



**Constitution**  
**of**  
**Newman Students' Union**  
**(An Unincorporated Association)**

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**Constitution**  
**of**  
**Newman Students' Union**

**BACKGROUND**

- A. Newman Students' Union (the "Union") is a Students' Union within the meaning of the Education Act 1994. The Union is devoted to the educational interests and welfare of its Members.
- B. The Union will seek at all times to:
- a. Ensure that the diversity of its membership is recognised and that equal access is available to all Members of whatever origin or orientation;
  - b. Pursue its aims and objectives independent of any political party or religious group; and
  - c. Pursue equal opportunities by taking positive action within the law to facilitate participation of groups discriminated against by society.
- C. This Constitution has been structured to give the Board of Trustees reasonable authority to manage the affairs of the Union in a professional manner. The members enjoy the right, which must be exercised in accordance with charity law, to elect the Student and Officer Trustees and to dismiss all of the Trustees. The Board of Trustees will give the utmost consideration to the views of Members.
- D. Under the education Act 1994, *Newman Students' Union* has a statutory duty to ensure that the Union operates in a fair and democratic manner and is held to proper account for its finances. The Union therefore works alongside **Newman University** in ensuring that the affairs of the Union are properly conducted and that the educational and welfare needs of the Union's Members are met.

## **1. Definitions and Interpretation**

1.1 The meanings of any defined terms used in this Constitution are set out below. If any dispute arises in relation to the interpretation of this Constitution or any of the Bye-Laws, it shall be resolved by the Board of Trustees.

1.1.1 “Board” means the Board of Trustees of Newman Students’ Union.

1.1.2 “Bye Law(s)” means and includes, but is not strictly limited to, any such bye laws, terms of reference, regulations, procedures, and schedules of Newman Students’ Union.

1.1.3 “Charities Act” means the Charities Act 2006.

1.1.4 “Connected Person” means any person falling within one of the following categories and where payment to that person might result in the Trustee obtaining benefit: (a) any spouse, civil partner, parent, child, brother, sister, grandparent or grandchild of a Trustee; or (b) the spouse or civil partner of any person in (a); or (c) any person living with a Trustee or his or her partner; or (d) any company or Limited Liability Partnership or firm of which a Trustee is a paid director, member, partner or employee, or shareholder holding more than 1% of the capital.

1.1.5 “Union” means Newman Students’ Union.

1.1.6 “Member” means members who are Ordinary Members, Associate Members or Honorary Members as set out in this Constitution.

1.1.7 “RAG” means The Raise and Give Society which develops Students by providing them with an opportunity to raise funds for charitable causes.

1.1.8 “Trustee” means any member of the Board.

1.1.9 “University” means Newman University.

## **2. Name**

2.1 The name of the organisation shall be Newman Students’ Union and in this Constitution shall be called “the Union”.

### **3. Registered Office**

3.1 The registered office of Newman Students' Union is situated in England and Wales.

### **4. Objects**

4.1 The Union's objects are the advancement of the education of Students at Newman University for the public benefit by:

- 4.1.1 Promoting the interests and welfare of Students at Newman University, their course of study and representing, supporting and advising Students;
- 4.1.2 Being the recognised representative channel between Students and Newman University and any other external bodies; and
- 4.1.3 Providing social, cultural, sporting and recreational activities and forums for discussions and debate for the personal development of its Students.

### **5. Powers**

5.1 Newman Students' Union may do all such lawful things as shall further the Union's objects which are suitable for the charitable purpose for which it was formed and in order to retain its charitable status provided that all such activities shall be confined to the activities which an English and Welsh charity may properly undertake and provided that the Union complies with the Education Act 1994 (as amended) and any guidance published by the Charity Commission.

### **6. Limitation on Private Benefits**

6.1 The income and property of the Union shall be applied solely towards the promotion of its objects.

6.2 Except as provided below no part of the income and property of the Union may be paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to any Member of the Union. This shall not prevent any payment in good faith by the Union of:

- 6.2.1 Any payments made to any Member in their capacity as a beneficiary of the Union;
- 6.2.2 Reasonable and proper remuneration to any Member for any goods or services supplied to the Union provided that if such Member is a Trustee Clause [6.3] shall apply;

6.2.3 Interest on money lent by any Member to the Union at a reasonable and proper rate; and

6.2.4 Any reasonable and proper rent for premises let by any Member to the Union.

6.3 Except as provided below no Trustee may sell goods, services or any interest in land to the Union; be employed by, or receive any remuneration from, the Union; or receive any other financial benefit from the Union. This shall not prevent any payment in good faith by the Union of:

6.3.1 Any payments made to any Trustee or Connected Person in their capacity as a beneficiary of the Union;

6.3.2 Reasonable and proper out of pocket expenses of the Trustees;

6.3.3 Reasonable and proper remuneration to any Officer Trustee or Connected Person for any goods or services supplied to the Union on the instructions of the Trustees provided that:

6.3.3.1 For the avoidance of doubt, the authorisation under this provision shall extend to the remuneration of Officer Trustees and Connected Persons under contracts of employment with the Union;

6.3.3.2 Subject to Clause [6.3.3.1], the authorisation under this provision shall not extend to the service of acting as Trustee;

6.3.3.3 If the person being remunerated is a Trustee the procedure described in Clause [14] (Conflict of Interest) must be followed in considering the appointment of the Trustee and in relation to any other decisions regarding the remuneration authorised by this provision;

6.3.3.4 If the person being remunerated is a Connected Person the procedure described in Clause [14] (Conflict of Interest) must be followed by the relevant Trustee in relation to any decisions regarding such Connected Person;

6.3.3.5 Subject to Clause [6.6], this provision may not apply to more than half of the Trustees in any financial year (and for these purposes such provision shall be treated as applying to a Trustee if it applies to a person who is a Connected Person in relation to that Trustee); and

6.3.3.6 At all times the provisions of the Education Act are complied with;

6.3.4 Interest on money lent by any Trustee or Connected Person to the Union at a reasonable and proper rate;

- 6.3.5 Any reasonable and proper rent for premises let by any Trustee or Connected Person to the Union;
- 6.3.6 Reasonable and proper premiums in respect of indemnity insurance effected in accordance with Clause [5.1];
- 6.3.7 Any payments made to any Trustee or officer under the indemnity provisions set out at Clause [30]; and
- 6.3.8 Any payments authorised in writing by the Charity Commission.

6.4 In Clauses [6.2] and [6.3], references to the Union shall be read as references to the Union and/or any Subsidiary Company.

6.5 For any transaction authorised by Clause 6.3 [or Clause 6.4], the Trustee's duty (arising under the Companies Act 2006) to avoid a conflict of interest with the Union shall be disapplied provided the relevant provisions of Clause 6.3 [or Clause 6.4] have been complied with.

6.6 Where a vacancy arises on the Board of Trustees with the result that Clause 6.3.3 applies to more than half of the Trustees, the Union may continue to pay remuneration to its Officer Trustees and any Connected Persons receiving remuneration in accordance with Clause 6.3.3 provided that the Union uses all reasonable endeavours to fill the vacancy as soon as possible.

## **7. Incorporation**

7.1 The Members at a general meeting or by Referendum may authorise the Trustees to transfer the assets and liabilities of the Union to a limited liability entity established for exclusively charitable purposes with the same or similar objects, and to dissolve the Union at any time following the transfer if it is considered appropriate to do so.

## **8. Dissolution**

8.1 If any property remains after the Union has been wound up or dissolved and all debts and liabilities have been satisfied, it shall not be paid to or distributed among the Members of the Union. It shall instead be given or transferred to some other charitable institution or institutions having similar objects to those of the Union and which prohibits the distribution of its or their income and property among its or their members to an extent at least as great as this Constitution imposes upon the Union. The institution or institutions, which are to benefit, shall be chosen by the Members of the Union at or before the time of winding up or dissolution.



## **9. Amendments to the Constitution**

9.1 The Trustees and Newman University shall review this Constitution every five years, with effect from the date that this Constitution comes into effect.

9.2 No amendment of this Constitution shall be made which would have the effect of the Union ceasing to be a charity.

9.3 Clause [4] and Clause [6] may not be amended without the prior written consent of the Charity Commission.

9.4 All amendments to the Constitution and its Bye-Laws shall be recommended to the Board of Trustees by a two-thirds majority of Student Forum, a UGM or by a simple majority in a Referendum of all members in accordance with Clause [18].

9.5 The Executive Committee shall have the right to re-number the Constitution for the purposes of clarity. These changes will be forwarded to the Board of Trustees for approval.

9.6 All amendments must be approved by Newman University (as required for the purposes of compliance with Section 22 of the Education Act 1994).

## **10. Membership**

10.1 There shall be the following classes of membership:

### **10.1.1 Ordinary Membership**

10.1.1.1 This shall be open to all students who do not opt out of membership of the Union and who are enrolled on any course at Newman University, and to Sabbatical Officers of the Union, and where appropriate to students on Newman University courses at other organisations.

10.1.1.2 All Ordinary Members shall be entitled to propose, stand and vote in the Union elections, participate and vote in Union General Meetings.

### 10.1.2 Associate Membership

10.1.2.1 This shall be open to all members of Newman University and Union staff, past students of the University and to other persons agreed to by the Executive Committee who shall determine the membership fee.

10.1.2.2 All Associate Members may use the services of Union but shall not vote or stand in Union elections or meetings.

10.1.2.3 Associate membership may be revoked by Executive Committee in accordance with Union disciplinary procedures.

10.1.2.4 Associate members shall not be members for the purpose of this constitution.

### 10.1.3 Honorary Membership

10.1.3.1 Shall be awarded to any persons considered appropriate by Executive Committee.

10.1.3.2 Shall be awarded to members of Executive Committee on the last day of office unless considered otherwise by the Board of Trustees.

10.1.3.3 All Honorary Members shall enjoy the rights of Associate Members without fee or charge.

10.1.3.4 Honorary membership may be revoked by Executive Committee.

## 11. Union General Meetings

11.1 The Union General Meetings (UGM) shall be the sovereign body of the Union.

11.2 The Union General Meetings shall be convened by arrangements as detailed in Bye Laws J.

11.3 The Annual Union General Meeting (AGM) shall be presented with the Union accounts and budgets.

11.4 The Annual Union General Meeting shall usually be held once per calendar year. Not more than 18 months shall pass between the date of one annual general meeting and the next.

11.5 The quorum for a UGM shall be 1% Ordinary Members of the Union.

11.6 Every member has a right to attend, speak and vote at any Union General Meeting.

11.7 A Trustee, even if not a member, has the right to attend and speak at any Union General Meeting.

### **Standing Orders for All Union Meetings**

11.8 The following rules shall apply to members in Union meetings:

11.8.1 All Ordinary Members of the Union may attend any Union Meeting unless specifically ordered from or excluded by the Chair of the meeting, and may participate in meetings subject to the provision of the Constitution;

11.8.2 Associate and Honorary Members may attend and participate in Union Meetings (with the approval of the meeting) but cannot vote; and

11.8.3 Non-Members of the Union may only attend Union Meetings with the agreement of the Chair and shall not speak unless invited to do so by the Chair.

11.9 Appropriate alterations to Standing Orders shall be made for disabled members by the Chair.

### **Procedures and Organisation of Union Meetings**

11.10 There shall be Standing Order regulations for the Chair and debate, procedural motions, points of order and information, procedural motions and voting for all Union meetings as Bye Laws J.

## **12. Student Forums**

12.1 The membership and election of the Chair of Student Forums ("SF") shall be in accordance with Clause [17] hereof and election by the election regulations, Bye Laws D.

12.2 The quorum for SF shall be determined in Bye Law B.

12.3 The SF shall scrutinise, supervise and instruct Executive Committee.

12.4 The SF shall approve the Union business plan.

12.5 The SF shall receive reports from Union Standing Committees and the Executive Committee.

12.6 The SF shall determine policy of the Union in matters not bound by existing UGM policy

12.7 The SF shall recommend the appointment of the Union's non-ordinary member ('external') Trustees and the Student Trustees to the Board of Trustees.

12.8 The SF shall have the power to call a UGM as it considers appropriate (in accordance with Bye Laws J).

12.9 The SF shall have the power to censure, or call for Referenda for dismissal of elected Officers of the Union in accordance with Clause [19] hereof.

### **13. Executive Committee**

13.1 The Executive Committee membership and its election shall be in accordance with Clause [17] hereof and the Elections Regulations of the Union as set out in Bye Laws D.

13.2 The quorum for the Executive Committee shall be half of filled posts plus one.

13.3 The Executive Committee shall direct the everyday affairs of the Union within existing Union policy and shall implement Union policies.

13.4 The Executive Committee shall submit regular and formal reports and make recommendations to Student Forums and the Union Board of Trustees.

13.5 The Executive Committee may determine policy until it is ratified at the next Student Forum or UGM meeting.

13.6 The Executive Committee shall determine the nominees for Newman University Committees and the University Forum/Board of Governors as requested.

13.7 The Executive Committee shall meet at least every two weeks during term time.

13.8 If a member of the Executive Committee has a direct or indirect personal or pecuniary interest in any matter to be considered they shall disclose the interest before the matter is discussed and withdraw from the meeting.

13.9 The Executive Committee shall meet in closed session when considering matters of staff or the disciplinary matters of members and shall consist of only voting members and the General Manager (or their nominee).

13.10 Sabbatical Officers of the Executive Committee shall be elected under the terms and conditions of office specified in Bye Laws E.

## **14. The Board of Trustees**

14.1 There shall be a Board of the registered charity 'Newman University Students' Union' who shall have the responsibility for the good governance and management of the Union.

14.2 The Board shall meet at least 4 times per year.

14.3 Every item of business to be discussed at a meeting of the Board of Trustees and its Sub Committee shall, where necessary, be put to the vote and decided by a simple majority of those present.

### **Conflict of Interest**

14.4 Whenever a matter is to be discussed by the Board of Trustees and a Trustee has a Personal Interest in respect of that matter then he or she must:

14.4.1 Declare their interest to the Trustees;

14.4.2 Remain only for such part of the meeting as in the view of the other Trustees is necessary to inform the debate;

14.4.3 Not be counted in the quorum for that part of the meeting [or decision-making process]; and

14.4.4 Withdraw during the vote and have no vote on the matter.

14.5 If any question arises as to whether a Trustee has a Personal Interest, the question shall be decided by a majority decision of the other Trustees.

14.6 In particular, Clause [14.4] shall apply to any matter that may directly or indirectly relate to the position of a Sabbatical Trustee who is or is to be remunerated as an employee by the Union.

### **Membership and Quorum of the Board**

14.7 The Board shall consist of five members external to the Union, two full time elected Sabbatical Officers, one part-time Officer of the Executive Committee and two ordinary members of the Union. The Newman University Leadership Team may exercise the right to recommend one external trustee to the board.

14.8 The Chair of the Board of Trustees shall be the President of the Union elected as ex-officio. If there is no President, the Vice-President shall be elected as Chair of the Board of Trustees.

14.9 The Deputy Chair of the Board of Trustees shall be appointed by and from amongst the External Trustees. In the case of an equality of votes the Chair to the Board shall be entitled to a casting vote in addition to any other vote he or she may have at the Board of Trustees meetings.

14.10 The period of office of the trustees shall be as follows:

14.10.1 External Trustees for up to four years.

14.10.2 The elected Sabbatical Officers for the period of their term of office only.

14.10.3 The ordinary members for one year subject to student status.

14.11 Trustees shall not normally serve more than two terms of office.

14.12 External Trustees shall not be ordinary members of the Union.

14.13 The selection and election of Trustees shall be as follows:

14.13.1 The elected sabbatical officers shall be elected under the normal election regulations of the Union;

14.13.2 The part time Executive Committee member shall be determined by the Executive Committee;

14.13.3 The ordinary members shall be selected by submitting anonymised applications to The Trustees Appointments Panel which shall normally seek the approval of and ratification at a Student Forum as outlined in Bye Laws C; and The External Trustees shall be selected by The Trustees Appointments Panel which shall normally seek the approval of and ratification at a Student Forum as outlined in Bye Laws C.

14.14 The quorum shall be half plus one of all Existing Trustees and there shall be no less than one external trustee, one Sabbatical Officer, and either an ordinary Student Trustee or part time Executive Member.

### **Powers of the Trustees**

14.15 The Board of Trustees shall be responsible for the management and administration of the Union and subject to the Education Act, this Constitution and the Bye-Laws may exercise all the powers of the Union. A meeting of the Trustees at which a quorum is present may exercise all powers exercisable by the Trustees.

14.16 The Board of Trustees shall be empowered to employ staff and shall be responsible for determining the terms and conditions of employment of such staff in accordance with Clause [24] thereof.

14.17 The Board's powers shall include but not be limited to responsibility for:

14.17.1 The governance of the Union;

14.17.2 The budget of the Union; and

14.17.3 The strategy of the Union.

14.18 The Board of Trustees may override any decision and Policy made by the Members in a General Meeting or Referendum or by the Student Forum which the Trustees consider (in their absolute discretion):

14.18.1 Has or may have financial implications for the Union;

14.18.2 Is or may be in breach of, contrary to or otherwise inconsistent with charity or education law or any other legal requirements (including ultra vires);

14.18.3 Is not or may not be in the best interests of the Union or all or any of its charitable objects; or

14.18.4 Will or may otherwise affect the discharge of any or all of the responsibilities referred to in Clause [14] (Powers of the Trustees).

### **Resignation, Disqualification and Removal of Trustees**

14.19 A member of the Board of Trustees may at any time by notice in writing to the Chair of the Board resign from office which will thereupon take effect from the date of receipt of the notice.

14.20 The Office of a Trustee shall be vacated if:

14.20.1 A motion of no confidence in the Trustee is passed by two-thirds of the members voting in a referendum. The referendum shall be in accordance with Clause[18] thereof;

14.20.2 In the case of an Officer Trustee, they cease to be an employee of the Union;

14.20.3 In the case of a Student Trustee, they cease to be a Student at Newman University;

14.20.4 At any time the Board of Trustees is satisfied that a member has been absent for two consecutive meetings without permission of the Board or they are unable or unfit to discharge their duties;

14.21 On the occasion of a vacancy on the Board the Chair of the Board shall ensure that the vacancy is filled as soon as possible.

### **Rights of a Removed Trustee**

14.22 A resolution to remove a Trustee in any instance shall not be passed unless the Trustee concerned has been given at least 14 clear days' notice in writing that the resolution is to be proposed, specifying the circumstances alleged to justify removal from office, and has been afforded a reasonable opportunity of being heard by or making written representations to the Trustees.

14.23 A Trustee removed from office shall be entitled to appeal the decision to remove him or her to an Appeals Panel within 14 days of the resolution. The Appeals Panel shall be made up of a nominee of Newman University, one independent person and a Senior Member of Staff and Officer of another Students' Union. The independent person shall be a Member who is not a Trustee. The selection of the members of the Appeals Panel and its procedures shall be set out in Bye-Law F. The Union may consult with NUS in relation to the appeals process and in particular the appointment of independent persons to the Appeals Panel.

### **Delegation of Trustees' Powers**

14.24 The Trustees may, by power of attorney or otherwise, appoint any person to be the agent of the Union for such purposes and on such conditions as they determine.

14.25 The Trustees may delegate any of their powers or functions to any committee or the implementation of any of their resolutions and day-to-day management of the affairs of the Union to any person or committee in accordance with the conditions set out in this Constitution.

14.26 In the case of delegation of the day-to-day management of the Union to the General Manager:

14.26.1 The delegated power shall be to manage the Union by implementing the policy and strategy adopted by and within a budget approved by the Trustees and if applicable



to advise the Trustees in relation to such policy, strategy and budget;

14.26.2 The Trustees shall provide the General Manager a description of his or her role and the extent of his or her authority;

14.26.3 The General Manager shall report regularly to the Trustees on the activities undertaken in managing the Union and provide them regularly with management accounts sufficient to explain the financial position of the Union; and

14.26.4 The Trustees shall provide the General Manager a performance management structure to aid his or her work plan and development.

14.27 In the case of delegation to committees:

14.27.1 The resolution making that delegation shall specify those who shall serve or be asked to serve on such committee (though the resolution may allow the committee to make co-options up to a specified number);

14.27.2 The composition of any such committee shall be entirely in the discretion of the Trustees and may comprise such of their number (if any) as the resolution may specify;

14.27.3 The deliberations of any such committee shall be reported regularly to the Trustees and any resolution passed or decision taken by any such committee shall be reported forthwith to the Trustees and for that purpose every committee shall appoint a secretary;

14.27.4 All delegations under this Clause shall be revocable at any time; and

14.27.5 The Trustees may make such regulations and impose such terms and conditions and give such mandates to any such committee or committees as they may from time to time think fit.

## **15. Executive Committee Sub Committees**

15.1 Executive Committee Sub Committees shall operate in accordance with Union policies and shall be responsible to the Executive Committee.

15.2 The Board of Trustees and Executive Committee shall determine the Sub Committees of the Executive Committee in accordance with Bye Laws C.

15.3 The powers of each Sub Committee shall be determined by its Terms of Reference (outlined in Bye Laws C).

15.4 Each Sub Committee shall review annually its terms of reference and make recommendations to Executive Committee and the Board of Trustees where deemed appropriate.

15.5 Minutes and reports of all Sub Committees shall be approved by the Executive Committee.

## **16. Other Committees**

16.1 Other Committees shall be formed as the Executive Committee may deem necessary.

16.2 Other Committees shall operate in accordance with Union Policy and shall be responsible and make reports to the Executive Committee and Student Forums where necessary.

16.3 Members of Other Committees shall be elected in accordance with Bye Laws K.

## **17. Elections**

17.1 The Ordinary Membership of the Union shall elect by secret ballot in accordance with the Election regulations, Bye Laws D:

17.1.1 The Executive Committee;

17.2 The terms of reference for Executive Committee Members and directly elected Student Forum members shall be outlined in Bye Laws A and B respectively.

## **18. Referenda**

18.1 Referenda shall usually be held no more than twice per academic year; Student Forums may resolve that a constitutional amendment, affiliation, dismissal of an Elected Officer or matter of policy may be referred to the student body in a General Referendum.

18.2 Referenda for dismissal of an Elected Officer shall be automatically called if an Elected Officer receives two separate votes of censure during one term of office.

18.3 A referendum may be called by 5% of the ordinary membership signing a written request or petition for a referendum on a specified issue; this shall be sent to the Chair of Executive or their Deputy in the case of a conflict of interest.

18.4 All Ordinary members shall have the right to vote in a referendum.

18.5 Referenda shall follow the election regulations outlined in Bye Laws D.

18.6 The Returning Officer of the Union elections shall be the Returning Officer for Referenda, who may also appoint a Deputy.

18.7 A Referendum must be put to the students in the form of a single simple statement with the option for students to vote in support or in opposition.

18.8 The Union will produce publicity outlining both sides of the debate. The Executive Committee are able to exercise their democratic right to support either for or against.

18.9 There will be equal resources to conduct the campaign. The use of additional resources or by the resources of any external organisation, including the University, is prohibited.

18.10 Should a referendum receive a total turnout of 10% of the membership, then the result shall be binding and may overrule previous decisions by the Executive Committee, Student forum, or the AGM. Should this turnout not be achieved then it shall not be binding but shall be an indicative vote for information to the Executive Committee and Student Forum.

## **19. Dismissal and Caution of Elected Officers**

19.1 Elected Officers of the Union shall be subject to this Constitution, the Bye Laws and any other such Bye Laws, procedures, policies and regulations as considered appropriate by the Executive Committee, Student Forums or the Board of Trustees.

19.2 Elected Officers of the Union may be dismissed by a motion of 'no confidence' being passed by two-thirds majority at a UGM or Referendum.

19.3 Elected Officers of the Union may be cautioned through a motion of censure at any Student Forum.

19.4 Any elected officer incurring two votes of censure during one term of office shall result in a full motion of 'no confidence' being automatically put to Referendum.

19.5 A motion of no confidence or censure may be given for the following:

19.5.1 Misuse and abuse of Union resources;

19.5.2 Failing to comply with the Terms and Conditions for Elected Officers;

19.5.3 Failure to attempt to implement Union policy;

19.5.4 Bringing the Union into disrepute both internally and externally to the Union; and

19.5.5 Any behaviour deemed inappropriate.

19.6 The resolution of no confidence shall allow the elected officer sufficient time to clear their office (i.e. one day) and receive four weeks' pay in lieu of notice if appropriate.

19.7 In the event of any elected officer being dismissed, the post shall remain vacant until filled by an ensuing by-election in accordance with Bye Laws D.

## **20. Accounts and Reports**

20.1 The Trustees shall comply with the requirements of the Education Act and the Charities Act 1993 as to keeping financial records, the audit or examinations of accounts.

20.2 The Members of the Union have the right to ask the Trustees questions in writing about the content of any documents referred to in Clause [20.1].

## **21. Societies**

21.1 The Executive Committee shall approve societies which shall be known as 'recognised' by approval of a written constitution supported by not less than five (5) ordinary members.

21.2 The membership of all societies shall be open to all ordinary, associate and honorary members of the Union; there shall be at least three officers of each society who are elected from amongst the membership annually.

21.3 The Executive Committee may refuse or withdraw recognition of a society if it is considered that activities or purposes are not in accordance with the Union purposes and policies.

21.4 The Chair of Executive may approve applications for recognition of a society until ratification by a quorate Executive Committee.

21.5 Societies shall function within the regulations and procedures of the Union, including the regulations for Societies and their Federations and the Union Financial Regulations (Bye Laws H and L respectively).

## **22. Affiliations**

22.1 The Union shall be affiliated to the National Union of Students. The Union may also affiliate to any other organisation by resolution of Student Forums or UGM, in accordance with the Union's charitable status and financial regulations, subject to any overriding legislation.

22.2 The Union shall publish notice of any such decision stating:

22.2.1 The name of the organisation; and

22.2.2 Details of any subscription or similar fee paid or proposed to be made to the organisation.

22.3 The current list of affiliations shall be submitted for approval annually to the AGM.

## **23. Staffing**

23.1 The General Manager shall be empowered, through the Board of Trustees, to employ staff, who shall be responsible to the Board of Trustees through an established management structure.

23.2 All matters related to the responsibilities, conditions of employment, performance or conduct of individual members of staff shall be the responsibility of the Board of Trustees and shall not be discussed in any other Committee or Student Forum, with reference to Bye Laws I.

23.3 The General Manager shall be responsible for resolving complaints against members of Union staff. Complaints against The General Manager shall be referred to the Board of Trustees through the Chair as their employer.

23.4 Union staff may speak if requested but shall not exercise a vote in any Union meeting.

23.5 Union staff may provide advice on their areas of expertise, but shall not publicly express their personal views on policy decisions of the Union.

## **24. Complaints and Appeals Procedure**

24.1 Members may use the complaints procedure outlined in Bye Laws G.

## **25. Disciplinary and Appeals Procedure**

25.1 All Members of the Union shall be expected to abide by Union policy, and the Constitution and Bye-Laws at all times.

25.2 The Executive Committee may invoke these procedures as it sees fit to ensure the good conduct of members on Union property or while representing Union and for Officers at all times.

25.3 Members may appeal against the decision of the Disciplinary Committee.

25.4 The procedures for both of these stages are outlined in Bye Laws F.

## **26. Indemnity**

26.1 Every Elected Officer, appointee or member of staff of Union shall be entitled to be indemnified out of the assets of the Union against all losses or liabilities which they may sustain in or about the proper execution of their office.

26.2 No officer, appointee or member of staff of Union shall be liable for any loss or damage or misfortune which may happen to or be incurred by the Union in the execution of their duties, provided that the liability is not the consequence of any negligent act on their part.

## **27. Bye Laws, Terms of Reference, Regulations, Procedures and Schedules**

27.1 There shall be Bye Laws of the Union Constitution which shall require the approval of Student Forum or UGM/AGM and the Board of Trustees. These shall be as Bye Laws to the Constitution, and not part of the Constitution for the purposes of the Charities Act 2006:

27.1.1 Bye Laws A – Terms of Reference for Executive Committee Officers

27.1.2 Bye Laws B – Terms of Reference and Membership of Student Forums

27.1.3 Bye Laws C – Terms of Reference and Membership of Executive Committee Sub Committees

27.1.4 Bye Laws D – The Election Regulations

27.1.5 Bye Laws E – Sabbatical Officers' Terms and Conditions of Service

27.1.6 Bye Laws F – Disciplinary Procedures for Members of the Union

27.1.7 Bye Laws G – Procedure for Complaints against the Union

27.1.8 Bye Laws H – Financial Regulations, Schedules and Bye Laws

27.1.9 Bye Laws M – Freedom of Speech

27.2 There shall be Bye Laws of the Union which shall normally only require the approval of Executive Committee for approval and amendment. Any changes to these Bye Laws shall be ratified at the next available Board of Trustees meeting. These shall be:

27.2.1 Bye Laws I – Staff Protocol

27.2.2 Bye Laws J – Organisation of Union Meetings

27.2.3 Bye Laws K – Terms of Reference and Membership of Other Union Committees

27.2.4 Bye Laws L – Regulations for Societies.

27.3 There shall be, but not strictly limited to, other such procedures, policies and regulations as considered appropriate by Executive Committee, Student Forum or the Board of Trustees.

## 28 **Freedom of Speech**

28.1 The Union acknowledges the obligations to uphold freedom of speech within Section 43 of the Education (No. 2) Act 1986.

**BYE LAWS A**  
**TERMS OF REFERENCE FOR EXECUTIVE OFFICERS**

**General Duties of the Full-Time Executive Officers**

1. Act as a Trustee of the registered charity of NSU and as a director of any company established by NSU, as required by the Board of Trustees.
2. Responsible for setting the strategic direction of NSU and any company established by NSU, as required by the Board of Trustees

**General Duties of all Members of the Executive Committee**

1. Represent the interests of all members and NSU to the University and other external bodies as appropriate and in accordance with NSU policy.
2. Chair, attend or observe at NSU, University and external body meetings as required by the Constitution, Executive, Student Forum or the Board of Trustees.
3. Produce reports to Executive and its Sub-Committees, Student Forum and the Board of Trustees.
4. Take lead responsibility for the strategic and business development of NSU as required by NSU policy



## Specific Duties of the Executive Officers

### President of the Union

1. To attend all relevant University and Students' Union Committees including but not limited to:
  - a. Academic Board;
  - b. Academic Standards Committee;
  - c. Appeals Committee;
  - d. Learning, Teaching and Assessment Committee; and
  - e. University Forum.
2. Be a paid Sabbatical Executive Officer, act as a trustee of the Students' Union, and sit on the Executive Committee.
3. Chair the Executive Committee and the Board of Trustees.
4. Be the lead voting member of the Students' Union for NUS National Conference.
5. Be responsible for the coordination of the Executive Committee members in line with NSU policies, procedures and activities.
6. Lead the Students' Union and facilitate and implement its strategic plan effectively.
7. Be the main contact for bodies to which the Union may be affiliated to.
8. Lead and brief delegations to any conference for the development of the Students' Union.
9. Be the full-time Officer to lead the Course Rep System.
10. Ensure that the Constitution is adhered to.

11. Oversee and maintain the Students' Union's Policies, making sure that a record of each policy is kept in an orderly manner and is available to any student wishing to view it.
12. Have primary responsibility of ensuring that proper arrangements are in place to oversee the financial and commercial affairs of the Students' Union and ensure the submission of budgetary estimates to the Executive Committee.
13. Be a cheque signatory for the Students' Union accounts.
14. In the case of urgency, be empowered to take appropriate action on behalf of NSU, after consultation with all available Executive members and such action reported to the next Executive Committee for ratification.
15. Attend and support University Open Days.
16. Fulfil any other duties as determined by the Executive Committee and/or student forums.

#### **Vice-President of the Union**

1. To attend all relevant University and Students' Union Committees including but not limited to:
  - a. Environmental Committee;
  - b. Equality and Diversity Committee;
  - c. Health and Safety Committee; and
  - d. Student Services Committee.
2. Be a paid Sabbatical Executive Officer to sit on the Executive Committee.
3. Promote the equality of opportunity for all Newman University students and ensure that all aspect of the Students' Union adhere to the Equal Opportunities Policy.

4. Maintain current Union communication tools and platforms and seek ways to improve and promote them.
5. Be responsible for developing new and innovative ways to communicate with the membership.
6. Ensure the website is kept up to date with all relevant documentation being uploaded a minimum of one week before general and Forum meetings.
7. Co-ordinate the advertisement and publication of Students' Union events to the membership.
8. Assist the President in their work and help and support other Executive Committee members.
9. As a member of the environmental committee, look at ensuring the Union is 'green' and work with the University on any relevant environmental campaigns.
10. Attend and support University Open Days.
11. Fulfil any other duties as determined by the Executive Committee and/or student forums.

#### **Academic Representation Officer**

1. To attend any relevant University and Students' Union Committees and meetings.
2. Be a Voluntary Officer to sit on the Executive Committee.
3. Assist the President with their duties relating to the coordination of the Course Reps System.
4. Represent the concerns, aspirations and problems of the student body in relation to academic provision.
5. Support and represent individual students in academic procedures.

6. Assist the President in preparing for Academic Board and Academic Standards. This includes but is not limited to:
  - a. Writing reports for the meeting;
  - b. Gaining student opinion and/or feedback; and
  - c. Going through paperwork with the President.
7. Fulfil any other duties as determined by the Executive Committee and/or student forums.

### **Equality and Campaigns Officer**

1. To attend any relevant University and Students' Union Committees and meetings.
2. Be a Voluntary Officer to sit on the Executive Committee.
3. Be the representational voice for BAME, LGBTQ+, Disabled and Mature students.
4. Ensure that the Union promotes gender equality throughout all of its activities.
5. Promote and celebrate multi-faith activities within the students' Union.
6. Be the lead member of the Executive Committee for campaigns including but limited to:
  - a. Black History Month;
  - b. LGBT History Month;
  - c. Disabilities History Month; and
  - d. International Women's Day.
7. Fulfil any other duties as determined by the Executive Committee and/or student forums.

## **Events and Activities Officer**

1. To attend any relevant University and Students' Union Committees and meetings.
2. Be a Voluntary Officer to sit on the Executive Committee.
3. To support the full-time Officers on all Students' Union events including but not limited to:
  - a. Excellence Awards;
  - b. Sports and Societies Awards;
  - c. Refreshers Week; and
  - d. Summer Ball.
4. Ensure that all Students' Union events are inclusive of Newman's diverse range of students.
5. To effectively communicate with relevant University staff members relating to any event that takes place on site.
6. To ensure that risk assessments for all events are completed prior to any union event taking place.
7. Fulfil any other duties as determined by the Executive Committee and/or student forums.

### **RaG and Community Officer**

1. To attend any relevant University and Students' Union Committees and meetings.
2. Be a Voluntary Officer to sit on the Executive Committee.
3. To recruit students to take part in all RaG activities.
4. To find new partnerships and develop existing relationships with external charities.
5. To encourage collaboration in fundraising events with University staff and students to create a positive community at Newman.
6. To ensure that fundraising activities are conducted within the guidelines and policies with the Students' Union.
7. Fulfil any other duties as determined by the Executive Committee and/or student forums.

### **Societies Officer**

1. To attend any relevant University and Students' Union Committees and meetings.
2. Be a Voluntary Officer to sit on the Executive Committee.
3. To assist the relevant staff member in the delivery of Society training.
4. To establish, promote and develop new and existing Societies.
5. To work with University staff members to develop academic societies.
6. To bring any new Society requests to the Executive Committee with recommendations for ratification.
7. Ensure that all Societies are performing under the Constitution and Bye Laws of the Union and any other rules and regulations for Societies.
8. Fulfil any other duties as determined by the Executive Committee and/or student forums.

## **Sport and Health Officer**

1. To attend any relevant University and Students' Union Committees and meetings.
2. Be a Voluntary Officer to sit on the Executive Committee.
3. To support and work in collaboration with the University in its recruitment and promotion of their competitive sports teams.
4. To organise Students' Union participation sports events and give-it-a-go sessions.
5. To promote a healthy living lifestyle to all Newman Students.
6. To work with the Equality and Campaigns Officer to lead on mental health campaigns.
7. Fulfil any other duties as determined by the Executive Committee and/or student forums.

## BYE LAWS B

### TERMS OF REFERENCE AND MEMBERSHIP OF STUDENT FORUMS

#### Membership of Student Forums

1. The membership of Student Forums shall be:

#### Voting Members:

#### Method of Election:

The Chair of every Union ratified Society	Ex-Officio
All Student Academic Reps (StARs)	Ex-Officio
Academic Officer	Ex-Officio
Equality and Campaigns Officer	Ex-Officio
Events and Activities Officer	Ex-Officio
RaG and Community Officer	Ex-Officio
Societies Officer	Ex-Officio
Sports Officer	Ex-Officio

#### Non-Voting Members:

#### Method of Election:

President	Ex-Officio
Vice-President	Ex-Officio

2. Any other Newman Student can attend and speak at a Student Forum but shall not have voting rights
3. Society Chairs may nominate another committee member to attend and vote on their behalf. The Chair of Forum should be made aware of this prior to the start of the meeting



### **Timing of Meetings and Quorum**

1. Student Forums shall be held no less than 3 times per year.
2. Forums shall be called no less than two weeks in advance and shall be at a time that is most convenient for members to attend.
3. The Quorum for Student Forums shall be half of the voting membership positions plus one.
4. In the event of a Society Chair is unable to attend a Student Forum, their nominated individual will be counted towards Quorum at the beginning of the meeting.

### **Terms of Reference of Student Forum Members**

1. All Student Forum members shall play a full and active part in Student Forum meetings by making reports; submitting motions and amendments; contributing to discussions; questioning and scrutinising the actions of the Executive
2. A Student Forum Member who is absent without apologies from two entire Union meetings during their time of office (excluding meetings called with less than two weeks' notice) shall cease to hold their role which determines their position within the Forum.
3. All members and attendees shall follow the Student Forum Code of Conduct below.

### **Code of Conduct**

1. The Chair will warn Student Forum Members who break this code of conduct. Those who continue to break it will be excluded from the meeting.

### **Code of Conduct: The Chair**

1. The Chair must be shown respect at all times;
2. Student Forum Members must be silent when the Chair is speaking; and

3. Student Forum Members must abide by the process implemented by the Chair, including waiting for the Chair to signal to them before speaking.

**Code of Conduct: Members' behaviour:**

1. Student Forum Members should be mindful of who they are representing, while recognising and appreciating the wider membership;
2. Student Forum Members must show mutual respect for each other's' views;
3. Student Forum Members should listen and attempt to empathise with each other;
4. Student Forum Members must be patient by allowing others to finish speaking before speaking themselves;
5. Student Forum Members should never boo, shout, jeer or patronise each other; Student Forum Members should treat each other as they wish to be treated; and
6. Student Forum Members should exercise restraint if they disagree with each other, and look to seek a mutual agreement.

**Code of Conduct: Student Forum Meetings Should Contain:**

1. Factually accurate information;
2. Professional conduct (with particular regard to whispering, moving around the room whilst the Forum is in session and eating) to be regulated by the Chair;
3. Accessibility provisions to ensure that all Student Forum Members can participate in all Forum activities;
  - a. A positive regard for observers;

- b. Accountability and credibility; and
- c. Debate between Student Forum Members that serves the interests of the wider student population by seeking to inform the decision making process.

**Code of Conduct: Student Forum meetings should not contain:**

1. Disrespect;
2. Personal discussion between Student Forum Members;
3. Mobile phone calls;
4. Deliberate disruption of Forum proceedings by Student Forum Members, or observers;
5. Threats, blackmail or otherwise aggressive language; or
6. Digression from the subject of the agenda item.

**Election of the Chair of Student Forum**

1. The election of the Chair of Student Forum shall be determined by secret ballot at the first quorate Forum meeting of the year.
2. The President shall be Deputy Chair of Student Forums.
3. The President shall Chair the first Student Forum until a vote has taking place.
4. The President shall continue to Chair Student Forum meetings until a quorate meeting where a vote will be held.

### **Terms of Reference for the Chair of Student Forums**

1. The Chair shall prepare the agenda for and Chair all Student Forum meetings, in accordance with the schedule for the organisation of NSU meetings.
2. The Chair shall ensure that all members, particularly non-Executive members, are able to participate fully in Forum meetings.
3. Ensure that Student Forum is informed by Executive members of: NSU business; the implementation of policy; and that Student Forum may question Executive members..
4. Report any breaches of the Constitution, regulations or policy by the Executive to Student Forum and, where necessary, to the Board of Trustees.

### **Elections**

1. All members of Student Forum shall be elected by the membership of NSU by secret ballot in accordance with the Election regulations set out in Bye Laws D.

## BYE LAWS C

### TERMS OF REFERENCE AND MEMBERSHIP OF EXECUTIVE COMMITTEE SUB COMMITTEES

#### All Executive Sub-Committees shall:

1. Be formed at the request of either the Executive Committee or Board of Trustees;
2. Meet on a monthly basis unless otherwise stated within their terms of reference;
3. Provide Minutes and reports to the Executive Committee for ratification; and
4. Give at least five working days' notice to members of the meeting and the agenda within two working days.

#### The Trustees Appointments Panel

1. The Trustees Appointments Panel shall oversee the recruitment of appropriate External Trustees and Student Trustees to the NSU Board of Trustees.
2. The Panel shall convene as required by the Board of Trustees, the Executive Committee and Student Forums..
3. The Panel shall recommend External Trustees and Student Trustees for ratification at Student Forums and The Board of Trustees.
4. The General Manager or nominee shall provide administrative support for the Panel.
5. The voting membership of the Trustees Appointments Panel shall be:

#### Voting Members:

The President (Chair)

A Student Trustee

A member of the Executive Committee

#### Method of Election:

Ex-Officio

Nominated by the Board of Trustees

Nominated by the Executive Committee

### **The Recruitment and Selections Committee**

1. The Recruitment and Selections Committee shall oversee the recruitment of staff within the Students' Union.
2. The Committee shall convene as required by the Board of Trustees.
3. The membership of the Recruitment and Selections Committee shall be:

#### **Voting Members:**

#### **Method of Election:**

The NSU General Manager (Chair)	Co-Option
The President (or Vice-President in their absence)	Ex-Officio
A member of the Executive Committee	Nominated by the Executive Committee
A member of University Staff	Nominated by the General Manager

### **The Finance Committee**

1. The Finance Committee shall observe the Finances of the Union.
2. The Panel shall convene as required by the Board of Trustees.
3. The membership of the Finance Committee shall be:

#### **Voting Members:**

#### **Method of Election:**

The President (Chair)	Ex-Officio
The NSU General Manager	Co-Option
2 members of the Executive Committee	Nominated by the Executive Committee

4. The quorum of the Finance Committee shall be three members.
5. The Finance Committee shall prepare an annual budget for the Students' Union.

6. The Committee shall monitor and update the Executive Committee on Union Income and Expenditure and highlight variances to the monthly and/or annual budget.
7. The Committee shall recommend adjustments to individual budget areas when required, to reflect the changing needs of the Union.
8. The Committee shall ensure all financial procedures are in place.
9. The Committee receive and approve accounts before forwarding to Executive Committees, Trustees and other relevant bodies.

## BYE LAWS D

### THE ELECTION REGULATIONS

#### Appointment and Duties of the Returning Officer (RO)

1. The Returning Officer (RO) who shall not be an Ordinary Member of NSU, shall be appointed annually by the Board of Trustees. The RO shall be fully conversant with the method of election outlined in the schedule to this Bye Law.
2. The Returning Officer shall appoint a Deputy Returning Officer (DRO), usually the most senior member of staff within the Students' Union. The RO may designate any responsibilities to the DRO except for the duties outlined under "Complaints and Right of Appeal".
3. The RO shall ensure the good conduct of the elections.

The RO shall be responsible for the annual elections and by-elections to the following positions:

#### Executive Committee

President

Vice-President

Academic Officer

Equality and Campaigns Officer

Events and Activities Officer

Societies Officer

Sport and Health Officer

RaG and Community Officer

#### Other Positions

NUS Delegate(s)



## **General Election Regulations**

1. The term of office of these positions shall normally be from 1 July to 30 June.
2. Annual elections shall take place before the end of May for Executive Committee positions.
3. Any Ordinary Members of NSU shall be eligible to stand for election and vote in any election for the above posts with the following restrictions:
  - a. No member shall hold sabbatical office for more than two years in total at the University;
  - b. No Executive Committee member may hold more than one seat at the same time within the Executive Committee;
  - c. Individuals cannot hold a position of both an Executive Committee member and Student Trustee unless they hold a full-time Sabbatical position;
  - d. No Executive Officer can hold a Sports or Societies Committee role, or a Student Academic Officer (StAR) position during their term of office; and
  - e. No member may stand for election having been previously disqualified on the grounds of attempting to disrupt an election or any other dishonest conduct (failure to attend mandatory election events is not considered an attempt to disrupt an election).

## **Before the Election**

1. The Returning Officer or their Deputy shall determine a set of rules and regulations for the good conduct of the election.
2. The method, times, dates and purpose of the election shall be appropriately publicised to the membership in advance of the election, and the Board of Trustees shall be notified in advance.
3. Official nomination forms clearly specifying the post for which the candidate is standing, signed by the candidate shall be handed to the Returning Officer or their nominee not later than the time and day appointed. No nomination shall be accepted after that date. Nominations shall remain open for at least five working days.
4. Nomination forms shall include a template for the candidates manifesto.

5. When a nomination form is received, the Returning Officer or their Deputy shall formally acknowledge receipt of the form. The Returning Officer or their Deputy shall confirm all Candidates once the nomination period closes. Once candidates are confirmed, profiles shall be completed on the NSU website with their name, position, photograph and manifesto.
6. The Returning Officer and/or their Deputy shall review all election regulations and ensure that the election process, candidates briefing and hustings are communicated to the membership.
7. Candidates briefing will take place no less than five working days before the opening of the ballot. Candidates Briefing shall include, but is not limited to:
  - a. The election rules and regulations determined by the Returning Officer;
  - b. The dates and times of hustings;
  - c. The name and email address of the Returning Officer and their Deputy;
  - d. How and where to vote; and
  - e. How the voting system works.

### **During the Election**

1. Voting shall be open for a minimum of three working days.
2. Voting shall take place by secret ballot and ballots shall be held securely free from being tampered with. The locations and opening of voting stations shall be determined by the Returning Officer or their Deputy.
3. Where possible, elections shall be by electronic means via the NSU Website. If there are material reasons why this is not possible, a paper ballot shall be used.
4. Ballots for Alternative Transferable Voting (ATV) elections shall provide the option of 'Re-Open Nominations'.
5. A member may campaign on behalf of 'Re-Open Nominations' but shall be considered a candidate for the purposes of the election regulations.
6. The Alternative Transferable Vote System of voting shall be employed to determine the result of the election as defined by the Electoral Reform Society for posts with a single seat unless contrary to NSU policy or regulations.

7. Electors shall only be entitled to vote once for any one position in any Election.
8. If the elector accidentally spoils their paper, the elector may obtain another ballot paper from the Poll Clerk, providing the elector returns the 'spoilt' paper to the Poll Clerk.
9. Only current members of Newman University Students' Union can campaign on behalf of a candidate or endorse a candidate.

#### **In the Event of a Paper Ballot**

1. In the event of a paper ballot, the Returning Officer or their Deputy shall produce an appropriate system for members to vote. Provisions such as postal voting shall be put in place by the Returning Officer to maximise participation in the election process.
2. An elector shall be required to prove their identity before being issued a ballot paper and allowed to vote and must be checked off a list of enrolled students provided by the institution.

#### **After the Election**

1. The 'Count' shall take place in accordance with the Rules outlined by the Electoral Reform Society immediately after the closing of polling.
2. Votes shall be counted or the count supervised, by the Returning Officer or their nominee who may appoint a sufficient number of tellers to assist in the count. No teller shall serve in the same election in which that person is a candidate. The candidates and one person nominated by each of the candidates shall be entitled to be present. No other person shall be present without the express permission of the Returning Officer or their nominee.
3. Results shall be announced once all objections have been resolved and at the discretion of the Returning Officer. No announcement regarding the elections of the candidates may be made without the permission of the Returning Officer.
4. Objections or complaints to the procedure, result or any other aspect of any NSU elections must be made in writing to the Returning Officer or their nominee not later than two working days after the result(s) have been published, and objections raised after this time will not be considered. The Returning Officer or their nominee may consider objections at any time during the election and need not necessarily wait until voting has been completed.
5. Objections or Complaints shall be published in writing by the Returning Officer or their Deputy on the NSU Website. The Returning Officer's decision shall be final and binding.

## Disciplinary and Disqualification

1. No candidate or other person shall make or cause to be made deliberate misrepresentation of other candidates either verbally or on any publication or by any other means.
2. No candidates or any other person shall bribe, or attempt to bribe, any elector in any way whatsoever.
3. A candidate may be subject to disciplinary procedures including disqualification if they or someone acting on their behalf or for their benefit;
  - a. Bring NSU into disrepute;
  - b. Responsible for corrupt practice (as defined by the Returning Officer);
  - c. Disrupt elections;
  - d. Dishonest conduct;
  - e. Act to threaten, intimidate, deceive, coerce, collude, conspire or use force to interfere with the election process;
  - f. Falsify, deceive, deface or destroy any election material;
  - g. Artificially create an advantage that any other candidate cannot reasonably (as determined by the Returning Officer or their nominee) replicate;
  - h. Interfere in a vote or voting process; or
  - i. Act in a way that infringes the rules and regulations set out by the Returning Officer.
4. A candidate may be subject to disciplinary procedures, including disqualification if they breach any Union or University policy or regulation.
5. If a candidate faces disciplinary, the procedures can be found outlined in Bye Laws F, Disciplinary Procedures for Members of Newman students' Union.

### **Complaints and Right of Appeal**

1. Complaints shall be made in writing to the Deputy Returning Officer. The Deputy Returning Officer shall investigate and aim to respond to any formal complaint within 48 hours.
2. There shall be a Right of Appeal for complaints, which shall be referred to the Returning Officer. The nature of any appeal to the Returning Officer shall only be based on whether the Deputy Returning Officer's decision was not:
  - a. Entirely based on appropriate regulations and/or;
  - b. Fair, proper and unbiased.
3. The Returning Officers ruling shall be final.

### **Society Elections**

1. Society elections shall take place at their respective Annual General Meeting (AGM). Each Society shall be given a dedicated slot to hold their AGM which shall be before the end of the Academic Year and at a time determined by the Societies Officer.
2. All Society elections shall be in accordance with the Society AGM guidelines.
3. The Society Officer shall review the guidelines on an annual basis.

## **BYE LAWS E**

### **SABBATICAL OFFICERS TERMS AND CONDITIONS OF SERVICE**

#### **Term of Office**

1. The term of office commences on 1 July and terminates on 30 June. A training period of one week shall normally be served by the Sabbatical Officer immediately prior to the commencement of their term of office. A Sabbatical Officer who begins their term of office later than 1 July will serve from the day of their election declaration until 30 June that academic year.

#### **Remuneration**

1. Remuneration shall be decided by the Board of Trustees on an annual basis providing it is in-keeping with any relevant Union policy.
2. Newman Students' Union reserves the right at any time during the employment, or in any event on termination, to deduct from salary any overpayment made and/or money owed to the Union by the Officer. This includes but is not limited to the cost of repairing any damage or loss of the Union's property or cash caused by the Officer.
3. The remuneration paid will be subject to Tax and National Insurance deductions.
4. Sabbatical Officers are not entitled to be remunerated for overtime. Time off in lieu (TOIL) is granted for extra hours worked and if recorded and authorised by the General Manager or Board of Trustees nominee.

#### **Hours of Work**

1. The normal working hours are 37 hours per week. However, Officers are expected to work the hours necessary to fulfil their roles.
2. Officers will be expected to log their hours, time taken in lieu and annual leave accordingly. This will be monitored by the Students' Union General Manager. Falsification of working hours will be considered to be gross misconduct.

## **Duties and Code of Conduct**

1. The duties of a Sabbatical Officer are as set out in the Terms of Reference outlined within Bye Laws A.
2. There shall be a Newman Students' Union's Code of Conduct for Sabbatical Officers. Breach of this code may result in disciplinary action as outlined within the Constitution and Bye-Laws.

## **Pension Scheme**

1. If you are between the age of 22 and State Pension Age and earn above the defined amount, you must be auto-enrolled into a workplace pension scheme. If you don't want to, you will need to opt out. Even if you don't meet these criteria, as long as you are aged between 16 and 74 you are entitled to join a workplace pension scheme if you want to.
2. Newman Students' Union will automatically enrol all eligible Officers into the UK Government's Pension Scheme known as NEST.

## **Trade Union Membership**

1. Newman Students' Union confirms the rights given under the Employment Protection (Consolidation) Act 1978 for Sabbatical Officers to belong to a Trades Union of their choice, to take part in its activities at an appropriate time and to seek and hold office in it.

## **Expenses**

1. Newman SU will reimburse (against production of satisfactory receipts) all reasonable expenses wholly, exclusively and necessarily incurred by a Sabbatical Officer in the performance of your duties.
2. Any credit or charge card provided to a Sabbatical Officer by Newman SU must only be used for expenses properly incurred by the Officer in the performance of their duties. Abuse or misuse of any company credit or charge cards may result in disciplinary action being taken against the Officer.

## **Confidentiality and Return of Company Property**

1. Sabbatical Officers will not, except as authorised by Newman SU or as required by law or your duties, use, divulge or disclose to any person, firm or organisation, any client or other confidential or commercial information relating to the organisation, business, finances, clients, customers, dealings and affairs of Newman SU which may come to their knowledge during their term of office.
2. On the termination of an Officers employment, the end of their term of office or at Newman SU's request, Officers will immediately return to Newman SU all property belonging or relating to Newman SU that is in their possession or under their control. For the avoidance of doubt, this includes (but is not limited to) keys, security cards, etc. and all documents, records, correspondence, papers and other materials (and any copies thereof), whether in hard copy or in electronic or machine readable form, made or kept by, or provided to, them during their term of office. Officers will not retain any copies or extracts of such material.

## **Discipline and Grievances**

1. There are Disciplinary and Grievance Procedures set out within the Constitution and Bye Laws and within the Staff Handbook.



## **BYE LAWS F**

### **DISCIPLINARY PROCEDURES FOR MEMBERS OF NEWMAN STUDENTS' UNION**

#### **Introduction and Code of Conduct**

1. The Executive of NSU is responsible to its members for disciplinary action against members and/or student groups who breach policy, procedures, rules and regulations of NSU or who may otherwise bring NSU into disrepute. Therefore, the following procedures may be invoked when required to investigate allegations of misconduct by members and to determine any sanctions.
2. There shall be a Code of Conduct, approved by the Board of Trustees that sets out the expected behaviour of all members and affiliated groups when participating in any activity under the name of Newman Students' Union (Newman SU), both in-person or online.
3. The Code of Conduct shall provide details and examples of what is considered to be bullying and harassment, and shall also detail a non-exhaustive list of sanctions against the severity of the impact of the complaint.
4. The Code of Conduct shall be reviewed a maximum of every three years.

#### **The Principles of the Procedures**

1. The Disciplinary procedures shall follow the principles of natural justice: a member shall be considered innocent until proven otherwise; shall have the right to representation, call witnesses, cross examine and submit evidence. There shall also be the right of appeal.

#### **How the Procedure shall be used**

1. These procedures may be started by a complaint about a members' and/or student groups' behaviour, by any ordinary or associate member of the Union.
2. The General Manager (or nominee), who shall act as Secretary to the Disciplinary Committee, shall inform the member in writing that there shall be a disciplinary hearing normally 5 working days from the notification which the member shall be required to attend, stating the allegation(s), the date/time of the hearing and the right to representation and who shall hear the case, and provide the evidence collected in the investigation to the member at the same time.

3. This shall take place only after an investigation has been conducted by the General Manager (or nominee) and there is a legitimate case against the member. All issues shall be attempted to be resolved verbally prior to disciplinary procedures taking place.
4. Members must have attempted to resolve the issue amongst their selves, unless they have a legitimate concern for their immediate safety.
5. If members cannot resolve their issue informally amongst themselves, they will be required to attend an Informal Resolution Meeting. This shall be chaired by a member of staff or Executive Committee member agreed with the General Manager and/or President. Minutes should be taken from the meeting with an outcome of resolved or unresolved determined at the end, and agreed by all parties.
6. In circumstances where the General Manager (or nominee) considers the behaviour of a member to be a danger to him/herself, others and the reputation of NSU then the immediate exclusion from specified premises or services or rights shall be carried out without prejudice to a disciplinary hearing.
7. A Disciplinary Committee shall be convened for the stated date, time and venue. The Panel shall consist of one member of Student Forum, a Student Trustee and a member of the Executive Committee and shall be chaired by the Student Forum Chair. If no Student Forum Chair has been elected, the Panel shall include a further member of Student Forum and shall be chaired by the Executive Committee Member.
8. Where process cannot be legitimately be dealt with internally, where there are allegations of racism, or where the integrity of the process is at risk, NSU may seek an external chair of the panel.
9. In the case of a complaint against an individual, they shall be entitled to have an accompanying supporter.
10. The supporter may only speak with the permission of the Chair. A 'supporter' cannot be a member of staff because this may put them into a position of conflict of interest. The role of the friend is not to be an expert witness. The role of the friend is to act as an observer, give moral support and to assist the person to make their case (although they may only speak with the permission of the Chair). In addition, where reasonable adjustments are required, they may be accompanied by a supporter e.g. a sign language communicator or a note taker, and a student with difficulty in understanding English may be accompanied by an interpreter, at no cost to the Union.
11. In the case of a complaint against a student group, the entire committee will be invited to attend. In addition, where reasonable adjustments are required, they may be accompanied by a supporter e.g. a sign language communicator or a note taker, and a student with difficulty in understanding English may be accompanied by an interpreter, at no cost to the Union.

12. A Secretary to the Panel shall attend to record the proceedings and act as advisor to the Panel but shall not have a vote. This person shall be nominated by the General Manager.
13. The case against the member and/or student group shall be made by the investigator who shall normally be the General Manager (or nominee).
14. The hearing shall be confidential.

### **The Procedure for the Hearing**

1. The Chair of the Panel shall open the hearing stating the allegation(s) and the member and/or student group shall be invited to make a statement at this point.
2. The presenting staff member shall state the case against the member and/or student group, question the member, submit evidence and call witnesses as required.
3. The member(s) (or representative) shall have the right to question the presenting staff member, the evidence submitted and the witnesses.
4. The member(s) (or representative) shall then put the defence to the panel, call witnesses and submit evidence as required by the defence.
5. The presenting staff shall have the right then to question the evidence and the witnesses in defence.
6. The Panel may ask questions at any time of the member, the presenting staff, the witnesses and the evidence in order to clarify and may ask for further evidence or witnesses if required to assist in deciding the facts.
7. The presenting staff member shall then sum up and introducing no fresh evidence or argument. The defending member (or representative) shall then sum up introducing no fresh evidence or argument.
8. Either side may request an adjournment to the hearing which shall be granted by the Panel if it is thought helpful to the proceedings.
9. The member(s) (and representative) and presenting staff shall withdraw and the Panel shall decide if the allegation is proven and if any sanction shall be determined.
10. The member(s) (and representative) and presenting staff shall return to hear the decision of the Panel which shall be given by the Chair. The decision shall be confirmed in writing by the Chair of the Panel as soon as possible.

## **Sanctions**

1. The sanctions shall be set out in the Code of Conduct.

## **The Right of Appeal**

1. A member has the right to appeal only if fresh evidence is submitted or procedures were not carried out correctly.
2. The member(s) shall submit an appeal in writing to the Chair of Executive (or nominee) within 5 working days of receiving the Panel's written decision.
3. The Chair of Executive (or nominee) shall determine if there are grounds for an appeal and shall inform the appellant accordingly.
4. An appeal granted shall be heard by the Appeal Panel which shall consist of a member of the Student Forum, an Executive Committee Member and any Trustee, who were not involved in the case previously.
5. A Chair shall be nominated from and amongst the Appeals Panel.
6. The appellant(s) (or representative) shall present the case for appeal, fresh evidence, witnesses, etc.
7. A record of the hearing shall be made by a NSU staff member present acting as Secretary to the Appeals Panel.
8. The procedure shall allow for questioning of evidence and witnesses by the Chair of the Disciplinary Committee and the Appeals Panel members may ask questions for clarification.
9. The appellant(s) (and supporter) shall withdraw whilst the Appeals panel considers its decision.
10. The Panel Chair shall inform the appellant(s) of the Panel's decision which shall be confirmed in writing. This decision is final.
11. The sanctions against the appellant(s) shall remain in place until a successful Appeals Hearing.

## **Records of Hearings**

1. A confidential record of all hearings shall be maintained except where the allegation(s) is not proven or the Appeal Panel overturns the Student Disciplinary Hearing's decision and then all records of the case shall be destroyed.

## **BYE LAWS G**

### **PROCEDURE FOR COMPLAINTS AGAINST NSU**

#### **Introduction**

1. This procedure is for complaints against NSU by its members, the University, external agencies and members of the public. Complaints may be made against elected officers, representatives of NSU, staff of NSU, the services or any other aspect of NSU. (There is a separate procedure for complaints concerning the NSU Elections.)

#### **How to make a complaint**

1. NSU strives to resolve complaints as quickly as possible and in the first instance complainants are encouraged to discuss their complaint informally with either a sabbatical officer and/or the General Manager of NSU. If they do not wish to do so or still wish to make a formal complaint after informal discussions then it should be put in writing to the General Manager (or nominee).
2. The General Manager or nominee shall contact a member of staff from a partner Students' Union, with no link to the service, Officer or complaint who shall investigate, gather evidence and determine whether there is a case to be heard. The complainant shall receive a formal response normally within 10 working days.
3. If there is a case to be heard, the General Manager (or nominee) shall convene a formal meeting of a Complaints Panel to which the complainant shall be invited to put their complaint. This meeting shall be normally within 5 working days of the decision of the external investigator.

#### **Complaints Panel and Hearing**

1. The Complaints Panel shall consist of an Executive Officer nominated by the Chair of Executive and who shall have no connection with the service, officer or any other aspect of the complaint and the General Manager who shall likewise have no connection with the complaint, other than for the initial and informal conversation.

Where process cannot be legitimately be dealt with internally, where there are allegations of racism, or where the integrity of the process is at risk, NSU may seek external support for the panel.

2. The Complaints Panel shall be supported by a minute taker and a nominee of the General Manager.

3. The purpose of the Complaints Panel is to review the investigation notes made by the external investigator, and determine whether the complaint should be upheld, and what action should be taken.
4. The Complainant will be invited to attend the panel, and may bring a supporter.
5. The supporter may only speak with the permission of the Chair. A 'supporter' cannot be a member of staff because this may put them into a position of conflict of interest. The role of the friend is not to be an expert witness. The role of the friend is to act as an observer, give moral support and to assist the person to make their case (although they may only speak with the permission of the Chair). In addition, where reasonable adjustments are required, a complainant may be accompanied by a supporter e.g. a sign language communicator or a note taker, and a complainant with difficulty in understanding English may be accompanied by an interpreter.
6. The Panel may ask the complainant further questions for clarification based on the investigation notes they have received.
7. A written record of the Hearing shall be maintained and a copy given to the complainant.
8. A written response to the complaint shall be sent to the complainant within 10 working days of the hearing.

### **Appeal to the Board of Trustees**

1. If the complainant is not satisfied with the outcome of the Complaints hearing, then the complainant has the right to submit a formal appeal to the NSU Board of Trustees which should be carried out within 20 working days of the receipt of the written response to the Complaints Panel outcome.
2. The Board of Trustees shall determine a Trustees' Appeals Panel of three individuals which shall not include any trustee who has previously heard the case or had any connection with the case.
3. The Trustees Appeals Panel shall invite the complainant to appear with their supporter to provide an overview of their appeal, submit any new evidence and clarify any questions that the panel may have.
4. The Trustees' Complaints Panel shall be supported by a minute taker.
5. The written response shall be sent within 10 working days of the hearing.
6. The decision of the Trustees' Complaints Panel shall be final.

## BYE LAWS H

### FINANCIAL REGULATIONS, SCHEDULES AND BYE LAWS

#### Introduction

1. The following provides a general introduction to the financial structure and principles of NSU. The set of principles below apply to all the operations of NSU and constitute the Financial Regulations.
2. NSU as a registered charity shall comply with the Education Act (1996) and the Charities Act (2006). The Board of Trustees shall have responsibility for the overall financial and legal compliance of NSU.
3. Amendments to these financial regulations shall require the approval of the Board of Trustees and following recommendations of the Executive Committee.
4. All members and staff of NSU shall abide by these financial regulations.
5. The operational responsibilities for finance rest with the Executive and it's Sub-Committee, which make recommendations to the Student Forum and the Board of Trustees.
6. The Finance Committee are responsible for a draft budget for the forthcoming year which is submitted to the Board of Trustees for approval.
7. The audited accounts shall be signed by the Chair of Executive and the General Manager of NSU and submitted to the Board of Trustees and then to the Annual General Meeting and the University Council for information.
8. Those staff and officers with responsibilities for budgets and expenditure shall be accountable to NSU via regular reporting to the Board of Trustees.

#### General

1. NSU's financial year shall commence on 1st August and end on 31st July in the following year.
2. The Board of Trustees will receive for approval by 30th April each year the Annual Budgetary estimates for NSU from the Finance Committee following recommendations from the General Manager. The Chair of Executive and General Manager shall then submit these to the University Council for information.



3. The Board of Trustees are responsible for ensuring the Union complies with all relevant laws and appropriate regulations.
4. The Board of Trustees shall ensure that NSU will not incur expenditure or enter into contracts that are inconsistent with charity law and relevant legislation.

#### **Accounts**

1. NSU shall keep accounts and accounting records in accordance with normal professional accounting standards.
2. The Finance Committee shall, on behalf of Executive, be responsible to NSU Board of Trustees for the keeping of accounts and shall exercise monitoring of all NSU finances.

#### **Audit**

1. If required, external auditors shall be recommended for appointment by the Board of Trustees and in compliance with legislation. The internal Auditor is appointed by the University and NSU shall fully participate.

#### **Budget Holders**

1. Budget holders are responsible for ensuring all expenditure should be in line with approved budgets.
2. Additional Expenditure to the approved budget must be sanctioned by the Finance Committee.

#### **Capital and Depreciation of Assets**

1. Assets are defined as a purchase that has a useful life of longer than one year and the cost is in line with the capitalisation threshold. This threshold will be determined by the Board of Trustees.

2. Equipment assets are subject to straight line (i.e. spread equally over the period) depreciation as follows:
  - a. General Equipment, furniture and fittings – 5 years
  - b. Vehicles, apart from Motor Coaches – 3 years
  - c. Computers and software – 3 years

### **Contracts**

1. No contract or financial agreement (e.g. leasing contract) may be entered into without specific authorisation given by the Board of Trustees.
2. All NSU contracts shall be signed by the Chair of Executive and the General Manager. The General Manager and appropriate Sabbatical Officer shall sign all contracts made in the name of NSU organised by a Society of NSU (e.g. sponsorship of a society).
3. Contracts for recurrent expenditure (e.g. electricity or maintenance of equipment) shall be made by the General Manager or their nominee following authorisation by the Board of Trustees.
4. Contracts for employment of staff shall be signed by the General Manager.
5. All contracts for capital works or equipment which entail a recurrent expenditure shall be submitted to the Board of Trustees for its approval.

### **Gifts, Benefactions and Donations**

1. The General Manager is responsible for maintaining records in respect of gifts, benefactions and donations made to NSU and initiating claims for the recovery of tax where appropriate.

### **Insurance**

1. NSU shall maintain appropriate insurance cover, to include employers' liability, public liability, interruption of business, fire/theft, and libel, as well as others which are considered prudent to safeguard NSU's assets and reputation.

### **Levels of Expenditure**

1. Individual Budget holders may sign off up to £500 without the written consent of the General Manager as the most senior member of staff.
2. The General Manager as the most senior budget holder may sign off up to £4000 without written consent from the Board of Trustees.

### **Ordering of Goods and Services**

1. Goods and Services may only be ordered in accordance with NSU Financial procedures.
2. Any member of NSU (including elected officers, and employees of NSU) or persons who purport to order goods and services on behalf of NSU in a manner not in accordance with the financial procedures shall render themselves personally liable for the cost of the goods or service.

### **Risk Management**

1. The Board of Trustees shall receive and review a risk register no less than every six months, this shall incorporate risks both financial and professional to NSU.

### **Security**

1. Employees and Officers and Budget Holders are responsible for maintaining proper security at all times for all buildings, stock, stores, furniture, cash etc under their control.
2. Data protection laws must be abided by all employees and officers at all times and applied to electronic and paper based information.

### **Stocks and Stores**

1. Stocks shall be stored in a safe and orderly fashion.
2. Any surpluses or deficiencies revealed by stocktaking shall be reported to the Board of Trustees and appropriate action taken where necessary.

### **Use of NSU Assets and Equipment**

1. The use of all NSU Assets and Equipment shall be for official use only. Any personal and private use shall only be allowed at the discretion of the Board of Trustees.

## **BYE LAWS I**

### **STAFF PROTOCOL**

#### **Introduction**

1. Newman University Students' Union employs staff and agrees the terms and conditions of employment. Staff provide advice and managerial expertise and are an important and valued resource.
2. Executive members alone are accountable for the work of the Union and members should not discuss staff or staff related matters at Union meetings.

#### **Role of the Executive and Individual Officers**

1. The Executive will not discuss individual staff members.
2. Executive Officers of the Union will not directly manage the work of individual staff members.
3. In the event that an elected officer wishes to change the priorities of a staff member they will see the General Manager in the first instance. This is not meant to prevent dialogue between officers and staff but it is essential that each staff member has one manager from whom they take direction.
4. In the event that an officer has a complaint concerning the behaviour of a member of staff they must not deal with it directly, but should report it to the Chair of Executive who will report it to the General Manager. The General Manager will investigate the issue and will decide whether or not to take the matter further. An appeal against this decision may be made to the Board of Trustees.
5. Elected Officers have a responsibility to ensure that under no circumstances will individual staff members be discussed other than at a meeting of the Board of Trustees. Staffing issues should be treated with strict confidentiality at all times and should never be the subject of Union publicity.

#### **Role of Staff**

1. Staff will not be involved in the democracy of the Union.
2. Staff will attend meetings as directed by the General Manager, but will act in an advisory capacity to the committee members.

3. Staff will not have the right to cast a vote under any circumstances. Staff should not contradict decisions made by elected officers or Union policy.
4. Staff should not communicate with any media concerning the Union, with the exception of designated staff who may contact the media on agreed issues with the express permission of the Chair of Executive and General Manager.
5. A staff member with a complaint against or a comment on the behaviour of an elected officer must not deal with it directly but should report it to the General Manager who will report it to the Chair of Executive. The Chair of Executive will investigate the issue and will decide whether or not to take the matter further. An appeal against this decision may be made to the Board of Trustees.
6. In the event that an individual member of staff or a group of staff have an issue with their employment, they should pursue it through the line management structure to the General Manager, who will in turn take whatever actions are necessary and prudent, within the terms and conditions appertaining to those staff.
7. Staff may consult with their Trades Union representatives at any time.
8. Staff involved in the day to day running of the Union may apply for associate membership and become members of societies or sports clubs.
9. The General Manager has the contracted authority to be responsible for all staffing matters. All members of the Staff and the Executive are required to respect this.

## BYE LAWS J

### ORGANISATION OF NEWMAN STUDENTS' UNION MEETINGS

#### Introduction

1. The following shall be the Standing Orders for chair, debate and procedures that shall apply to all Union Meetings.

#### General

1. All Ordinary Members of NSU may attend any Union Meeting unless specifically ordered from or excluded by the Chair of the meeting, and may participate in meetings subject to the provision of this Constitution.
2. Associate Members may attend and participate in NSU Meetings (with the approval of the meeting) but may not vote.
3. Non-Members of NSU may only attend NSU Meetings with the agreement of the Chair but shall not speak unless invited to do so by the Chair.
4. Appropriate alterations to these Standing Orders will be made for disabled members by the Chair.
5. Union policy will last for three years and will then lapse unless renewed by Student Forum or UGM/AGM. Student Forum will be notified of any policy due to lapse. If a Student Forum member objects to a policy lapsing then that member will speak in favour of renewing the motion. The renewal will then be open for discussion. A simple majority vote will be needed to renew it.

#### Rules of Meetings

1. Quorum for all Student Forum meetings shall be half of all filled voting positions plus one. Due to Sabbatical Officers not being allowed to vote at Student Forum meetings, they will not count towards the quorum of the meeting.
2. All meetings shall normally commence with apologies received, minutes of the last meeting and matters arising.
3. The Chair of the meeting (or their nominee) shall prepare the agenda.

4. Agenda items shall be submitted to the secretary to the committee no less than five working days before the meeting and with Union General Meetings motions shall be submitted to the Chair of Executive.
5. Notice of the meeting and the agenda shall be given no less than four working days before the meeting.
6. An amendment to a formal motion to Executive, Student Forum or Union General Meetings, shall be submitted no less than 2 working days before the meeting.

### **The Frequency of Meetings**

1. Student Forum shall be held at least once per term and at other times as determined by the Chair of Student Forum or their nominee.
2. Executive shall normally be held every three to four weeks during term time and at other times as determined by the Chair of Executive.
3. The Annual General Meeting (AGM) shall be organised by the Chair of Executive and the Chair of Student Forum, and held by the end of March each academic year.
4. Union General Meetings (UGM) shall be called with 10 working days' notice by not less than 30 ordinary members of NSU or by resolution of Student Forum.
5. Emergency meetings called for matters of urgency as follows:
  - a. Student Forum by the Chair of Student Forum or by written request of 15 members of Student Forum, or Executive within three working days.
  - b. Executive by the Chair of Executive or their nominee or by written request from three members of Executive within 3 working days.
  - c. A Union General Meeting (UGM) by a resolution of Student Forum or 30 ordinary members of NSU within 10 working days.
  - d. Emergency motions for Student Forum and AGM and UGMs may be submitted in writing to the Chair up to the start of the meeting and may be accepted for debate at the discretion of the Chair.



## **NSU Staff Attendance at Meetings and Closed Sessions**

1. NSU staff and others may be co-opted as non-voting members of sub committees and standing committees.
2. NSU staff may attend meetings at the discretion of the meeting.
3. Closed session meetings may be held or a part thereof when matters relating to staff or disciplinary matters relating to members are discussed.

## **Chair and Debate**

1. The Chair of Student Forum shall Chair all Student Forum and Union General Meetings. If the Chair is absent or relinquishes the Chair, it shall be taken by another member nominated by the Chair.
2. The Chair shall be the sole interpreter of Standing Orders and the Constitution subject to the right of any member to challenge their ruling as provided for in procedural motion.
3. The Chair shall keep the meeting in order. The Chair shall not participate in the debate. When the Chair speaks, all other members will be silent.
4. Those present must abide by all of the Union's rules and regulations.
5. The Chair must relinquish the Chair in order to address the meeting on anything other than conduct of the meeting, the Constitution, or these Standing Orders.
6. The Chair shall time order the agenda and shall set a time limit for specific parts of the agenda and the meeting as a whole, which shall not be exceeded.
7. No member of NSU may disrupt a meeting. In the event of a person doing so, the Chair shall caution the member. If the member persists, he/she shall be excluded from the meeting by the Chair, and may face disciplinary action.
8. Each motion shall require a proposer and a seconder. The proposer shall speak in favour of the motion. It shall then be open for discussion and may be withdrawn only with the consent of the meeting.
9. Members wishing to speak shall do so by raising their hand and addressing the Chair stating name and position, or course and year.
10. The Chair shall, if possible, alternate between speeches in favour and against.
11. Members may also ask a short factual question following any speech. The Chair may rule these out of order.
12. The proposer of any motion shall have the right to sum up the debate immediately before the vote is taken. A summation shall not introduce any new subject matter. In motions of censure or no confidence, the Officer in question shall have the right to summation.

13. With the exception of the procedural motions there shall only be one motion or amendment to a motion before the meeting at any one time. The first amendment to a motion shall be proposed immediately after the motion has been proposed.
14. In the event of any amendment being carried which is not accepted by the proposer of the original motion, the mover of the amendment shall become the proposer of that substantive motion.
15. An amendment shall inherit the same majority pass level needed to pass the original motion. When all amendments have been voted upon then the substantive motion shall be debated and voted upon.
16. The Chair shall have the power to rule motions or amendments as 'out of order' if they:
  - a. are submitted late
  - b. do not have a valid proposer and seconder
  - c. conflict with legislation or would require NSU to act in a way that would be considered ultra vires
  - d. conflict with the Constitution in any other way
17. The Chair shall notify the meeting of motions ruled out of order but they will not be discussed. These rulings may not be overturned.

### **Points of Order**

1. Points of Order have precedence over all other business, but they may not be raised during a speech or a vote unless relating to the conduct of that vote.
2. Any member may raise a 'Point of Order' by raising their hand. The member shall then give the point of order they wish to make. (There shall be no discussion upon, and no vote on, the raising of a point of order, it shall be the Chair's decision).
3. Points of Order shall have priority in the following order:
  - a. A call for a count of voting members present. (This may only be called for between agenda items).
  - b. A call for a Chair's ruling for an interpretation.
  - c. A request that a vote be formally counted or recounted.

## Procedural Motions

1. Procedural motions have precedence over all other business except points of order and may not be raised during a speech or the course of a vote unless relating to the conduct of that vote.
2. Procedural motions do not require a seconder.
3. All procedural motions require a simple majority of those voting. Members present at the meeting, there shall be no further discussion or vote on the matter.
4. The following procedural motions may be put (in order of priority):
  - a. No confidence in the Chair
  - b. Challenge to the Chair's ruling
  - c. To re-order the agenda
  - d. That a vote be by secret ballot. (This shall apply to main motions only, not to amendments, procedural motions or points of order)
  - e. That the meeting be adjourned or closed
  - f. That the motion now be put to a vote
  - g. That the matter be referred to a specified later time, later meeting or Committee for a decision
  - h. That the motion be voted in parts. (The parts to be separated shall be identified by the mover of this procedural motion followed by speeches for and against). Only main motions and amendments may be voted in parts not procedural motions or points of order
  - i. To suspend one or more Standing Orders for the duration of the whole or part of a meeting
5. If procedural motion a) or b) is put, the Chair shall hand the Chair to another member of Student Forum. The proposer shall propose the motion, the person who has relinquished the Chair shall reply and the matter will be put straight to a vote. In the event of a) being passed, the Chair shall not resume the Chair during the meeting.
6. If procedural motion c) to i) is put, there will be one speech for and one against. The meeting will then move straight to a vote.

## **Voting**

1. Voting shall be by electronic system or by show of hands, a simple majority shall be required in all cases, except where there is a motion of no confidence or a proposed amendment to the NSU Constitution, and the Chair may, if he/she considers the result to be clear, declare the motion passed or failed without a specific count. A member may object to this through raising point of order.
2. The Chair shall appoint tellers for a formal count at the start of the meeting.
3. The Chair shall have the casting vote in the case where a vote is tied.

## **Points of Information**

1. 'Points of Information' may be raised by any member holding up their hand. If the member holding the floor makes no indication of giving way, the member who raised the point of information must sit down immediately.

## BYE LAWS K

### TERMS OF REFERENCE AND MEMBERSHIP OF OTHER NEWMAN STUDENTS' UNION COMMITTEES

#### Introduction

1. There shall be the Standing Committees of NSU as required by the Executive Committee.
2. Other Committees are created to further promote dialogue between members and the Executive about the operation of different aspect of the Union.
3. Other Committees may include:
  - a. Societies Committee;
  - b. Sports Committee; or
  - c. Any other Committee deemed appropriate by the Executive Committee

#### Terms of Reference for all Standing Committees

1. Committees shall keep Minutes and supply written reports to the Executive after each meeting, highlighting actions taken.
2. Committees shall review its Terms of Reference and Membership annually.
3. The Chair shall act as convenor.
4. Committees shall meet a minimum of once per month during term time unless otherwise stated in the Terms of Reference.
5. There shall be five working days' notice to all its members.
6. Quorum shall be one third of filled voting members plus one.
7. Committees shall be open to Ordinary Members, with speaking rights, at the discretion of the Committee.
8. Members who are absent from two consecutive meetings or from three throughout the year, without apologies, will forfeit their membership
9. Committees shall liaise with other NSU Committees where appropriate

10. Committees advise and make recommendations to the Executive Committee..
11. Committees shall present written reports to the Executive Committee.
12. Committees shall consider other matters that the Executive Committee may from time to time consider appropriate.

**BYE LAWS L**  
**REGULATIONS FOR SOCIETIES**

**General Regulations for Societies**

1. Ratified Societies can benefit from the following:
  - a. Receiving any relevant funding from the Union's central budgeting process;
  - b. Staff expertise and support;
  - c. Use of Union contacts and quotes;
  - d. Use of Union and University Facilities; and
  - e. Reasonable use of resources.
2. Any member who has not opted out of the Students' Union can join a Society.
3. The Students' Union shall have an up-to-date list of all Society Members that includes:
  - a. Their name;
  - b. Their Newman email address;
  - c. Any relevant health information that may affect their ability to take part in the Society, and for risk assessment purposes.
4. All societies must be open for any student to join.
5. All Societies must have at least five (5) members at all times.
6. All societies must have three (3) to five (5) committee members. This number should be outlined in the Societies Constitution.
7. All Committees must include:
  - a. A Chair; and
  - b. A Treasurer (who shall act as Deputy Chair)
8. Other Committee positions are at the discretion of the Society and can include but not limited to:
  - a. Social Secretary;
  - b. Secretary; or
  - c. Committee Member.
9. All Societies shall only operate once they have been ratified by a quorate Executive Committee Meeting and after the Chair and Treasurer have both attended Society Training.

### **Starting a Society and Society Constitutions**

1. There shall be a simple Society Start-up form that shall be the Constitution for the Society. This shall include:
  - a. The name of the Society;
  - b. The purpose of the Society;
  - c. A list of at least five (5) founding members;
  - d. A list of committee members and their signatures;
  - e. An agreement that the Society shall hold an AGM and election annually;
  - f. A statement that the Society shall abide by the regulations outlined within this By-Law.
  
2. This form shall be renewed annually by the incoming Committee during Society Training/Conference.

### **Responsibility of the Committee**

1. The Committee shall be responsible for:
  - a. The smooth and active running of the Society;
  - b. Reviewing the objectives of the Society as part of the Constitution, recommending any changes to the members of the Society;
  - c. Ensuring that all members are paid and have submitted their details to the Students' Union;
  - d. Ensuring that the times, dates and locations of their Society activities are well advertised;
  - e. Resolving issues within the Society as quickly and professionally as possible;
  - f. Ensuring that all relevant paperwork for events and grant submissions are completed properly and in full;
  - g. Attending all applicable Students' Union training and meetings, such as Student Forum; and
  - h. Ensuring that they are aware of their responsibilities and to ask the Students' Union if they require help on any of the above.

### **Society Annual General Meetings**

1. All Societies shall hold an Annual General Meeting where a new Committee shall be elected.
2. This should be held at a time and date that is suitable for the majority of members to attend.
3. Quorum for members to meet a proposed motion shall be 50% + 1 of the total paid membership where:



- a. At least 25% +1 of the membership are physically present with the rest of the voting members, making up to 50% + 1 of the members, have voted by email;
  - b. Email votes are received in advance, and at least one hour before the start of the AGM and before 3pm to ensure that staff have time to check;
  - c. All proxy votes shall be sent directly to the Membership Services Coordinator (Activities) or nominee.
4. All AGMs should be complete before the end of the academic year.

### **Attendance at Student Forum**

1. As some of NSU's most engaged students, Societies play a vital role in the democracy of the Students' Union.
2. Society Chairs are automatically members of Student Forum, and are required to attend meetings throughout the year, of which there are usually four.
3. If a Society Chair cannot attend a Forum, they are able to send the Treasurer (who shall be Deputy Chair) in their place. The Chair of Student Forum should be informed of this prior to the start of the meeting.
4. If either the Chair or Treasurer cannot make the meeting, then apologies should be sent to the Chair of Forum.
5. If the Chair or Treasurer does not attend two forums in one academic year without sending apologies, then they shall automatically be removed from their position, resulting in the Society being frozen.
6. All members of Student Forum are expected to engage and contribute to the discussion and topics in Student Forum.
7. Chairs and Treasurers shall receive training on Student Forum.

### **Frozen and Disbanded Societies**

1. The Executive Committee have the right to freeze a Society for the following reasons:
  - a. A full committee as outlined in the Society Constitution is not in place;
  - b. There are less than five (5) paid members of the Society
  - c. A Society fails to follow Students' Union Policy and Procedures; or

2. A society shall remain frozen until the issue that prevents them operating has been resolved and evidence has been ratified at a quorate Executive Committee meeting.
3. While a Society is frozen, they will not be able to access the benefits of a Society as outlined in General Regulations for Societies, point 1. Frozen Societies shall also be prevented from spending any funds held in the Society account.
4. If a Society has been frozen for two academic years, the society shall be disbanded entirely.
5. All funds held in a disbanded Society's account shall be used for the purpose of supporting other Societies.

### **Finance**

1. NSU shall hold "accounts" for Societies, of which the Chair and Treasurer of a fully functioning Society shall have access to.
2. Societies shall be expected to raise funds through memberships and fundraising.
3. There shall be a Society Incentive Scheme from the Students' Union central budget that shall be available to Societies for the purpose of development.
4. This grant shall be awarded to societies in January by a panel consisting of the Societies Officer, Vice-President and the Membership Services Coordinator (Activities).
5. The Society Incentive Scheme has three awarding levels:
  - a. Bronze
  - b. Silver
  - c. Gold
6. Each level that is awarded to societies will receive a set amount of money, which will be determined at the start of each academic year according to the grant that is allocated from the central funds as part of the annual budgeting process.
7. Societies shall be notified of how much each awarding level is worth by the end of September of each academic year.
8. Societies shall be given the assessment tiers at the start of the academic year, so they can know how the panel will decide the awarding levels.
9. All Society Incentive Scheme award making decisions shall be final.

## **Complaints**

### **Complaints against a member of a Society**

1. Complaints against the behaviour of a member within a Society from the public or from the wider student population should follow the Disciplinary procedure for Members of Newman Students' Union as outlined in Bye-Law F and the Members Code of Conduct.

### **Vote of No Confidence in a Committee Member**

1. If a member is unhappy with the behaviour of a committee member of a Society, they have the right to submit a motion of no confidence against the committee member.
2. A vote of no confidence shouldn't be taken lightly, and should only be used as a last resort to solving an issue.
3. For a vote of no confidence, a member is required to have a petition signed by at least 2/3s of the total confirmed membership of the Society. The petition should clearly include:
  - a. Why the members feel that they have no confidence in the committee member to fulfil their role;
  - b. What attempts there have been to resolve the matter informally;
  - c. The name of the person signing;
  - d. The student email address of the person signing; and
  - e. The signature of the student signing the petition.
4. A successful petition should be sent to the Societies Officer, or if one is not elected or available, the Vice-President who shall inform the Chair of the Society that an Emergency AGM should take place within the Society.
5. For the purposes of a Vote of No Confidence, the following Quorum rules shall supersede the quorum of a regular AGM;
  - a. The Quorum of the meeting shall be 2/3s of the membership, and the meeting shall be chaired by the Societies Officer (or nominee); and
  - b. Only paid members at the time of the motion being submitted shall be entitled to attend the EGM and count to quorum.
6. The person submitting the motion of no confidence shall make an opening statement as to why they have brought this forward. This should contain factual evidence where applicable.
7. The committee member in question will have an opportunity to make a statement against the motion.

8. There will be opportunities for members to speak for and against the motion, and ask questions to both the presenting member and the committee member in question.
9. The presenting member shall summarise, bringing no further evidence or statements than those that have already existed.
10. The Chair shall hold a secret ballot of which a 2/3s majority shall be required to pass.
11. In the event of the motion passing, the committee member shall still be entitled to remain a member of the Society, but shall instantly vacate their position on the committee.
12. Following a vote of no confidence, the Society shall be frozen until a new committee member has been elected following NSU's usual Society election processes.

### **Reviewing the Society Regulations**

1. The Societies Officer and Vice-President, with the support of Union staff shall be responsible for reviewing the Society Regulations annually.

## BYE LAWS M

### FREEDOM OF SPEECH

1. NSU has a duty to ensure that all members, formally recognised societies and groups of members have the right to the freedom of speech within NSU as far as reasonable within the law and they shall not be denied any facilities or entitlement on the grounds of their beliefs.
2. NSU recognises University policy for external speakers and agrees to follow all procedures.
3. The Executive Committee shall have their own procedure for all external speakers and visitors due to its political nature.
4. The Executive may deny the use of its facilities and services where there may be the following circumstances:
  - a. A speaker or person involved in a meeting, event or activity will incite others to commit a criminal act(s);
  - b. Views may be expressed that are contrary to criminal law;
  - c. The event or activity may appear to be in direct support of an organisation which is itself unlawful;
  - d. The event or activity may be conducted in such a way as to render NSU or the University liable for damages, creating a nuisance or prosecution for failing to carry out its duties for health and safety;
  - e. There is a reasonable belief that the event or activity will lead to injury or damage to property and it is not reasonable to allow the event to proceed;
  - f. The event or activity may lead to a breach of the peace;
  - g. The member or groups of members have deliberately misled or sought to deceive NSU as to the nature of the event and those involved.
5. The NSU Board of Trustees shall be informed in writing of the Executive decision to deny the right to NSU premises, facilities, entitlements and services to any member or group of members.
6. Where the use of University premises or services are denied to a member or society or group of members by NSU then the Executive shall inform University of the grounds for its decision.