vice President: Education will chair the meeting.



- 7.2. Meetings must be held once per month during semesters but may be called sooner by any two members of the team by indicating this, in writing, to the President.
- 7.3. Only elected Executive Committee Members will be eligible to vote.
- 7.4. The Chief Executive will act as an advisor to the group and may speak if the chair invites them to do so but will have no right to vote.
- 7.5. The order of business at executive meetings will be as follows:
  - 7.5.1. Apologies;
  - 7.5.2. Minutes of the previous meeting;
  - 7.5.3. Agenda items;
  - 7.5.4. Review of executive work and duties;
  - 7.5.5. Any other business.
- 7.6. Apologies for meetings must be submitted before 12pm, via email, on the day of the meeting. Apologies received after this time will not be accepted and recorded. Executive members who continually send apologies for meetings may be subject to disciplinary action at the discretion of the President.
- 7.7. Agenda items must be submitted by 12pm on the day of the meeting. Agenda items received after this time may have to wait until the following meeting.
- 7.8. The quoracy for meetings will be half of the elected representatives plus one.
- 7.9. Voting will happen by a show of hands, for, against and to abstain. A resolution will be passed by a simple majority.
- 7.10. In the case of a tied vote, the Chair will have an additional casting vote. If the casting vote is required, the decision made by the Chair will stand.
- 7.11. Hub Meetings will be held regularly, meeting at least once between Executive Committee Meetings and will be organised by the chair of each Hub, or by the Sabbatical Officers.

## **8. Postgraduate Officer**

- 8.1. "To represent students who are studying at all Postgraduate levels of study."
- 8.2. The Postgraduate Officer will:
  - 8.2.1. Establish and build relations between the Students' Union and Postgraduate students:
  - 8.2.2. Ensure that the events and activities are representative of the needs of Postgraduate students;
  - 8.2.3. Attend Senate, Academic Enhancement Committee as the Postgraduate representative.



## **9. Welfare Officer**

- 9.1. "To highlight welfare issues relevant to the student body and signpost students' to places of support."
- 9.2. The Welfare Officer will:
  - 9.2.1. Co-ordinate Welfare campaigns relevant to the needs of the student body;
  - 9.2.2. Be a member of the University's People and Inclusion Committee;
  - 9.2.3. Organise events and campaigns and provide information on the area of welfare, and diversity; accommodating for all marginalized students;
  - 9.2.4. Signpost students in need of welfare advice to relevant BGU departments or external organisations;
  - 9.2.5. Promote national charitable and awareness days relevant to the student body, such as University Mental Health Day, Stress Awareness Day and World Aids Day.

## **10. Communications and Campaigns Officer**

- 10.1. "To co-ordinate and run a varied and regular program of campaigns relevant to the student body."
- 10.2. The Communications and Campaigns Officer will:
  - 10.2.1. Help co-ordinate campaigns relevant to the needs and interests of the student body;
  - 10.2.2. Liaise with the Marketing and Communications Administrator to effectively communicate with students through various means;
  - 10.2.3. Gauge student voice on the issues effecting them and their opinions on the Students' Union services;
  - 10.2.4. Promote national charitable and awareness days relevant to the student body, such as University Mental Health Day, Children in need and Comic Relief.

## **11. Gender and Sexuality Officer**

- 11.1. "To ensure that students who feel marginalised due to their gender or sexuality are represented and supported."
- 11.2. The Gender and Sexuality Officer will:
  - 11.2.1. Aim to provide a safe and supportive community for those who recognise with all genders and sexualities;
  - 11.2.2. Represent the views of these students to the Students' Union, Student Council and the University;
  - 11.2.3. Promote equal opportunities and a zero tolerance policy to discrimination of any kind;



- 11.2.4. Organise campaigns to increase awareness of student issues for those who feel marginalized regarding their gender and/or sexuality;
- 11.2.5. Promote links with other similar groups and organizations, within the local community, regional area and nationally.

## **12. Disabled Students' Officer**

- 12.1. "To ensure that students who identify as being disabled or differently abled are represented and supported."
- 12.2. The Disabled Students' Officer will:
  - 12.2.1. Aim to provide a safe and supportive community for those who identify as having a disability or Special Educational need at the University;
  - 12.2.2. Represent the views of these students to the Students' Union, Student Council and the University;
  - 12.2.3. Promote equal opportunities and a zero tolerance policy to discrimination of any kind;
  - 12.2.4. Organise campaigns to increase awareness of issues disabled students face;
  - 12.2.5. Promote links with other similar groups and organisations, within the local community, regional area and nationally.

## **13. International Students' Officer**

- 13.1. "To ensure that international students are represented and supported."
- 13.2. The International Students' Officer will:
  - 13.2.1. Aim to provide a safe and supportive community for those students who were born, or have lived, in a country other than the United Kingdom;
  - 13.2.2. Represent the views of these students to the Students' Union, Student Council and the University;
  - 13.2.3. Promote equal opportunities and a zero tolerance policy towards discrimination of any kind;
  - 13.2.4. Organise campaigns to increase awareness of issues international students face;
  - 13.2.5. Promote links with other similar groups and organisations, within the local community, regional area and nationally.



#### **14. Volunteering & Charity Officer**

- 14.1. "To ensure there are a variety of volunteering and fundraising opportunities for students throughout the academic year"
- 14.2. The Volunteering and Charity Officer will:
  - 14.2.1. Liaise with external companies, volunteering organisations, and the University to provide students with a range of volunteering and fundraising opportunities;
  - 14.2.2. Develop advertising and marketing relevant to Volunteering and fundraising opportunities;
  - 14.2.3. Be responsible for coordinating the Service Reps, including training and holding regular meetings to feed information to exec meetings;
  - 14.2.4. Hold a vote during enrolment week, so students can decide which local and national charity we will support for the year and to continuously fundraise for those charities;
  - 14.2.5. Work alongside students to support them in their own fundraising ideas, providing support, advice and knowledge of charitable organisations;
  - 14.2.6. Source international fundraising/volunteering opportunities with external providers and promote these opportunities to the student body;
  - 14.2.7. Promote national charitable days and fundraising for these days, such as children in need and Comic Relief;
  - 14.2.8. Integrate charitable and voluntary opportunities into the work of the other hubs (e.g. charity sport matches, raising money at karaoke, raising money and awareness for a welfare cause etc.);
  - 14.2.9. Work with the Activities Officers in planning and holding a monthly Volunteering and Charity event.

#### **15. Sports Development Officer**

- 15.1. "To support and develop existing clubs and help create new sporting clubs and opportunities for the student body."
- 15.2. The Sports Development Officer will:
  - 15.2.1. Support the training for Club Executive members, alongside SU staff, Sabbatical officers and Sports Social Officer;
  - 15.2.2. Support existing, and develop new clubs;
  - 15.2.3. Support the society execs in their communication and leadership;
  - 15.2.4. Work with the SU Administrator in order to arrange the logistics of BUCS sports fixtures;



- 15.2.5. Work with University staff to enhance the provision of sporting opportunities on campus;
- 15.2.6. Build links with local organisations, national organisations such as BUCS (British Universities and Colleges Sports) and other Unions to enhance the provision of sports clubs and societies and to better student engagement;
- 15.2.7. Ascertain which sports exec team need coaching qualifications and liaise with the SU to enrol relevant exec members in coaching programmes.

## **16. Sports Social Officer**

- 16.1. "To support and develop social opportunities for members of BGSU Sport Clubs."
- 16.2. The Sports Social Officer will:
  - 16.2.1. Support the training for Club/Sport Society Executive members, alongside SU staff and Sabbatical officers, and the Sports Development Officer;
  - 16.2.2. Organise BGSU Sport Socials, as well as supporting Sport Clubs to organise their own socials. Annual socials that fall under this remit include the annual sports awards evening and the sports tour;
  - 16.2.3. Organise charity sporting matches alongside the Volunteering and Charity Officer;
  - 16.2.4. Organise inter-society/inter-university tournaments and derbies. An annual example of this is the Cathedral Cup;
  - 16.2.5. Work with the Volunteering and Charity officer to organize charity sporting matches and competitions;
  - 16.2.6. Promote club fixture matches, encouraging spectators.

## **17. Societies Officer**

- 17.1. "To support and develop existing societies and help create new societies for the student body"
- 17.2. The Societies Officer will:
  - 17.2.1. Support existing, and develop new, societies;
  - 17.2.2. Support the training for Society Executive members, alongside staff and Sabbatical Officers;
  - 17.2.3. Build links with local organisations and other Unions to enhance the provision of societies;
  - 17.2.4. Encourage and support societies to hold socials.



## **18. Activities Officers (x5)**

- 18.1. "To provide events and activities that interest and engage the student body"
- 18.2. The Activities Officers will:
- 18.2.1. Gauge ways to obtain students ideas and feedback about the events and activities we provide;
  - 18.2.2. Hold forums/focus groups for discussions on what activities students would like;
  - 18.2.3. Support the staff and sabbatical officers with the organisation of BGSU fresher's programme at the start of each academic year;
  - 18.2.4. Plan, develop and evaluate the weekly events of the Students' Union;
  - 18.2.5. Be responsible for the promotion and marketing of all events with support from the Marketing and Communications Administrator;
  - 18.2.6. Support the Volunteering and Charity officer in planning and holding a monthly Volunteering and Charity event.

## **19. Part Time Independent Officers**

- 19.1. The Part Time Independent Officers are:
- 19.1.1. The Chair of Student Council;
  - 19.1.2. The Student Trustees;
  - 19.1.3. The Executive Committee Student Trustee,
- 19.2. Part Time Independent Officers will relinquish all other elected offices of the Union upon their term commencing, and will not seek or be elected to another office.
- 19.3. The only exception to the above is the Executive Committee Student Trustee who will undertake both their Executive role and their Trustee role simultaneously.

## **20. Union Chair**

- 20.1. The Union Chair will:
- 20.1.1. Chair all Student Council meetings and BGSU's Annual General Meeting (AGM) impartially and ensure that meetings are conducted in an appropriate manner;
  - 20.1.2. To ensure that Student Council and the AGM operate in accordance with BGSU's Constitution and By-Laws;
  - 20.1.3. Be responsible for ensuring that all members present receive an equal opportunity to speak;
  - 20.1.4. To ensure elected officers are held to account;



20.1.5. To attend executive meetings in order to write a chairs report encompassing accountability of the elected officers.

**21. Student Trustees (x3) and Executive Committee Student Trustee**

21.1. As a member of the Trustee board, a Student trustee is required to:

21.1.1. To ensure that BGSU works in accordance with the Constitution;

21.1.2. To ensure that BGSU uses its resources effectively and does not spend money on activities outside its remit, no matter how worthwhile or charitable those activities are;

21.1.3. To contribute actively to the Board of Trustees' role in giving firm strategic direction to the Students' Union, agreeing and monitoring overall strategy, setting targets and evaluating performance against agreed targets;

21.1.4. To safeguard the good name, reputation and values of the Students' Union;

21.1.5. To ensure the financial stability of the Students' Union.



## **By-Law 6: Elections**

### **1. Appointment of Election Officers**

- 1.1. The Trustee Board shall annually approve a returning Officer for all elections within an academic year.
- 1.2. The Trustee Board shall annually appoint a Deputy Returning Officer to the Returning Officer.
- 1.3. The Deputy Returning Officer may appoint a Counting Officer to oversee the ballot count if this is deemed necessary. The Counting Officer will remain in post until the end of the nominated election, unless the Deputy Returning Officer removes them. If a counting officer is not appointed, the Deputy Returning Officer will assume this position. Assistant Counting Officers may be appointed to assist with, or observe, a count.
- 1.4. To oversee the ballot stations, the Deputy Returning Officer will appoint Ballot Officers. They will remain in post until the end of the nominated election, unless the Deputy Returning Officer removes them. Candidates are not eligible to be Ballot Officers.

### **2. Duties of Election Officers**

- 2.1. Returning Officer responsibilities:
  - 2.1.1. To delegate all responsibilities for the strategic and operational organisation and oversight of the election to the Deputy Returning Officer. These responsibilities are listed below, under the “Deputy Returning Officer Responsibilities”, or any other responsibility of the Deputy Returning Officer listed in this By-Law;
  - 2.1.2. The Returning Officer may override a decision made by any other Election Officer if they see fit;
  - 2.1.3. To have the final say in disputes regarding the election.
- 2.2. Deputy Returning Officer responsibilities:
  - 2.2.1. To ensure the election is conducted according to this By-Law;
  - 2.2.2. To decide any matter relating to the conduct of an election. This shall include the power to penalise or exclude candidates in respect of any breach of election regulations and to postpone or nullify the result of an election in respect of any irregularity.
- 2.3. Counting Officer responsibilities:
  - 2.3.1. To oversee the count of the election, ensuring that it is counted correctly;
  - 2.3.2. Supplying the Deputy Returning Officer with reports from the count as required.
- 2.4. Assistant Counting Officers will oversee or observe a count.



#### 2.5. Ballot Officer responsibilities:

- 2.5.1. To monitor a designated ballot station for an amount of time requested by the Deputy Returning Officer;
- 2.5.2. To ensure all voters have access to impartial information in the election, and to ensure that there is no campaigning at the ballot station;
- 2.5.3. To promote the election and ensure that students are aware of their right to vote.

### **3. Eligibility to Stand and Vote**

- 3.1. All full members are eligible to stand and vote in any election, with the following exceptions:
  - 3.1.1. Only students whose term of study is ending may stand for a Sabbatical position, except those students who have had written permission from their Programme Leader that they are able to intercalate (and have met the University's criteria for intercalation);
  - 3.1.2. A candidate may only have candidacy for one position in any given election.

### **4. Notice**

- 4.1. The Students' Union shall give publically available notice of an election a minimum of 28 days before the final day of voting.
- 4.2. This notice shall include:
  - 4.2.1. Positions to be elected;
  - 4.2.2. The timetable, listing the following:
    - 4.2.2.1. Nomination dates;
    - 4.2.2.2. Campaigning dates;
    - 4.2.2.3. Polling dates;
    - 4.2.2.4. Details of polling times and locations.

### **5. Nominations**

- 5.1. Nominations must be open for a minimum of 5 working days, and must close before voting begins.
- 5.2. All candidates must receive two nominations by full members to be eligible for an election.
- 5.3. No full member can nominate more than one person for the same position in any one election.

### **6. Election Campaigns**

- 6.1. All candidates in the election must attend a training session before the day campaigning starts, or before they campaign. Candidate failure to



attend the training session before they begin campaigning may lead to a disciplinary. This session must include:

- 6.1.1. The election timetable;
  - 6.1.2. Their obligations as candidates;
  - 6.1.3. Election rules.
- 6.2. If candidates are unable to attend a session, the Union will provide them with a training resource. The candidate must give written notice to the Union that they have read and understand the training before they begin campaigning.
- 6.3. A candidate may choose a campaign team. A list of campaigners must be submitted to the Union, and a campaigner may not participate in any campaign activity until their name is on a list.
- 6.4. It is the candidate's responsibility to ensure their campaigners understand the rules of the election. Actions of campaigners may lead to a disciplinary on either themselves or their candidate.
- 6.5. There are no limits to numbers, and a campaigner may be on multiple candidate's teams. Only members of BGSU, including Associate and Honorary Life members, may be members of a campaign team.
- 6.6. To create equal opportunities for all candidates, there is a maximum campaign spend limit per candidate. This money is not provided by the Union. The spend limits are as follows:
- 6.6.1. £50 for all positions, except;
  - 6.6.2. £100 for Sabbatical positions.
- 6.7. Every candidate must keep a record of campaign spending. The Deputy Returning Officer may ask in writing to see this at any point and the candidate has 24 hours to comply with this request.
- 6.8. In the case of an electronic election, candidates must produce a digital manifesto for display on the Union's website, and may produce a physical version. The digital version should be comprised of three separate elements.
- 6.8.1. 500 words (maximum) of manifesto text (**compulsory**);
  - 6.8.2. A 20 word (maximum) campaign slogan (**optional**);
  - 6.8.3. A picture (**optional**).
- 6.9. In the case of a physical election, candidates must produce an electronic version of their manifesto for the Union to store for accountability purposes.
- 6.10. Coverage of an election by BGSU affiliated media must be accurate and unbiased. The Deputy Returning Officer has the right to call for the removal of any such media that breaches the code of conduct or is not balanced and fair.



6.11. Candidates or campaigners may not enter any residence that they do not reside for campaign purposes. Candidates and campaigners who are Senior Residents, Halls Assistants or similar may not exploit their access privileges for campaign purposes.

## **7. Voting System**

- 7.1. Elections of the Students' Union shall be run using Single Transferrable Voting System.
- 7.2. R.O.N. (re-open nominations) shall be a candidate in all elections. If R.O.N. is elected the students Union will ensure that this position will go to the next scheduled election.

## **8. Voting**

- 8.1. Voting will usually be conducted through an electronic platform. In cases where this is not possible, or at the Deputy Returning Officer's discretion, the voting will be done physically.
- 8.2. Duration: An election must be polled over a minimum of two days, and with a minimum of 10 hours voting. Each ballot station must be open for a minimum of 6 hours during the election.
- 8.3. Location: There must be a minimum of two ballot stations in locations decided by the Deputy Returning Officer.
- 8.4. There must be a minimum of 1 ballot officer with a ballot station at any time.
- 8.5. Only voters who can produce a valid BGU student ID, or Sabbatical Officers, may vote at a ballot station.
- 8.6. Any complaints regarding the conduct of the voting should be addressed to the Deputy Returning Officer, and the Union's Complaints Procedure will be followed.

## **9. Counting**

- 9.1. The Counting Officer shall be responsible for the conduct of the count.
- 9.2. **Electronic voting:** The Counting Officer shall use the online platform to conduct the count. The count must be witnessed by the Deputy Returning Officer, or an appointed Assistant Counting Officer.
- 9.3. **Physical voting:** The ballot paper count will be overseen by the Counting Officer who may appoint as many Assistant Counting Officers as is deemed necessary to complete the count in a timely and accurate manner.
- 9.4. Any candidate may nominate any individual to observe the count, but may not observe it themselves.



- 9.5. Anyone who has observed the count must remain in the room of the count until the count is announced.
- 9.6. No individual may share the result of the count until it is officially announced. Anyone breaking this rule may be referred to a disciplinary.

## **10. Elections Code of Conduct**

- 10.1. The following Code of Conduct shall be adhered to by all candidates and members of campaign teams in any election:
  - 10.1.1. The following is a list of misconduct in the election, and applies to candidates and campaigners:
    - 10.1.1.1. Bringing BGSU into disrepute;
    - 10.1.1.2. Misrepresenting another candidate through any means of communication;
    - 10.1.1.3. Falsifying, defacing or destroying any election material;
    - 10.1.1.4. Threatening, intimidating, coercing, bribing, or deceiving candidates or electors. The difference between Incentivising and bribing is at the discretion of the Deputy Returning Officer;
    - 10.1.1.5. Creating or exploiting an advantage that any other candidate cannot reasonably replicate (as determined by the Deputy Returning Officer);
    - 10.1.1.6. Take part or be responsible for corrupt or dishonest practice (as defined by the Deputy Returning Officer);
    - 10.1.1.7. Disrupt or interfere with the election.
  - 10.1.2. A candidate or campaigner found to be in breach of this Code of Conduct may be subject to a disciplinary.
- 10.2. Failure to meet the following requirements may lead to a disciplinary:
  - 10.2.1. Submitting accurate details during nominations;
  - 10.2.2. Submitting two proposers to nominate candidacy;
  - 10.2.3. Uploading a manifesto;
  - 10.2.4. Presentation of a record of campaign spending within 24 hours of request.

## **11. Complaints and Appeals**

- 11.1. Any full member wishing to complain about a candidate or campaigner should do so in writing to the Deputy Returning Officer.
- 11.2. The Deputy Returning Officer shall respond to any complaint within 48 hours, and shall investigate it under the Union's Complaints Procedure.



- 11.3. If the complaint is found to be justified, the complainees will be referred to the elections disciplinary procedure below.
- 11.4. The complainees and complainant will be addressed in writing with the decision. Both may appeal this outcome.
- 11.5. If the right to appeal has been exercised, the Deputy Returning Officer must forward all details of the case to the Returning Officer, including the justification for their decision.
- 11.6. The nature of any appeal to the Returning Officer shall only be based on whether the Deputy Returning Officer's decision was:
  - 11.6.1. Not entirely based on appropriate regulations and/or;
  - 11.6.2. Not fair, proper and unbiased.

## **12. Disciplinary**

- 12.1. In an elections disciplinary, the Union's Disciplinary Procedure will be followed, using the following penalties in lieu of the penalties in the procedure:
  - 12.2. For a candidate:
    - 12.2.1. Disqualification of candidacy;
    - 12.2.2. Suspension of candidacy;
    - 12.2.3. Suspension of campaigning rights;
    - 12.2.4. Reduction of campaign budget.
  - 12.3. For a campaigner for a candidate:
    - 12.3.1. Removal from the campaign team in that election;
    - 12.3.2. Banned from BGSU elections events in that election.



## **By-Law 7: Clubs and Societies**

### **1. Definition**

- 1.1. Sport Clubs of the Union will include all things that can reasonably be described as a sport, at the discretion of the Executive Committee, including those that may not have a competitive bracket in British Universities and Colleges Sport (BUCS).
- 1.2. Societies will include all other non-sporting societies that cater for shared interests.
- 1.3. For the purpose of this By-Law, sport societies shall be referred to as “clubs” and non-sporting societies shall be referred to as “societies”.

### **2. Membership**

- 2.1. All Full Members of BGSU will be entitled to join any club or society.
- 2.2. Associate members will be able to join any club or society if they receive a majority vote in favour by the membership of the society.
- 2.3. To join a society on a permanent basis the relevant membership fees must be paid.
- 2.4. Only members of a society, who hold full membership to BGSU, can nominate, and/or vote in elections concerning a particular club or society.
- 2.5. BGSU reserves the right to take disciplinary action, suspend and/or remove membership if members break the club, society and group rules and regulations as detailed in the *[BGSU Activities, Clubs and Societies Code of Conduct]*, the rules and regulations of BGSU and/or BGU. Any disciplinary action will be undertaken in accordance with *[By-Law 10: Disciplinary Procedure]*.
- 2.6. Members of Clubs or Societies can be removed from their club or society in accordance with the details outlined in *[By-Law 10: Disciplinary Procedure]*.

### **3. Fees**

- 3.1. Membership fees will be decided by the society executive team, in agreement with the BGSU staff team.
- 3.2. Fees may be in one or many instalments.
- 3.3. All society members must pay the same fees, relevant to the privileges attached to those fees.
- 3.4. Club and Society Executive Teams must submit their fees for the upcoming academic year to the Students' Union Administrator no



later than the end of May to ensure there is adequate time to publicise the correct information.

- 3.5. Club and Society Executive Team Members are under no obligation to pay a membership fee, however they can pay a membership fee should they wish to.

#### **4. Affiliation**

- 4.1. The creation of a new club or society will be approved if a club and society creation form is completed, with three club or society executive and four additional signatures from full members of BGSU.
- 4.2. The Executive Committee of the Students' Union will approve all clubs and societies, if they are within the confines of the law, are financially viable and do not duplicate existing provision.
- 4.3. All clubs and societies that are affiliated to BGSU must adhere to its Constitution, By-laws, Codes of Conduct and any additional rules and regulations.

#### **5. Duties of Sport and Society Executive Teams**

- 5.1. To adhere to the rules and regulations specified in the BGSU Constitution, the By-laws and the BGSU Activities, Clubs and Societies Code of Conduct.
- 5.2. To allow all students to join clubs and societies and to represent all members regardless of their background and/or circumstances.
- 5.3. To work alongside BGSU in ensuring appropriate membership, match and general fees are collected and administered through the union. It is the responsibility of all clubs and societies to ensure that they have no financial deficit outstanding at the end of each academic year. Any club/society spending must be approved by the society executive team and the Union's staff team. If unapproved by the society executive team and the Union's staff team the expenditure will not be reimbursed by the Students' Union.
- 5.4. Should not enter into any legal or financial agreement/arrangement without formal approval from the Chief Executive Officer.
- 5.5. To send a representative to Student Council.
- 5.6. To fulfil the duties and responsibilities specified in the club and society job descriptions and as outlined in [Clause 7] of this By-Law.



## **6. Club and Society Executive Teams Terms of Office**

- 6.1. Club and Society Executive Teams shall consist of a President, Secretary and Treasurer.
- 6.2. In some instances, a case can be made for a Vice President Position to be allocated to a Club or Society. This case must be presented to Student Council, where it will be voted on. It will require a simple majority to pass.
- 6.3. The terms of office for Club and Society Executive Teams are as follows:
  - 6.3.1. The President's term of office shall be for one year starting on 1<sup>st</sup> July to 30<sup>th</sup> June the following year. The President may serve a maximum of two terms of office providing they are re-elected to an executive position in the Summer By-Election.
  - 6.3.2. The Secretary's term of office shall be for one year starting on 1<sup>st</sup> July to 30<sup>th</sup> June the following year. The Secretary may serve a maximum of two terms of office providing they are re-elected to an executive position in the Summer By-Election.
  - 6.3.3. The Treasurer's term of office shall be for one year starting on 1<sup>st</sup> July to 30<sup>th</sup> June the following year. The Secretary may serve a maximum of two terms of office providing they are re-elected to an executive position in the Summer By-Election.
- 6.4. If a member of a Club or Society Executive Team should resign (providing this complies with *[Clause 9.2b]* of the *[Constitution]*) an internal election can take place to fill the vacant position if this is deemed necessary.

## **7. Sport and Society Executive Teams Role Descriptions**

- 7.1. The President will:
  - 7.1.1. Be lead contact between the Club/Society and the Students' Union and will regularly liaise with the Students' Union Sabbatical, Staff and Sports/Society Officers;
  - 7.1.2. Be the figurehead of the Club/Society, be fully accountable and the lead responsibility for the Executive's actions, and delegate tasks to the Club/Society Executive when needed;
  - 7.1.3. Represent the Club/Society's entire membership and take appropriate action to fulfil their needs;
  - 7.1.4. Be responsible for ensuring that the Club/Society Treasurer and Secretary are performing their duties;
  - 7.1.5. Organise formal and informal meetings of the Club/Society;



- 7.1.6. Be responsible for fully upholding the rules and regulations of BGSU acting fully within the Constitution, Union Bye-laws, relevant Codes of Conduct and the laws of the land;
  - 7.1.7. Strive to provide opportunities that enhance student experience and student employability;
  - 7.1.8. Be a role model and encourage positive behaviour;
  - 7.1.9. Maintain Club/Society Equipment;
  - 7.1.10. Be responsible for co-ordinating competitive sport;
  - 7.1.11. Be responsible for ensuring that there are opportunities in place for non-competitive sport;
  - 7.1.12. Be responsible for liaising with the Students' Union & BUCS regarding sporting fixtures;
  - 7.1.13. Oversee the running/management of teams, organise training and coaching and ensure the completion of sporting fixtures.
- 7.2. The Secretary will:
- 7.2.1. Maintain a strong communications and publicity campaign for the Club/Society throughout the academic year;
  - 7.2.2. Be responsible for ensuring appropriate methods are in place to recruit new membership;
  - 7.2.3. Be responsible for ensuring all members of the Club/Society are engaged with its activity;
  - 7.2.4. Be responsible for ensuring the Club/Society provides Social Events;
  - 7.2.5. Be responsible for ensuring that there are opportunities in place for non-competitive sport;
  - 7.2.6. Be responsible for ensuring that all information submitted to the Students' Union for use on the SU's Website is fully up to date;
  - 7.2.7. Be responsible for liaising with External Companies in regards to further student opportunities, sponsorship etc;
  - 7.2.8. Be responsible for fully upholding the rules and regulations of BGSU acting fully within the Constitution, Union Bye-laws, relevant Codes of Conduct and the laws of the land.
- 7.3. The Treasurer will:
- 7.3.1. Be the Club/Societies figurehead for Fundraising;
  - 7.3.2. Work with the Students' Union Finance team to Manage Club/Society Finance;
  - 7.3.3. Strictly ensure that all Membership fees are paid;
  - 7.3.4. Keep a register of training/match attendance and fees paid;



- 7.3.5. Be accountable and responsible for Club/Society Financial planning;
- 7.3.6. Be responsible for purchasing new equipment in conjunction with the Students' Union Bye-Laws;
- 7.3.7. Be responsible for ensuring the Club/Society provides Social Events;
- 7.3.8. Be responsible for ensuring that there are opportunities in place for non-competitive sport;
- 7.3.9. Ensure there are adequate funds to cover costs relevant to the club or society (extra travel, necessary equipment etc.);
- 7.3.10. Be responsible for fully upholding the rules and regulations of BGSU acting fully within the Constitution, Union Bye-laws, relevant Codes of Conduct and the laws of the land.

## **8. Removal from Position**

- 8.1. Members of Executive Teams can be removed from their position in accordance with the procedure detailed in *[By-Law 8: Conduct, Resignation, Censure and Removal from Office]*.

## **9. Dissolution**

- 9.1 BGSU reserves the right to dissolve any club or society which are unlawful, unsafe, are in substantial debt, duplicate existing provision or are operating in a way that goes against our objects as detailed in the Constitution.



## **By-Law 8: Conduct, Resignation, Censure and Removal from Office**

### **1. Code of Conduct**

- 1.1. Representatives of the Students' Union must agree to and uphold the following:
  - 1.1.1. To adhere to the Unions constitution and by-laws, all policies and the rules of the institution when participating in events;
  - 1.1.2. To exercise democracy at all times;
  - 1.1.3. To act responsibly, and renounce any activity or behaviour which could bring you, Bishop Grosseteste Students' Union or Bishop Grosseteste University into disrepute, on or off campus. This includes exercising and advocating responsible drinking when representing the Union;
  - 1.1.4. To not engage in any behaviour that is threatening, intimidating and offensive or that is illegal. As members of the Students' Union you are expected to lead by example and display behaviour which is befitting to this role;
  - 1.1.5. To be respectful to all members of the University. Discrimination of any sort, including, but not exclusively relating to; age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation will not be tolerated;
  - 1.1.6. To not undertake harassment or bullying of any form and to act respectfully towards others;
  - 1.1.7. To ensure that any Union resources (money, equipment, rooms, assets) are used solely for the purpose of achieving the aims and objectives of the group (The Union, societies, clubs and committees);
  - 1.1.8. Not to do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of BGSU;
  - 1.1.9. In reaching decisions, have regard to relevant advice provided to him/her by the CEO and other staff;
  - 1.1.10. When using or authorising the use by others of the resources of the Students' Union, act in accordance with the policies and procedures of the Students' Union at all times;
  - 1.1.11. Ensure that resources are not used for political purposes, or to ensure electoral advantage for an elected officer or representative and/or candidate in an election;



- 1.1.12. Not enter into any conversations regarding partnerships or agreements with any external business or party, without permission from a Sabbatical Officer and the CEO;
- 1.1.13. Not to engage in physical contact of any kind (whilst on SU business), with any other individual, unless you have consent from the individual concerned to do so and it is appropriate.

## **2. Censure**

- 2.1. A Censure is a formal expression of severe disapproval and is one of the strongest ways students can hold elected officers/representatives to account. A censure is used to reprimand officers/representatives for not fulfilling their job role.
- 2.2. Any elected representative considered not to be fulfilling the requirements of their job role, may be censured by Student Council.
- 2.3. Anyone to be subject to a Motion of Censure will be informed within 48 hours of it being received. The motion will be presented at the next Student Council under formal business provided the representative subject to the Motion of Censure has had a minimum of seven days to prepare a counter argument.
- 2.4. A Motion of Censure will not be circulated unless the subject of the censure proposal has had 48 hours from the time of notification of the proposed censure to submit a counter argument to be circulated to reps alongside the Motion of Censure.
- 2.5. At Student Council the proposer of the Motion of Censure will state the argument for the censure unless the motion is being submitted anonymously, in which case a Sabbatical Officer will present on their behalf. This will be followed by a counter argument from the representative subject to the proposed censure. If a Counter argument has not previously been submitted and circulated to reps, it must be submitted to BGSU by 12pm on the day of Student Council. The Chair of Student Council may accept additional speeches for or against provided there are an equal number of speeches for each side.
- 2.6. A Motion of Censure has to be presented to Student Council and requires a simple majority to be passed. Voting will be carried out by Secret Ballot.
- 2.7. Motions of Censure may only occur when elected officers are in post.
- 2.8. Any complaint related to the conduct of elected officers currently not in post must be dealt with using the BGSU Complaints Procedure as outlined in *[By-Law 9: Complaints Procedure]*.
- 2.9. If a Motion of Censure is passed, it is considered a formal warning. If this formal warning is not headed, members are entitled to propose a Motion of No Confidence. A Motion of No Confidence can only be



presented if a Motion of Censure against the same individual has previously been passed at Student Council in the same academic year.

### **3. Motion of No Confidence**

- 3.1. A Motion of No Confidence is the procedure students use to remove an elected representative from their position. A Motion of No Confidence cannot be carried out unless a motion of censure has been passed previously by student council in the same academic year.
- 3.2. Anyone to be subject to a Motion of No Confidence will be informed within 48 hours of it being received. The motion will be presented at the next Student Council under formal business provided the representative subject to the motion of no confidence has had a minimum of seven days to prepare a counter argument.
- 3.3. A Motion of No Confidence will not be circulated unless the subject of the No Confidence proposal has had 48 hours from the time of notification of the proposed No Confidence to submit a counter argument to be circulated to reps alongside the Motion of No Confidence.
- 3.4. At Student Council the proposer of the Motion of No Confidence will state the argument for the resolution of no confidence unless the motion is being submitted anonymously, in which case a Sabbatical Officer will present on their behalf. This will be followed by a counter argument from the representative subject to the motion of no confidence. If a counter argument has not previously been submitted and circulated to reps, it must be submitted to BGSU by 12pm on the day of Student Council. The Chair of Student Council may accept additional speeches for or against providing there are an equal number of speeches for each side.
- 3.5. A Motion of No Confidence must be presented to Student Council and requires a simple majority to be passed. Voting will be carried out by secret ballot.
- 3.6. Motions of No Confidence may only occur when elected officers are in post.
- 3.7. Any complaint related to the conduct of elected officers currently not in post must be dealt with using the BGSU Complaints Procedure as outlined in *[By-Law 9: Complaints Procedure]*.
- 3.8. If a Motion of No Confidence is passed against an Executive Officer they will be unable to continue or rerun for any elected position, for the duration of their studies.



3.9. Sabbatical Officers subjected to a passed Motion of No Confidence will be given notice of termination of employment in accordance with their employment contract.

#### **4. Removal from Office**

- 4.1. An elected representative can resign their position in writing, addressed to the President.
- 4.2. If an elected Part Time Officer or representative ceases to be a registered student at the University they shall be deemed to have resigned with immediate effect.
- 4.3. If an officer misses three consecutive Executive Committee meetings and/ or team meetings (Activities, Opportunities or Welfare) without apologies being sent to the SU office before 12pm on the day of the meeting, they will be deemed to have resigned from office. Extenuating circumstances will be taken into account.
- 4.4. For members of the Executive Committee who continually send apologies for meetings, [*Clause 7.6*] of [*By-Law 5: Elected Officers of the Union*] shall be followed.
- 4.5. A representative can be removed from their position:
  - 4.5.1. If they are found to be perverting or attempting to pervert the democratic procedures of the union;
  - 4.5.2. For behaviour that is intimidating and/or violent towards other elected officers, students, staff or the community;
  - 4.5.3. For behaviour that is considered to be an extreme breach of the union's Constitution, By-Laws and Policies;
  - 4.5.4. For defrauding or attempting to defraud the union or the university;
  - 4.5.5. For embezzlement of union funds.
- 4.6. In the event of a sabbatical position becoming vacant the Trustee Board will decide whether a by-election is possible or appropriate.
- 4.7. If the President position becomes vacant then the Vice President: Education shall become acting President until a by-election takes place or the end of their term in office, whichever comes first.
- 4.8. Any Executive Officer found to be in breach of University rules following a University investigation may also be removed from post if deemed appropriate.
- 4.9. A Sabbatical Officer may be removed from office by the BGSU Trustee Board if they are in breach of their contract as outlined in [*Clause 9.5 a-c*] of the [*Constitution*].



## By-Law 9: Complaints Procedure

### 1. Introduction

- 1.1. This Complaints Procedure is the formal procedure for dealing with disputes with the Students' Union, in particular complaints arising from disputes between a Full/Associate Member or Opted Out Student, and elected officers, staff and/or the Students' Union itself.
- 1.2. The procedure allows any student, group of students or other member of Bishop Grosseteste University ('the University') to make a formal complaint(s) against Bishop Grosseteste Students' Union ('The Union') relating to their treatment by the Union, or anyone acting on the Union's behalf. The procedure shall also cover complaints made by individuals that feel they have been unfairly disadvantaged by reason of having exercised their right to opt out of membership of the Students' Union.
- 1.3. This Complaints Procedure shall be interpreted to comply with the terms of the Education Act (1994).
- 1.4. Where time limits for action are defined, they are to be considered as maximum limits; all complaints and appeals will be dealt with in confidence and as promptly as possible. Where there is good reason why a time limit cannot be met, the complainant(s) will be informed immediately if such a situation becomes apparent (this is more likely to occur during University non-teaching periods).
- 1.5. Efforts should be made in every case to resolve the complaint(s) **informally** with the individual(s) at the source of the grievance before this procedure is invoked.

### 2. Making a Complaint

- 2.1. Complaints should be submitted by filling out a complaint form which can be found on the Students' Union Website. Complaints should be addressed to the **President** unless the complaint concerns a sabbatical officer or member of staff, in which case they should be addressed to the Students' Union CEO. Further details can be found in *[Clause 3]* of this By-Law. The complaint should be handed in to the Students' Union Reception, or sent to:  
Bishop Grosseteste Students' Union  
Longdales Road  
Lincoln  
LN1 3DY
- 2.2. Complaints may be made about:
  - 2.2.1. The services and facilities provided by the Students' Union;



- 2.2.2. Behaviour of an individual or group operating on behalf of the Students' Union, in so far as their behaviour or actions are related to poor or inadequate service, or can be deemed to be bringing the Union into disrepute.
- 2.3. Complaints shall be considered valid if the complainant:
  - 2.3.1. Provides details of their name, address and contact telephone number (if any) although the complainant can remain anonymous to the complainee if requested;
  - 2.3.2. Provides details of the event or occurrence, which gave rise to the complaint;
  - 2.3.3. Raises the complaint within 28 days of the event or occurrence giving grounds for complaint;
  - 2.3.4. Indication is given of the outcomes expected as a result of the complaint.
- 2.4. All valid complaints shall be investigated.
- 2.5. If the nature of the complaint received is deemed serious enough, the named investigator has the power to suspend the activity or role of the complainee pending a full investigation.

### **3. Investigation of Complaints**

- 3.1. At the beginning of the investigation, a named investigator will be chosen:
  - 3.1.1. The Trustee Board will normally investigate complaints about the Students' Union CEO;
  - 3.1.2. The President will normally investigate complaints about elected representatives and Executive Committee members;
  - 3.1.3. The Students' Union CEO will normally investigate complaints about Sabbatical Officers, staff (including student staff), commercial and non-commercial services;
  - 3.1.4. The named investigator may delegate responsibility for the investigation into the complaint where appropriate and as outlined in *[Clause 3.2]* of this By-Law.
- 3.2. The following are individuals who may be delegated to investigate complaints:
  - 3.2.1. The Vice President: Education can be delegated to investigate complaints about elected representatives and Executive Committee members;
  - 3.2.2. The Students' Union CEO can be delegated to investigate complaints about elected representatives and Executive Committee members;



- 3.2.3. Appropriate Students' Union Staff members can be delegated to investigate complaints about elected representatives and Executive Committee members. This must be authorised by the Students' Union CEO and the President.
- 3.3. The complaint will be given a reference number to be used in all correspondence of the case, and for the Union's recording the investigation. This will be the month and year short numeric form, followed by a three-digit number representative of the number of complaints received that month. For instance, the seventh complaint submitted in March 2015 will have the reference number 03.15.007.
- 3.4. The investigator will acknowledge receipt of the complaint in writing within 5 working days. The acknowledgement will include an explanation of the investigation process, a statement addressing that the complainant's identity cannot be anonymous unless requested and, if necessary, an appeal for more information concerning the investigation. A copy of [*By-Law 9: Complaints Procedure*] and scanned copy of the complaint form should be attached.
- 3.5. The investigator will notify the Complainee (the recipient of the Complaint) of the complaint within 5 working days. The notification will include an explanation of the investigation process, a copy of the complaint details and a request for further information on the complaint details. A copy of [*By-Law 9: Complaints Procedure*] should be attached.
- 3.6. Guidelines for Investigations of Complaints:
- 3.6.1. Investigations shall be conducted by the named investigator. [*See Clause 3.1*] of this By-Law;
- 3.6.2. No person involved in the investigation of any complaint shall have a direct or vested interest in the outcome of said complaint;
- 3.6.3. All parties to the complaint shall be given an opportunity to submit written and oral statements and present appropriate evidence, including evidence of mitigating circumstances;
- 3.6.4. All parties to the complaint may be assisted by a representative or friend, without charge or cost to the Students' Union;
- 3.6.5. An employee (including student staff) may be suspended from work as outlined in the BGU Grievance/Disciplinary Procedure, if the Students' Union considers that the individual's continued presence at work will jeopardise the proceedings.



#### 4. Outcomes

- 4.1. The outcome of an investigation shall be determined immediately after all parties to the complaint have presented their case and any supporting evidence. The person(s) conducting the investigation shall determine:
  - 4.1.1. All findings of fact;
  - 4.1.2. Any mitigating circumstances;
  - 4.1.3. Any appropriate further action.
- 4.2. The results of the investigation shall be communicated to the complainant and complainees within 10 working days of an outcome being reached by the named investigator.
- 4.3. Once the results of an investigation have been communicated, both the complainant and the complainees must provide written acknowledgement that the outcome has been received within 5 days of the outcome being communicated.
- 4.4. Once an investigation into a complaint has been completed and a conclusion has been reached, the complaint will be deemed to be either justified, partially justified, or unjustified.
- 4.5. Justified Complaints against a Service or Facility:  
In the event of a justified complaint against a service or facility, the following procedure shall apply:
  - 4.5.1. The named investigator shall consider how to prevent any future instances of the event or occurrence, which gave rise to the complaint, and propose remedial action to the President;
  - 4.5.2. The named investigator will confirm in writing the outcome of the investigation to all parties to the complaint within 10 working days of an outcome being reached by the named investigator.
- 4.6. Justified Complaints against a Person or Group:  
In the event of a justified complaint against a person or group, the following procedure shall apply:
  - 4.6.1. If the person(s) conducting the investigation considers that there has been a breach of the Constitution, By-Laws, relevant policy or the relevant Code of Conduct then [*By-Law 10: Disciplinary Procedure*] shall be invoked;
  - 4.6.2. The complainant shall not have a right to demand that [*By-Law 10: Disciplinary Procedure*] is invoked, or that sanctions should be imposed;
  - 4.6.3. The Named Investigator will inform the President (unless the President is being investigated) immediately of the outcome of the investigation. The Named Investigator will confirm in writing the outcome of the investigation to all parties to the complaint within 10 working days of an outcome being reached.



## **5. Complaints which are not justified**

5.1. Where complaints are not justified, they shall be deemed unsubstantiated complaints and the following procedure shall apply:

5.1.1. The named investigator will confirm in writing the outcome of the investigation to all parties to the complaint within 10 working days of the outcome being reached;

5.1.2. The complainant will be informed by the named investigator of their right to appeal through the Union's Appeal procedures as detailed in *[By-Law 11: Appeals Procedure]*.

## **6. Vexatious Complaints**

6.1. Anyone found to be making a complaint which could be considered vexatious or malicious may be subject to the Disciplinary Procedures of the Students' Union as detailed in *[By-Law 10: Disciplinary Procedure]*.

## **7. Appeals**

7.1. Both Complainants and Complainees may appeal the decision of a complaint according to *[By-Law 11: Appeals Procedure]*.



## **By-Law 10: Disciplinary Procedure**

### **1. Introduction**

- 1.1. This policy and procedure operates separately from, but in conjunction with, Bishop Grosseteste University.
- 1.2. The scope of the procedure relates to:
  - 1.2.1. Behaviour within the Students' Union Building;
  - 1.2.2. Union sponsored or organised activity, individual or group;
  - 1.2.3. Any matter referred to the Students' Union by the University;
  - 1.2.4. Any matter considered appropriate by the Students' Union Executive Committee.
- 1.3. If a student or group breaches the Constitution, Union Policy or relevant Codes of Conduct this will be dealt with under this procedure.
- 1.4. In pursuance of this procedure, the Students' Union will maintain a database of students who offend. Students' details will normally be kept on this database until one year after the students' graduation. In cases of life-time bans, students' details will remain on the database indefinitely.
- 1.5. Offences can be aggregated. Failure to comply with the procedure will be seen as an offence in itself and referred accordingly.
- 1.6. The lead officer administering the policy and procedure on behalf of the Students' Union will be the Students' Union President. If the President feels there is a conflict of interest in handling the disciplinary case, or where s/he feels it necessary, the case can be referred to the Vice President: Education or the Students' Union CEO.
- 1.7. In order to maintain the good order and running of the Students' Union, the Trustees will have the right to execute temporary powers as outlined in *[Clause 2]* of *[By-Law 2: Trustee Board]*. Any temporary disciplinary measures remain in place until the President has contacted those involved in the incident.

### **2. Incident reporting process**

- 2.1. When an incident has occurred, an incident report or statement will be completed and forwarded to the President, or an appropriate other person, who will convene a disciplinary panel:
- 2.2. The panel must consist of at least 2 people from the following categories as necessary:
  - 2.2.1. Sabbatical Officers;
  - 2.2.2. Senior members of Union Staff;
  - 2.2.3. Non-Student Trustees.



- 2.3. Once an incident report has been received, the panel will make an assessment regarding how to proceed based on evidence within the report – with regard as to whether it shall be dealt by the Students' Union, whether it should be referred to the University, or whether the Police should be engaged.
- 2.4. Once an incident report or statement has been filed the panel will, within five working days, contact the student or group involved to inform them that they are under investigation. In certain circumstances this may be accompanied by a temporary suspension of membership privileges.
- 2.5. Once an initial investigation has been completed the panel will then invite those involved in the incident to an investigatory hearing, either individually or collectively. On the balance of the collected evidence, the panel will then make a decision regarding the outcome of the investigatory hearing. The panel may:
  - 2.5.1. Dismiss the allegation;
  - 2.5.2. Issue a penalty appropriate to the case;
  - 2.5.3. Refer the case to the sabbatical officer not on the panel, Students' Union CEO or University for further investigation.
- 2.6. The student or group will also be presented with written notice of the outcome of the hearing.
- 2.7. A confidential record shall be kept of all such hearings and for these purposes the panel may require the attendance of a delegated staff member to take minutes.
- 2.8. If the student or group is found to be guilty then the student or groups details will be entered into the discipline database.

### **3. Referral to the university**

- 3.1. When an incident potentially constitutes a criminal offence (e.g. including but not limited to physical violence, discrimination, substance abuse, possession of weapons) but is not under investigation by the Police, this will be immediately referred to the University for Investigation.
- 3.2. All other cases will usually progress through Students' Union procedure first, unless regarded by the Students' Union President as exceptionally serious with wider repercussions for the University community.

### **4. Appeals**

- 4.1. The subject of a disciplinary may appeal a decision according to [*By-Law 11: Appeals Procedure*].



## **5. Suggested guidelines on disciplinary penalties**

(Note: The below guidelines are presented for advisory purposes to show what actions can be taken by the President and/or the Disciplinary Committee. The actual punishments delivered are at the discretion of the President and/or the Appeals Investigator.)

- 5.1 Acts of physical violence  
Ban – Minimum 1 month up to maximum life ban.  
Referral to the University or Police (if deemed appropriate)
- 5.2 Acts of verbal or non-verbal harassment  
Ban – Minimum 2 weeks up to maximum 1 year.
- 5.3 Act of verbal or non-verbal harassment against either customers or staff on the basis of race, gender, sexual orientation or ability  
Ban – Minimum 1 month up to maximum life ban.  
Referral to the University or Police (if deemed appropriate)
- 5.4 Acts of vandalism  
Ban – Minimum 1 week up to maximum 6 months.  
Restitution of damages  
Referral to the University or Police (if deemed appropriate)
- 5.5 Possession of illegal substances (drugs) and/or weapons  
Ban – Minimum 1 month up to maximum life ban.  
Referral to the University or Police.
- 5.6 Urinating or Vomiting through the excess of alcohol  
Ban – Minimum 1 week up to maximum 6 months.  
Restitution of damages  
Clearing of aforementioned excretions
- 5.7 Theft of property from the Union building  
Ban – Minimum 1 week up to maximum life ban.  
Restitution of damages  
Referral to the University or Police (if deemed appropriate)
- 5.8 Setting off a false fire alarm  
Fixed ban – 1 month
- 5.9 In all other offences, it is at the discretion of the President and/or Appeals Investigator as to what penalties are handed down. Bans can apply to either the Union Building, Union Activities or both.
- 5.10 The Union retains the right to strip members of their membership privileges.
- 5.11 Should any student be subject to any other disciplinary action within a year of a previous disciplinary incident, unlimited bans or fines can be levied, as appropriate.



- 5.12 Community service may also be used as a disciplinary penalty.
- 5.13 If a student should fail to comply with disciplinary procedures and penalties, it is at the discretion of the President as to what further punishments are delivered. It would be envisaged that in most cases, the matter would be immediately referred to the University for further action.



## **By-Law 11: Appeals Procedure**

### **1. Right to appeal**

- 1.1 Anyone subject to a decision made by the Students' Union through a complaints or disciplinary procedure has the right to appeal it within 28 days of the outcome being communicated.
- 1.2 An appeal may only be made if:
  - 1.2.1 Policy or procedure was not followed;
  - 1.2.2 New and significant information has come to light that could not reasonably have been provided previously;
  - 1.2.3 The decision that has been made is considered (with justification) perverse or unfair.

### **2. Procedure of appeals**

- 2.1 The appeal will be forwarded onto a Sabbatical Officer, senior member of Union Staff or a non-student Trustee who has not dealt with the decision subject to appeal and will be known as the Appeals Investigator.
- 2.2 The Appeals Investigator shall, within five days of the referral, inform the individual subject to the appeal in writing of the date, time and venue of the meeting to discuss the appeal.
- 2.3 All written matters relevant to the case shall be forwarded as soon as practically possible to the Appeals Investigator.
- 2.4 A confidential record shall be kept of the initial appeals meeting, as well as any necessary meetings that follow. For these purposes the Appeals Investigator may require the attendance of a delegated staff member to take minutes.
- 2.5 The student or group may be accompanied by a supporter who shall be a Full member of the Students' Union.
- 2.6 The Appeals Investigator must review the student's, or group's, case alongside a statement from the investigator as to why the outcome was reached.
- 2.7 The Appeals Investigator may choose to uphold the original decision, or uphold the appeal. If upheld, the Appeals Investigator must decide what, if any, necessary action must be taken.
- 2.8 Written notice shall be sent by the Appeals Investigator to the student or group against whom the complaint is made, within 10 days of the decision. A copy shall also be sent to the individual or panel who made the decision. The notice shall state the decision of the investigator.



- 2.9 In the case of a suspension from any or all of the privileges of membership, or restitution of damages, the notice shall contain a warning that failure to comply with any of these provisions constitutes a further breach of discipline.