# Code of Practice relating to the Students' Union

Part II of the Education Act 1994 places a range of responsibilities on the governing bodies of university institutions in regard to the organisation of Students' Unions. In particular, the governing body shall prepare and issue, and when necessary, revise, a code of practice as to the manner in which certain requirements of The Act are carried into effect.

1. This code of practice, issued by the University Council with the agreement of the Students' Union, sets out how the University will carry out its responsibilities under the Act. The specific responsibilities to be included in the code are highlighted in italics below.
2. The Students' Union qualifies as a Students' Union within section 20 of the Act; no other organisation of students in the University falls within the definition.

## Constitution

**The Students' Union should have a written constitution (Articles of Association) and the provisions of that constitution should be subject to the approval of the governing body at intervals of not more than five years.**

3. The Students' Union is governed by a constitution approved by the University Council.
4. The constitution is available on the Students' Union web pages.
5. The constitution is to be reviewed by the University Council at intervals of not more than five years. This need not mean a special quinquennial review of the constitution. The Council may take the opportunity to review the terms of the constitution should the Students' Union at any time bring forward proposed amendments.

## Membership

**Students should have the right not to be members of the Students' Union. Students who exercise that right should not be unfairly disadvantaged, with regard to the provision of services or otherwise, by reason of their having done so.**

6. All persons who are registered students of the University as full-time or part-time candidates for degrees, diplomas or certificates shall, subject to this Constitution, be Full Members of the Students' Union. Any student who wishes not to be a member, or who decides to withdraw from membership of the Students' Union, should inform the President of the Students' Union or the University Secretary in writing.
7. Any student not in membership of the Students' Union is not entitled:
    (a) To participate in the student voice mechanisms of the Students' Union and, in particular, to propose or vote in referenda, attend democratic meetings, stand or vote in the election of Students' Union Officers, Students' Union Council and Working and Representative Committees, or play any part in any other comparable bodies that may be established.
    (b) To hold office in any Students' Union Working or Representative Committee or Society.

(c) To benefit from any concessionary rates for membership of Clubs and Societies, or for attendance at entertainments events, that may be offered to Students' Union members.

8. Any such student shall cease to be a member immediately and may not be re-admitted to membership until the following academic session.
9. Students who are eligible for full membership but have exercised the right not to be a member, shall have access to all services and activities provided by the Students' Union other than those outlined in paragraph 7, and shall be subject to the same disciplinary procedures in relation to their use of these services and participation in these activities.
10. The University has made no special arrangements for the provision of services or facilities for non-members of the Students' Union, since it is satisfied that the provision made by the University and the Students' Union for all students, whether they are members of the Students' Union or not, is sufficient to ensure that those who have exercised the right of non-membership under the Act are not unfairly disadvantaged. There will be no financial compensation to students who have exercised their right of non-membership.

## Elections

**Appointment to major Students' Union offices should be by election in a secret ballot in which all members are entitled to vote. The governing body is required to satisfy itself that the Students' Union elections are fairly and properly conducted.**

11. For the purposes of the Education Act 1994, the Sabbatical Officers are Major Union Office Holders.
12. All elections in the Students' Union shall be conducted in accordance with regulations laid down in a bye-law to the constitution. These regulations ensure that appointment to major Students' Union offices is by election in a secret ballot in which all Student Members are entitled to vote.
13. The Students' Union Trustee Board shall appoint a Returning Officer to oversee that elections to major elected offices are by secret ballot in which all full members are entitled to vote.
14. The Returning Officer shall receive, and decide upon, complaints arising during the course of such an election.
15. The University Secretary (or their nominee) may observe any part of the election process and a Returning Officers' report will be made to the University Secretary on the conduct and outcome of the elections to the major Students' Union offices.

**A person should not hold paid elected Students' Union office for more than two years in total.**

16. No person should hold elected major students' union office or paid elected union office for more than two academic years.

## Finance, Affiliations and Donations

**The financial affairs of the Students' Union should be properly conducted and appropriate arrangements should exist for the approval of the Students' Union's budget and the monitoring of its expenditure by the governing body.**

**The Students' Union is to publish a financial report annually or more frequently. The report is to be made available to the governing body and to all students and should contain, in particular, a list of external organisations to which the Students' Union has made donations during the period to which the report refers and details of those donations.**

**If the Students' Union decides to affiliate to an external organisation it must publish notice of its decision, stating the name of the organisation and details of any subscription or similar fee paid or proposed to be paid and of any donation made or proposed to be made to the organisation and such notice is to be made available to the governing body and to all students.**

17. An annual budget for all activities of the Students' Union and its companies shall be approved by the Students' Union Trustee Board. The budget shall be submitted to the University Council in accordance with the Education Act 1994, and to Students for information.
18. Annual audited accounts of the Students' Union and its companies, including details of all affiliations to external bodies, shall be presented to the Trustee Board for approval, and subsequently shall be presented to the University Council.
19. The accounts shall contain details of any donations made to external organisations during the financial year.
20. Any such affiliations or donations made subsequent to the publication of the annual accounts shall be published to students and notified to the University Secretary who shall make such notice available to the governing body.

**When a Students' Union is affiliated to any external organisation there are to be procedures for the review of affiliations under which the current list of affiliations is submitted for approval by members annually or more frequently, and at such intervals of not more than a year as the governing body may determine, a requisition may be made by such proportion of members (not exceeding 5 per cent) as the governing body may determine, that the question of continued affiliation to any particular organisation be decided upon by a secret ballot in which all members are entitled to vote.**

21. Any affiliation made by the Students' Union may be rescinded by a decision of students made in accordance with the procedures for referenda outlined in the regulations contained in the Constitution of the Students' Union.

**The procedure for allocating resources to student groups should be fair and should be set down in writing and be freely accessible to all students.**

22. Procedures for the allocation of resources to societies recognised to the Students' Union shall be included in a bye-law to the Students' Union Constitution.

## Complaints Procedure

**There should be a complaints procedure available to all students or groups of students who are dissatisfied in their dealings with the Students' Union or claim to have been unfairly disadvantaged by reason of having exercised the right to not be a member. This procedure should include the provision for an independent person appointed by the governing body to investigate and report on complaints.**

23. Any student or students who are dissatisfied in their dealings with the Students' Union, or claim to be disadvantaged by reason of their having exercised the right to withdraw from membership, shall be entitled to have their complaint considered in accordance with the

Students' Union Bye-Law which constitutes the Students' Union's complaints procedure and is available to all students. This procedure must include the right of appeal to the University.

## Charity Law

24. The activities of the Students' Union are restricted by the law relating to charities. Consequently, the Students' Union must not seek to advance the interest of a political party, but it may seek to influence opinion on issues relating directly to its own stated charitable purposes and powers. The ways in which charities may or may not legitimately engage in political activities is the subject of advice and legislation from time to time by the Charities Commissioners, courts of law, Parliament and government departments.

## Freedom of Speech

25. The University is responsible under section 43 of the Education (No.2) Act 1986 and the Higher Education (Freedom of Speech) Act 2024 for the provision of safeguards to ensure freedom of speech within the law.
26. The provisions for freedom of speech are made in the University Calendar under the Code of Practice on Freedom of Speech and Academic Freedom and under the Students' Union's Code of Practice on Freedom of Speech.

## Code of Practice

27. This code of practice is brought to the attention of students annually by publication on the University web pages as part of the University Calendar. It is also published on the Students' Union web pages.

## Information for Prospective Students

28. The right of a student to not be a member of the Students' Union, and the arrangements for students to still access those services provided by the Students' Union for all students whether members or not, should be made available to prospective students via the University and Students' Union web pages.