

1. Membership

1.1 Ordinary Membership

The following persons shall be eligible:

- a) Any person currently matriculated on a course delivered at or through Heriot-Watt University at the following campuses:
 - i) Edinburgh
 - ii) Scottish Borders Campus
 - iii) Orkney
 - iv) Any such other campus as determined by the Trustee Board
- b) Ordinary Members shall have the rights to full membership of the Union. Ordinary Membership is the only category of membership that has the right to participate in the Union democratic processes. For the avoidance of doubt, unless otherwise stipulated, the Members referred to in these Bye Laws shall mean Ordinary Members only.

1.2 International Membership

- a) Any person currently matriculated on a course delivered at or through Heriot-Watt University at the following campuses:
 - i) Dubai
 - ii) Malaysia
 - iii) Any such other campus as determined by the Trustee Board
- b) International Members shall be entitled to entry to the Union facilities and access to Union services. International Members are not entitled to participate in Union democratic processes.

1.3 Membership opt out

- a) Any persons outlined in 1.1 or 1.2 who does not wish to be a Member of the Union shall be entitled to opt out by way of writing to the President.

1.4 Honorary Membership

The Union may grant Honorary Membership to any person or persons who have made a significant contribution in furtherance of the aims of the Union. Honorary Membership may be granted by the Trustees on the recommendation of the Executive.

1.5 Life Membership

The following persons shall be eligible, on payment of a single subscription at a rate determined by the Trustees, for Life Membership:

- a) Any person, in receipt of a degree or diploma of the University, after successful completion of a course of study at the University;
- b) Any person whose nomination for Life Membership is approved by resolution of Trustees.

The Executive may confer Life Membership upon persons who have contributed significantly to the aims of the Union. Such a membership shall be granted if passed by at least two-thirds of those Trustees present and voting.

1.6 Associate Membership

The following persons shall be Associate Members of the Union

- a) Members of the University Staff

The following persons shall be eligible, on payment of an annual subscription at a rate to be determined by the Trustees, for Associate Membership:

- a) Matriculated students who have exercised their right under section 22(2) (c) (i) of Part II of the Education Act 1994 not to be Ordinary Members.
- b) Matriculated students of such colleges of further education as may be approved by Trustees.
- c) Spouses of members of the Union
- d) Such other categories of person as Trustees may approve.

1.7 Reciprocal Membership

The Union may enter into, amend, suspend or terminate reciprocal agreements with other organisations for the mutual benefit of members. The Union may as part of such an agreement, and where it is permitted under the Licensing (Scotland) Act (1), admit members of the reciprocal organisation as Reciprocal Members of the Union subject to such limitations as maybe agreed.

1.8 Eligibility of Membership

In the case of any person being eligible for two or more categories of membership, they shall be deemed to hold Ordinary, International, Honorary, Life, Associate or Reciprocal Membership in that order of preference.

1.8 Petitions by members

For the purposes of these Bye-Laws a petition or nomination signed by members of the Union, must in addition bear the name and matriculation number of each signing member.

2. Office Bearers

2.1 The Executive Committee

There shall be ten members of the Executive Committee and shall be made up of the following persons:

- a) The four Sabbatical Officers of the Union with the President acting as Chair of the Executive Committee
- b) Executive Officer (Scottish Borders Campus) who shall be elected from and by Ordinary Members at the Scottish Borders Campus
- c) Executive Officers with remits for Academic; Activities; Equality and Diversity; Events and Welfare

The Executive Committee of the Union shall meet at least four times per semester. The President or their nominee shall be responsible for calling an Executive Committee meeting. Any member of the Executive shall have the right to request a meeting of the Executive Committee. The quorum for Executive meetings shall be five and such quorum must include at least one Sabbatical Officer.

Executive Officers shall have deemed to have resigned if they do not attend two consecutive meetings of the Executive and does not submit apologies in advance. For this Clause to be invoked, it must be shown that there have been at least 5 calendar days' notice given before the Executive Meeting has taken place in each case. An Executive Officer who is deemed to have resigned under this clause may appeal in writing to the Trustee Board whose decision shall be final.

2.2. President

Who shall be a Sabbatical Office-Bearer, Trustee and Director, responsible for:

- a) Promoting the aims of the Union and the interests of its members, through representations to the University and external bodies;
- b) Ensuring that the Executive Committee and other elected Officers are representing members effectively;
- c) Coordinating the work of student representation at UK and international campuses;
- d) Working with International Presidents; SBC VP; the Academic Executive Member, Postgraduate Officer, School Officers and Class Representatives in the UK to deliver academic representation across all levels of the university that enhances the student experience;
- e) Actively encourage sustainability within the union and university, promoting sustainable policy and practice within the student body;
- f) Actively engage with and listen to our members and coordinate union policy and projects to meet the needs of our members;
- g) Ensuring the Union communicates and informs our members on the work of the Union

- and issues affecting students' rights;
- h) Supporting and developing the elected officer team and union volunteers;
- i) Managing the democratic policy making processes of the Union with particular focus on academic and global student community;
- j) Coordinating and delivering effective campaigns that achieve positive change for students;
- k) Managing internal and external stakeholder networks including politicians, media, and the general public; and
- l) Working with the Chief Executive Officer to ensure that the policy and direction of Union finances, personnel and the central resources of the Union are fit to meet the needs of our members.
- m) Acting as Delegation Leader for NUS Scotland and NUS National Conferences
- n) Promotion of equal rights and opportunities for members of the Student Union
- o) Such other matters as shall be agreed by the Executive from time to time.

2.3. Vice President Community

Who shall be a Sabbatical Office-Bearer, Trustee and Director, responsible for:

- a) Deputising, with the consent of the President;
- b) Promoting the aims of the Union and the interests of its members, through representations to the University and external bodies;
- c) Ensuring that the Executive Committee and other elected Officers are representing members effectively;
- d) Coordinating the work of student activities such as Halls, RAG, Societies and volunteering;
- e) Coordinating a programme of student events that meet the needs of a diverse range of students and enhances the student experience, working with other university stakeholders such as the Sports Union and Chaplaincy;
- f) Supporting the Activities and Events Executive Members; Postgraduate and Activities Officers; Society President; Events Crew and other Union volunteers to deliver student activities across all UK campuses;
- g) Actively encourage sustainability within the union and university, promoting sustainable policy and practice within the student body;
- h) Actively engage with and listen to our members and coordinate union policy and projects to meet the needs of our members;
- i) Ensuring the Union communicates and informs our members on the work of the Union and issues affecting students' rights;
- j) Supporting and developing the broader elected officer team and union volunteers
- k) Managing the democratic policy making processes of the Union, with particular focus on activities and events;
- l) Coordinating and deliver effective campaigns that achieve positive change for students
- m) Promotion of equal rights and opportunities for members of the Student Union; and
- n) Such other matters as shall be agreed by the Executive from time to time.

2.4. Vice President Wellbeing

Who shall be a Sabbatical Office-Bearer, Trustee and Director, responsible for:

- a) Deputising, with the consent of the President;
- b) Promoting the aims of the Union and the interests of its members, through representations to the University and external bodies;
- c) Ensuring that the Executive Committee and other elected Officers are representing members effectively;
- d) Coordinating the work of the Union welfare services such as the Advice Hub and awareness raising activities;
- e) Actively encourage sustainability within the union and university, promoting sustainable policy and practice within the student body.
- f) Supporting the Welfare and E&D Executive Members; E&D Officers; Welfare volunteers and other Union volunteers to deliver services that meet the needs of a diverse range of students and enhances the student experience, working with other university stakeholders such as the Sports Union and Chaplaincy;
- g) Actively engage with and listen to our members and coordinate union policy and projects to meet the needs of our members;
- h) Ensuring the Union communicates and informs our members on the work of the Union and issues affecting students' rights;
- i) Supporting and developing the broader elected officer team and union volunteers
- j) Managing the democratic policy making processes of the Union, with particular focus on students in activities and events;
- k) Coordinating and deliver effective campaigns that achieve positive change for students
- l) Promotion of equal rights and opportunities for members of the Student Union; and
- m) Such other matters as shall be agreed by the Executive from time to time.

2.5. Vice President Scottish Borders Campus (SBC)

Who shall be a Sabbatical Office-Bearer, Trustee and Director, responsible for:

- a) Promoting the aims of the Union and the interests of its SBC members, through representations to the University and external bodies;
- b) Ensuring that the Executive Committee and other elected Officers are representing members effectively;
- c) Coordinating the work of student representation and activities at the Scottish Borders Campus;
- d) Working School Officers and Class Representatives and volunteers in SBC to deliver representation across all levels of the university that enhances the student experience;
- e) Actively encourage sustainability within the union and university, promoting sustainable policy and practice within the student body.
- f) Actively engage with and listen to our members and coordinate union policy and projects to meet the needs of our members;
- g) Ensuring the Union communicates and informs our members on the work of the Union

- and issues affecting students' rights;
- h) Supporting and developing the broader elected officer team and union volunteers
- i) Managing the democratic policy making processes of the Union , with particular focus on SBC activities;
- j) Coordinating and deliver effective campaigns that achieve positive change for students;
- k) Promotion of equal rights and opportunities for members of the Student Union; and
- l) Such other matters as shall be agreed by the Executive from time to time.

2.6.Executive Officers

2.6.1. Executive Officer (Academic)

Who shall be a volunteer officer, responsible for:

- a. Promoting the aims of the Union and the interests of its members, through representations to the University and external bodies.
- b. Ensuring that the Sabbaticals and other elected Officers are representing members effectively;
- c. Supporting the work of the Union under the Academic remit (including but not limited to academic enhancement, school officers and class reps) to meet the needs of a diverse range of students and enhance the student experience
- d. Supporting the weekly sabbatical surgery times
- e. Actively encourage sustainability within the union and university, promoting sustainable policy and practice within the student body;
- f. Actively engage with and listen to our members and develop union policy meet their needs
- g. Ensuring the Union communicates and informs our members on the work of the Union and issues affecting students' rights
- h. Coordinating and delivering effective campaigns that achieve positive change for students
- i. Promotion of equal rights and opportunities for members of the Student Union
- j. Such other matters as shall be agreed by the Executive from time to time.

2.6.2. Executive Officer (Activities)

Who shall be a volunteer officer, responsible for:

- a. Promoting the aims of the Union and the interests of its members, through representations to the University and external bodies.
- b. Ensuring that the Sabbaticals and other elected Officers are representing members effectively;
- c. Supporting the work of the Union under the Activities remit (including but not limited to Halls, RAG and Societies) to meet the needs of a diverse range of students and enhance the student experience
- d. Supporting the weekly sabbatical surgery times

- e. Actively encourage sustainability within the union and university, promoting sustainable policy and practice within the student body;
- f. Actively engage with and listen to our members and develop union policy meet their needs
- g. Ensuring the Union communicates and informs our members on the work of the Union and issues affecting students' rights
- h. Coordinating and delivering effective campaigns that achieve positive change for students
- i. Promotion of equal rights and opportunities for members of the Student Union
- j. Such other matters as shall be agreed by the Executive from time to time.

2.6.3. Executive Officer (Equality and Diversity)

Who shall be a volunteer officer, responsible for:

- a. Promoting the aims of the Union and the interests of its members, through representations to the University and external bodies.
- b. Ensuring that the Sabbaticals and other elected Officers are representing members effectively;
- c. Supporting the work of the Union under the E&D remit (including but not limited to liberation) to meet the needs of a diverse range of students and enhance the student experience
- d. Supporting the weekly sabbatical surgery times
- e. Actively encourage sustainability within the union and university, promoting sustainable policy and practice within the student body;
- f. Actively engage with and listen to our members and develop union policy meet their needs
- g. Ensuring the Union communicates and informs our members on the work of the Union and issues affecting students' rights
- h. Coordinating and delivering effective campaigns that achieve positive change for students
- i. Promotion of equal rights and opportunities for members of the Student Union
- j. Such other matters as shall be agreed by the Executive from time to time.

2.6.4. Executive Officer (Events)

Who shall be a volunteer officer, responsible for:

- a. Promoting the aims of the Union and the interests of its members, through representations to the University and external bodies.
- b. Ensuring that the Sabbaticals and other elected Officers are representing members effectively;
- c. Supporting the work of the Union under the Events remit (including but not limited to day and evening events organised by the Student Union) to meet the needs of a diverse range of students and enhance the student experience

- d. Supporting the weekly sabbatical surgery times
- e. Actively encourage sustainability within the union and university, promoting sustainable policy and practice within the student body;
- f. Actively engage with and listen to our members and develop union policy meet their needs
- g. Ensuring the Union communicates and informs our members on the work of the Union and issues affecting students' rights
- h. Coordinating and delivering effective campaigns that achieve positive change for students
- i. Promotion of equal rights and opportunities for members of the Student Union
- j. Such other matters as shall be agreed by the Executive from time to time.

2.6.5. Executive Officer (Welfare)

Who shall be a volunteer officer, responsible for:

- a. Promoting the aims of the Union and the interests of its members, through representations to the University and external bodies.
- b. Ensuring that the Sabbaticals and other elected Officers are representing members effectively;
- c. Supporting the work of the Union under the Welfare remit to meet the needs of a diverse range of students and enhance the student experience
- d. Supporting the weekly sabbatical surgery times
- e. Actively encourage sustainability within the union and university, promoting sustainable policy and practice within the student body;
- f. Actively engage with and listen to our members and develop union policy meet their needs
- g. Ensuring the Union communicates and informs our members on the work of the Union and issues affecting students' rights
- h. Coordinating and delivering effective campaigns that achieve positive change for students
- i. Promotion of equal rights and opportunities for members of the Student Union
- j. Such other matters as shall be agreed by the Executive from time to time.

2.7 International Committee

The International Committee exists to share knowledge and good practice and facilitate joint working on university issues. The International Committee shall provide direct input to the Global Student Liaison Committee and University Court along with other University Committee's

as appropriate.

2.7.1 Membership

The International Committee shall be made up of:

- a) UK Student President
- b) UK Vice President Scottish Borders Campus
- c) Dubai Student President
- d) Dubai Student Council nominee
- e) Malaysia Student President
- f) Malaysia Student Vice President

2.7.2 The International Committee shall meet once per month via Skype. The Chair of the Committee shall operate on a rotating basis to be agreed by the Student President's annually. Quorum for the Committee shall be four.

2.7.3 Union staff may attend meetings of the International Committee at the request of the International Committee. Union staff shall offer administrative support to the Committee during the times when a Union elected officer is occupying the role of Chair.

2.7.4 A resolution may be passed by 50% of the Committee. Meaning that a minimum of three Committee Members must vote in favour of passing any resolution.

2.7.5 Policy passed at International Committee shall only become Policy of the Student Union by way of a two thirds majority vote by the Executive Committee.

2.8. International Presidents

There shall be an elected position of Student President at each international campus of Heriot-Watt University. The responsibilities of their role shall be determined by their own Bye-Laws which shall reference these Bye-Laws. The President shall work with the International Presidents under the Global student community remit to represent the international views to the university and external bodies in the UK.

International Presidents role on the Executive Committee shall be restricted to matters discussed at the International Committee and any other matters agreed by the Executive Committee

2.9. University Court

The Sabbatical Officers shall have specific remits as described above plus one Vice President of the Union shall be a member of University Court alongside the President.

The Executive Committee shall determine allocation of Court membership by a two thirds

majority vote. Should the Executive Committee not reach an agreement, the Vice President who received the most first preference votes in the election shall have first choice, then the Vice President who received the second highest first preferences votes shall have second choice.

2.10 Other Officers

2.10.1. Postgraduate Officer

Who shall be responsible for:

- a) Supporting the work of the Union around, but not limited to, the academic and events Sections
- b) Increasing participation of postgraduate students in Union activities.
- c) Representing postgraduate students in academic matters
- d) Assisting in the creation of a social programme for postgraduate students.
- e) Representation, campaigns, and the provision on information and advice on all matters affecting postgraduate students;
- f) Liaising with outside bodies on issues affecting postgraduate students;
- g) Supporting and developing the Postgraduate Society to help achieve the above aims;
- h) Actively encourage sustainability within the union and university, promoting sustainable policy and practice within the student body;

2.10.2. Black, Asian & Minority Ethnic Officer

Who shall be responsible for:

- a) Supporting the work of the Union around, but not limited to, the E&D Section
- b) Representation, campaigns and the provision of information and advice of all matters affecting Black, Asian & Minority Ethnic Students;
- c) Scrutinising both the Union and the University Equal Opportunities policies to protect the rights of and promote the involvement of Black, Asian & Minority Ethnic Students; ensure that the Equal Opportunities policy is properly implemented at all times;
- d) Encouraging an atmosphere within the University which allows Black, Asian & Minority Ethnic students to be treated equally;
- e) Ensuring that the Union engages in the democratic processes of the NUS and NUS Scotland Black Students' Campaigns, for example, submitting motions and/or sending delegates to conference;
- f) Running appropriate campaigns specific to Black, Asian & Minority Ethnic Students;
- g) Convening regular meetings for Black, Asian & Minority Ethnic students interested in the Black, Asian & Minority Ethnic Students' Campaign to assist them in their work;
- h) Actively encourage sustainability within the union and university, promoting sustainable policy and practice within the student body;

2.10.3. Disabled Students' Officer

Who shall be responsible for:

- a) Supporting the work of the Union around, but not limited to, the E&D Section
- b) Representation, campaigns and provision of information on all matters affecting Disabled students;
- c) Scrutinising both the Union and the University Equal Opportunities policies to protect the rights of and promote the involvement of Disabled Students; ensure that the Equal Opportunities policy is properly implemented at all times;
- d) Work with the NUS and NUS Scotland Disabled Students' Campaigns;
- e) Encouraging an atmosphere within the University which allows Disabled students to be treated equally;
- f) Ensuring that the Union engages in the democratic processes of the NUS and NUS Scotland Disabled Students' Campaigns, for example, submitting motions and/or sending delegates to conference;
- g) Running appropriate campaigns specific to Disabled students;
- h) Convening regular meetings for Disabled students interested in the Disabled Students' Campaign to assist them in their work;
- i) Actively encourage sustainability within the union and university, promoting sustainable policy and practice within the student body;

2.10.4. International Officer

Who shall be responsible for:

- a) Supporting the work of the Union around, but not limited to, the E&D Section
- b) Increasing the participation of International students in Union activities;
- c) Representation, campaigns, and the provision of information and advice on all matters affecting International Students;
- d) Creating a structure within the Students Union to encourage the expression of International students' views;
- e) Assisting in the creation of a social programme for International students;
- f) Liaising with outside bodies on issues affecting International students;
- g) Actively encourage sustainability within the union and university, promoting sustainable policy and practice within the student body;

2.10.5. Lesbian, Gay, Bisexual and Queer + (LGBQ+) Officer

Who shall be responsible for:

- a) Supporting the work of the Union around, but not limited to, the E&D Section
- b) Representation, campaigns and the provision of information and advice of all matters affecting LGBQ students;
- c) Scrutinising both the Union and the University Equal Opportunities policies to protect

- the rights of and promote the involvement of LGBTQ students; ensure that the Equal Opportunities policy is properly implemented at all times;
- d) Work with the NUS and NUS Scotland LGBT Campaigns;
 - e) Ensuring that the Student Union engages in the democratic processes of the NUS and NUS Scotland LGBT Campaigns, for example, submitting motions and/or sending delegates to conference;
 - f) Running appropriate campaigns specific to LGBTQ students;
 - g) Convening regular meetings for students interested in the LGBTQ Campaign to assist in their work;
 - h) Actively encourage sustainability within the union and university, promoting sustainable policy and practice within the student body;

2.10.6. Trans Officer

Who shall be responsible for:

- a) Supporting the work of the Union around, but not limited to, the E&D Section
- b) Representation, campaigns and the provision of information and advice of all matters affecting Trans students;
- c) Scrutinising both the Union and the University Equal Opportunities policies to protect the rights of and promote the involvement of Trans students; ensure that the Equal Opportunities policy is properly implemented at all times;
- d) Work with the NUS and NUS Scotland Trans Campaigns;
- e) Ensuring that the Student Union engages in the democratic processes of the NUS and NUS Scotland Trans Campaigns, for example, submitting motions and/or sending delegates to conference;
- f) Running appropriate campaigns specific to Trans students;
- g) Convening regular meetings for students interested in the Trans Campaign to assist in their work;
- h) Actively encourage sustainability within the union and university, promoting sustainable policy and practice within the student body;

2.10.7. Women's Officer

Who shall be responsible for:

- a) Supporting the work of the Union around, but not limited to, the E&D Section
- b) Representation, campaigns and the provision of information and advice of all matters affecting women students;
- c) Scrutinising both the Union and the University Equal Opportunities policies to protect the rights of and promote the involvement of women; ensure that the Equal Opportunities policy is properly implemented at all times;
- d) Work with the NUS and NUS Scotland Women's Campaigns;

- e) Encouraging an atmosphere within the University which allows women students to be treated equally;
- f) Ensuring that the Student Union engages in the democratic processes of the NUS and NUS Scotland Women's Campaigns, for example, submitting motions and/or sending delegates to conference;
- g) Running appropriate campaigns specific to women students;
- h) Convening regular meetings for women students interested in the Women's Campaign to assist their work;
- i) Actively encourage sustainability within the union and university, promoting sustainable policy and practice within the student body;

2.10.8. Charities Officer

Who shall be responsible for:

- a) Supporting the work of the Union around, but not limited to, the Activities Section
- b) The overall organisation of all charities events and the delegation of any aspects of this organisation;
- c) Representing and liaising with outside bodies regarding charities work;
- d) Actively encourage sustainability within the union and university, promoting sustainable policy and practice within the student body;

2.10.9. Halls Officer

Who shall be responsible for:

- a) Supporting the work of the Union around, but not limited to, the Activities Section
- b) Increasing participation of halls residents in Union activities;
- c) Organising the election of Halls Reps;
- d) Supporting and developing the Halls Rep team;
- e) Representation, campaigns, and the provision on information and advice on all matters affecting halls residents;
- f) Liaising with the university on issues affecting halls residents;
- g) Actively encourage sustainability within the union and university, promoting sustainable policy and practice within the student body;

2.11 Complaints about an Officer of the Union

A complaint about the conduct or capability of an Elected Officer or Representative may be made by any Ordinary Member of the Students' Union.

A complaint must be made in writing and addressed to the President, stating the nature of the complaint, together with the name and contact details of the complainant. In the event

that the complaint being made is about the President, the complaint shall be made to the CEO

The Union operates an open policy for communication and consultation, and as such it is expected that in the first instance, problems and concerns will be raised and resolved informally.

All disciplinary matters regarding Elected Officers will be dealt with according to Heriot-Watt University Student Union Staff Disciplinary Procedure.

All disciplinary matters regarding Union Representatives will be dealt with according to the Student Disciplinary Procedures.

2.11.1 **Recalling a non-sabbatical Officer**

Non-Sabbatical Officers are subject to instant recall by either:

- a) a resolution passed by a two thirds majority vote at the General Meeting, provided that the recall motion had been on the published Agenda for that meeting in accordance with the Constitution and Bye Laws;
- b) a referendum passed in accordance with the process set out in the Constitution and Bye Laws

2.11.2 **Recalling a Sabbatical Officer**

A Sabbatical Officer, who is also an Officer Trustee, may be subjected to disciplinary proceedings for not acting in the best interests of the Student Union. A Sabbatical Officer is subject to recall by either:

- a) a resolution passed by a two thirds majority vote at the General Meeting, provided that the recall motion had been on the published Agenda for that meeting in accordance with the Constitution and Bye Laws;
- b) a referendum passed in accordance with the process set out in the Constitution and Bye Laws

In addition to the above, a Sabbatical Officer shall be instantly recalled if:

- c) The Sabbatical Officer has been absent without sufficient reason for a period of 1 week or more
- d) The Sabbatical Officer has breached a Union regulation with regard to their Conditions of Employment.

The Sabbatical Officer fails to attend two consecutive meetings of the Executive and does not submit apologies in advance. For this Clause to be invoked, it must be shown that there

have been at least 5 calendar days notice given before the Executive Meeting has taken place in each case.

For the avoidance of doubt, should a Sabbatical Officer commit an offence under 2.3.2c, d or e above, the Sabbatical will be instantly referred to the recall process.

Should one of the above be triggered, the Chief Executive Officer shall be required to deal with the matter in accordance with the Heriot-Watt University Student Union Staff Disciplinary Procedure: Gross Misconduct. The Sabbatical Officer has a right of appeal under the Disciplinary Procedures.

A Sabbatical Officer removed from their post shall also be removed from both their remunerated sabbatical position and as a Trustee.

2.11.3 Officers subject to recall

Any Officer recalled is ineligible for election to any Union post for the remainder of that academic year.

2.11.4 Censuring an Officer

The Executive Committee shall hold to account, with the power to censure, any person elected through either cross-campus election or itself. At least 5 days' written notice must be given of any Motion to Censure an Officer of the Union.

3. Democratic procedures

The Student Union will use the below process to continually listen and learn about what our members want and need from their university experience. The process shall form an evolving picture of our members and inform Executive Committee discussions and decisions.

This process shall be supplemented by a guidance document that will describe the process to administer these democratic procedures. The guidance document shall be published online alongside these Bye Laws but in themselves does not form part of these bye-laws.

3.1 Listen

Student Officers will facilitate and develop relationships between members, officers and staff. *Listen* aims to capture both 'targeted and informed' and 'untargeted and random' discussions so that the Executive Committee can make informed decisions for our members. To achieve this, Officers of the Union shall be required to:

- a) Plan and/or attend meetings with organised internal and external groups associated with the Union, for example School Officers or the Sports Union, when they are planned to take place
- b) Arrange meetings with Union volunteers, as per their responsibilities described in Section 2 of the Bye Laws, at least once per semester
- c) Ensure information from indirect communication, for example Social Media or suggestion boxes, is collated and presented during Discuss.

Sabbatical Officers shall coordinate and deliver opportunities to discuss topics with members within their sections and utilising formal and informal networks of officers and Union volunteers including, but not limited to, those mentioned in their responsibilities.

The Executive Committee Members shall support the Sabbatical Officer to coordinate *Listen* within, but not limited to, their own Section. In the absence of the Sabbatical Officer and with prior agreement, the Executive Committee Member shall coordinate *Listen* under their Section on behalf of the Sabbatical Officer.

3.2 Discuss

Discuss shall refine the information gained through *Listen* and offer the issues to the wider student body to debate through a variety of mediums.

The Sabbatical Officer and Executive Committee Members for each Section shall provide a report to summarise *Listen* under each Section. Preparation of the report shall be agreed in advance between Officers. The report shall be a standing item on each Executive Committee meeting. Executive are responsible for agreeing the issues to take forward to Questions and for preparing the Question for presentation to the Student Body.

Should the Executive Committee be unable to agree; a vote of a simple majority of those present at the meeting, provided it is quorate, shall stand. Should a vote not provide a simple majority, the President has a casting vote.

The agreed Questions shall be published online for a period of not more than 14 calendar days. The Student Body shall register their opinions on the issues by secret ballot.

3.3 Act

The outcome of Discuss shall be presented to the next available Executive Committee meeting and this shall be a standing item on the Agenda. The Executive Committee shall note the views expressed by the Student Body and agree any action as required including, but not limited to creating Union Policy.

The Executive Committee shall ensure that members are informed of the actions agreed as a result of views expressed by the student body within 7 calendar days of the meeting.

In cases where the Executive Committee decides to take action contrary to the majority view expressed by the student body, this must be placed on the Agenda of the next General Meeting under Reports for noting. The exception to this rule shall where a question has been set as an inconsequential or light hearted issue. In these circumstances, the Executive Committee does not require to report this to the next General Meeting.

3.4 Other Committees

- a) The Executive Committee shall have the power to establish Committees and Working Groups to assist in the running of the Union and the achievement of its Aims & Objectives;
- b) The role, remit and membership of Committees shall be determined by the Executive Committee and the mode of operation shall be determined by the Committee itself;
- c) Each Executive Officer is responsible for the Committees which fall within the remit of their particular Forum Zone.

3.5 General meetings

- a) General Meetings of the Union shall be an opportunity for all members of the Union to discuss a specific item of business;
- b) A General Meeting can be triggered by:
 - i) The Executive;
 - ii) A petition calling for one signed by at least 40 Ordinary Members of the Union;
- c) A General Meeting of the Union shall be recognised as a meeting that takes place either physically or virtually;
- d) A General Meeting of the Union shall only take place if at least 50 Ordinary Members are in attendance and/or vote;

- e) Virtual votes shall be conducted by secret ballot;
- f) General Meetings shall have the power to pass emergency policies of the Union. If passed, they will be enacted and upheld by the Executive Committee;
- g) General Meetings shall also have the Right to Recall any Officer of the Union. If a motion of 'No Confidence' is passed by a simple majority, the Officer shall be deemed to have resigned from their position with immediate effect.

3.6 Procedural Rules for Union Committees

The following rules shall apply as far as possible to all Union Committees:

- a) The quorum for Union Committees shall be one-third of the membership plus one unless otherwise stated in the Committee Membership;
- b) The Chair shall have a deliberative vote and a casting vote in the case of a tie;
- c) All Meetings shall be open to any member of the Union except that the Committee may move *in camera* to discuss staffing, financial or other issues of a confidential nature;
- d) Minutes shall be kept of all formal meetings. Copies of minutes shall be available for inspection by any member of the Union except for *in camera* decisions which shall be minuted separately.
- e) Any Officer may submit in writing a Procedural Motion to the Chair of the Executive Committee to request a vote of the Executive Committee to include all Officers of the Union and not just Executive Committee Members. The Procedural Motion must be given at least 48 hours in advance of an Executive Committee Meeting. The Chair of the Executive Committee shall place the Procedural Motion at the top of the Agenda and the Executive Committee shall vote by a simple majority whether to pass the Procedural Motion or not.

4. Proceedings of Trustees

4.1 Trustees' meetings

- a) The Trustees shall hold a minimum of four meetings in any Academic Year;
- b) Two Trustees may, and the Chief Executive at the request of two Trustees, call a meeting of the Trustees;
- c) Guests or observers can attend meetings of the Trustees at the discretion of the Chair.

4.2 Length of notice

A Trustees' meeting shall be called by at least seven clear days' notice unless either:

- a) All the Trustees agree to shorter notice; or
- b) Urgent circumstances require shorter notice.

4.3 Contents of notice

Every notice calling a Trustees' meeting shall specify the place, day and time of the meeting and the general particulars of all business to be considered at such meeting.

4.4 Service of notice

Notice of Trustees' meetings shall be sent to each Trustee by post or by electronic communication along with any other papers relevant to the meeting.

4.5 Quorum

The quorum for Trustees' meetings shall be four and such quorum must include at least one Officer Trustee;

Where the resolution or issue under discussion concerns a matter in respect of which some or all of the Trustees have a conflict of interest, the quorum shall be four.

4.6 Decision making by Trustees at meetings

Questions arising at a meeting shall be decided by a majority of votes. In the case of an equality of votes, the Chair shall be entitled to a casting vote.

4.7 Virtual meetings

A Trustees' meeting may be held by telephone or by televisual or other electronic or virtual means agreed by resolution of the Trustees in which all participants may communicate simultaneously with all other participants.

4.8 Majority decisions without Trustees' meeting

- 4.8.1 The Trustees may, in the circumstances outlined in this Clause, make a two thirds majority decision without holding a Trustees' meeting if:
- a) A Trustee has become aware of a matter on which the Trustees need to take a decision;
 - b) That Trustee has taken all reasonable steps to make all the other Trustees aware of the matter and the decision;
 - c) The Trustees have had a reasonable opportunity to communicate their views on the matter and the decision to each other; and
 - d) A decision of the Trustees may be taken by majority and shall be as valid and effectual as if it had been taken at a Trustees' meeting duly convened and held.
- 4.8.2 Trustees participating in the taking of a majority decision otherwise than at a Trustees' meeting in accordance with this Clause:
- a) May be in different places, and may participate at different times; and
 - b) May communicate with each other by any means.
- 4.8.3 No decision shall be taken by the Trustees in accordance with this Clause unless a quorum participates in the decision-making process. The quorum for Trustees' decision-making in accordance with this Clause shall be the same as the quorum for Trustees' meetings as set out in Clause 4.5.
- 4.8.4 The Chair or such other Trustee as shall be appointed by the Trustees shall be the chair of the process of decision-making in accordance with this Clause. The process shall include:
- a) Circulation of the proposed decision with an indication of the time period for discussion and the date by which Trustees are asked to cast their votes;
 - b) The nomination of a person to whom all Trustees' votes must be communicated;
 - c) If a majority of the Trustees votes in favour of the decision, the nominated person shall communicate the decision to all the Trustees and the date of the decision shall be the date of the communication from the nominated person confirming formal approval; and
 - d) The nominated person must prepare a minute of the decision in accordance with this Article.
- 4.8.5 In the case of an equality of votes in any decision-making process in accordance with this Clause, the chair shall be entitled to a casting vote in addition to any other vote they may have but this does not apply if, in accordance with the Articles, the chair or specified Trustee is not to be counted as participating in the decision-making process for quorum, voting or agreement purposes.

5 Elections

5.1 Returning Officer

5.1.1 Designation

- a) The National Union of Students Scotland shall provide a Returning Officer for the purposes of elections and by-elections of the Union. The Returning Officer may appoint such deputies as are necessary to carry out these duties;
- b) The Chief Executive Officers shall be the Deputy Returning Officer for the purposes of elections, by-elections and Referenda of the Union.

5.1.2 Remit

The Returning Officer shall be responsible for:

- a) Overseeing and co-ordinating all elections within the Student Union;
- b) In accordance with this Bye-Law and in consultation with the Trustees, setting the date for, and publicising all elections and by-elections;
- c) Supervising the counting of votes, and may, on request of any candidate, authorise a recount of the votes;
- d) Announcing the result of the election immediately on completion of the final count, and the posting of the votes cast at each stage of the STV system, together with the final result.
- e) Submitting an account to the Secretary of the University on the conduct of the elections.

5.2 Disqualification of candidates

5.2.1 The Returning Officer shall be empowered to disqualify any candidate, or request a re-ballot on the basis of:

- a) Bribery of the electorate, Union Office-Bearers or staff;
- b) Multiple voting;
- c) Interference with voting or the counting of votes;
- d) Making or circulation of defamatory statements;
- e) Violation of such rules and financial constraints governing the conduct of elections as may be specified in the Bye-Laws or approved by Trustees;
- f) Conspiracy by the candidate acting in concert with others to commit any of the above offences.

5.2.2 The disqualified candidate may appeal in writing to the Trustee Board of the Union, such an appeal must be lodged with the Chief Executive Officer within 7 Notice Days of the Returning Officer's decision.

5.2.3 The Trustee Board's decision shall be binding on all such appeals.

5.3 Conduct of an Election

5.3.1 Voting

Voting in all elections shall be by secret ballot and under the single transferable vote system.

5.3.2 Re-open Nominations

- a) The ballot paper for elections for Sabbatical and Executive Officers of the Union only shall contain as an option the statement "re-open nominations";
- b) For the purpose of counting votes the "re-open nominations" box shall be treated as a candidate;
- c) If the "re-open nominations" candidate is elected the vacancy shall be declared unfilled. Another election shall be held for the vacant position as if it was a by-election according to bye-law 5.5.

5.3.3 Publicity

The following rules shall apply to the distribution of campaign material for an election.

- a) Candidates or their representatives shall not commence electioneering until the date given by the Returning Officer;
- b) Candidates or their representatives shall not commence electioneering until after the Candidate or their representative attends a Candidates Briefing;
- c) Candidates or their representatives shall not spend more than the budget approved by Trustees for such an election or campaign. Receipts must be lodged with the Returning Officer within one week of the election results being announced;
- d) All literature shall clearly show the originator of the material;
- e) Material placed over official Students Union posters shall be removed;
- f) Material must not be placed near fixed computer facilities on campus or use university email networks to campaigning

5.3.4 Timing of Publicity

- a) The Returning Officer shall set and publicise the final date of each election or by-election, together with the vacancies occurring at least five Notice Days prior to the close of nominations;
- b) Nominations shall close at least five Notice Days prior to the final date of the election for those vacancies.

5.4 Nominations

5.4.1 Ordinary Members previously subject to Recall

- a) Ordinary Members who has ever been Recalled as an Officer as described in Bye Law 2.3.1 or 2.3.2 are ineligible for election to any Union post for the remainder of that academic year.
- b) Any Ordinary Member who has ever been recalled as an Officer is eligible to stand for election to an Officer position during any other academic year provided they comply with the other relevant regulations.
- c) Ordinary Members who have previously been recalled must be nominated to stand in an election by 50 Ordinary Members.

5.4.2 General

- a) The Officers shall take office from the first day of June following their election, and shall hold office for one year, until they resign, cease to be an Ordinary Member of the Union or are dismissed;
- b) Officers shall only occupy one office at any one time. Election to a second office shall automatically remove them from their previous office. Sabbatical Officers who are co-opted by a unanimous vote by the Executive Committee to act up to a vacant Sabbatical post shall be allowed to remain in their elected role;
- c) Candidates for Officers shall be Ordinary Members of the Union.

5.4.3 International Student Presidents

An International Student President shall be elected from and by students matriculated at the international campus in question.

5.4.4 Vice President Scottish Borders Campus (SBC)

The Vice President SBC shall be elected from and by Ordinary Members whose course of study is at the Scottish Borders Campus.

5.4.5 Member of the Executive Elections

The Members of the Executive shall be elected from and by all Ordinary Members of the Union.

5.4.6 Black, Asian & Minority Ethnic Officer:

- a) The term “Black, Asian & Minority Ethnic Student” shall be used to define a student who self-defines as from a minority group who have suffered racism or are the minority because of their skin colour or ethnicity;
- b) Candidates for Black, Asian & Minority Ethnic Students' Officer shall be Black, Asian & Minority Ethnic students' Ordinary Members of the Union;

- c) Only Ordinary Members of the Union who are Black, Asian & Minority Ethnic students shall be entitled to vote for the Black, Asian & Minority Ethnic Students Officer.

5.4.7 Disabled Students Officer

- a) The term “Disabled Student” shall be used to define a student who self-defines as having a disability;
- b) Candidates for Disabled Students Officer shall be a Disabled student Ordinary Member of the Union;
- c) Only Ordinary Members of the Union who are Disabled students shall be entitled to vote for the Disabled Students Officer

5.4.8 Lesbian, Gay, Bisexual and Queer+ (LGBQ+) Officer

- a) The term “LGBQ+ Student” shall be used to define a student who self-defines as being Lesbian, Gay, Bisexual or Queer or any other self-definition relating to the LGBQ community;
- b) Candidates for LGBQ+ Officer shall define as an LGBQ+ student Ordinary Member of the Union;
- c) Only Ordinary Members of the Union who define as LGBQ+ students shall be entitled to vote for the LGBQ+ Officer

5.4.9 Trans Officer

- a) The term “Trans Student” shall be used to define a student who self-defines as being Transsexual;
- b) Candidates for Trans Officer shall define as an Trans student Ordinary Member of the Union;
- c) Only Ordinary Members of the Union who define as Trans students shall be entitled to vote for the Trans Officer

5.4.10 Postgraduate Students' Officer

- a) Candidates for Postgraduate Students' Officer shall be undertaking a postgraduate course of study;
- b) The Postgraduate Student Officer shall be elected from and by all Ordinary Members of the Union the majority of whose course of study is at a UK Campus.
- c) Elections for the Postgraduate Officer shall be held in Semester 1 of the academic year.

5.4.11 Women's Officer:

- a) The term “woman” shall be used to define a student whose assigned or reassigned gender is a woman or who self-defines as a woman;
- b) Candidates for Women's Officer shall be women Ordinary Members of the Union;

- c) Only women Ordinary Members of the Union shall be entitled to vote in elections for Women's Officer.

5.4.12 Charities Officer:

The Charities Officer shall be elected from and by all Ordinary Members of the Union.

5.4.13 Halls Officer

- a) Candidates for the Halls Officer will be/have been resident in halls on the Edinburgh Campus during the course of their studies;
- b) The Halls Officer shall be elected from and by all Ordinary Members of the Union.
- c) Elections for the Halls Officer shall be held in Semester 1 of the academic year

5.4.14 International Officer

- a) The term "International student" shall be used to define those students who are defined by the University as international students.
- b) Candidates for International Officer shall be a self-defining International Ordinary Members of the Union;
- c) Only International Ordinary Members of the Union in Edinburgh shall be entitled to vote in the elections for International Officer.

5.4.15 National Conference

- a) Where a National Conference, such as NUS Conference, requires a cross campus ballot, Candidates who are standing for election in other positions shall be allowed to stand for election to National Conference;
- b) Elections for NUS UK and NUS Scotland National conferences shall be held in Semester 1 of the academic year.
- c) One place for NUS Scotland conference will be reserved as a women's place.
- d) Candidates for NUS UK and NUS Scotland Conference shall be made up of Ordinary Members of the Union to the number of the delegation entitlement
- e) The President shall automatically be elected and appointed as Delegation Leader unless they notify the Deputy Returning Officer in writing before the election that they do not intend to fill this position. Wherever the President is not a member of the NUS Conference delegation the most senior representative elected shall be Delegation;
- f) Candidates for National Conference shall be elected from and by all Ordinary Members of the Union.

5.5 By-elections

5.5.1 Timing of By-Elections

- a) There shall be a By-election in Semester 1 where delegations for National Conferences shall be elected.
- b) Vacancies occurring in any office during vacation periods, or weeks 1 to 10 of First Semester shall be filled by a by-election held not more than 15 Teaching Days after the occurrence of the vacancy;
- c) Vacancies occurring in any office during weeks 11 onwards of the First Semester shall be filled by a by-election to be held in week 3 of the following Semester;
- d) Vacancies occurring in any office during the Second Semester with the exception of autonomous groups may be filled by co-opting a member by a unanimous vote of the Executive Committee;
- e) An autonomous group shall be Black, Asian & Minority Ethnic Students; Disabled Students; LGBT and Women's;
- f) Vacancies occurring in any office during the Second Semester shall remain unfilled by by-election except vacancies resulting from an inconclusive election, which shall be filled, by a by-election held in week 3 of the following autumn term.

5.5.2 Appointment of Acting Office-Bearers

During any period for which an office remains vacant, The Executive may appoint a member to exercise the functions of this office until a successor is elected, or until the Executive votes by a two-thirds majority to revoke their functions under this Bye-Law, whichever is sooner.

5.5.3 Period of Office

Any person elected to an office by right of a by-election shall take office for the remaining unexpired period of their predecessor's term of office.

6. Referenda

- 6.1** A referendum shall be a vote on a specific issue whereby all Ordinary Members of the Union shall be entitled to vote;
- 6.2** The referendum shall be taken in the form of a question and members shall ordinarily have the choice of voting either 'Yes' or 'No';
- 6.3** The formulation of the question for, and the organisation and promotion of a referendum shall be the responsibility of the Executive Committee;
- 6.4** A referendum may be triggered where:
- a) A Policy Question has passed or Fell by an Executive Committee vote during Decide that does not reflect the views expressed by the Student Body;;
 - b) A secure petition brought to The Executive Committee by a group of Ordinary Members which has the signatory support 300 Ordinary Members;
 - c) A referendum result shall only be valid if a minimum of 1000 Ordinary Members of the Union has cast a vote;
- 6.5** The timing, campaign regulating and fair administration of the referendum shall be the responsibility of the Executive Committee;
- 6.6** If a policy proposal is passed by a simple majority via referendum, it shall immediately become policy of the Union and be enacted and upheld by the Executive Committee.

7. Officials, Staff and Finance

7.1 Sabbatical Office-Bearers

The Trustees shall prescribe through a contract of employment the remuneration, conditions of service, discipline and grievance procedures of the Sabbatical Office-Bearers.

7.2 Union Staff

The Union shall appoint such staff as necessary for the efficient conduct of its affairs. The manner of appointment, pay, and the conditions of service, discipline and grievance procedures of Union staff shall be the sole responsibility of the Trustees.

7.3 Financial Control

7.3.1 Financial Year

The financial year of the Union shall run from the 1 August to the 31 July.

7.3.2 Annual Budget

The Court of the University shall approve an allocation to the Union in the Second Semester of each academic year. The Trustees shall prepare a budget for the year. The agreed budget shall be submitted to the Finance Officer of the University for onward transmission to University Court. The Trustees may change the budget at any time during the year.

7.3.3 Management Accounts

Management Accounts of the Union shall be prepared at least monthly and a report presented to the Trustees at each meeting. The Trustees shall review the information and shall act to ensure that the Union, as far as possible, keeps within its budget.

7.3.4 Expenditure

The Trustees shall specify the method of Expenditure authorisation for each area of the Union.

7.3.5 General Financial Controls

The Trustees shall set policy on the signing of cheques, the authorisation of bank transfers and the signing of contracts.

7.4 External Audit

7.4.1 **Appointment**

Trustees shall appoint and provide for the remuneration of an external auditor, who shall be a member of the Institute of Charters Accountants of Scotland.

7.4.2 **Right to access**

The auditor shall have access to all financial records of the Union, and may at any time call upon Office-Bearers and staff of the Union to provide such information as s/he may require in support of the audit.

8. Union

8.1 Admission

8.1.1 Members

The Union may be used by members of the Student Union carrying proof of such membership, and who is not subject to withdrawal of this right as a result of disciplinary action.

8.1.2 Guests

- a) Non-members may be introduced as guests to the Union by any member of the Union. The behaviour of such guests shall be the responsibility of the member introducing the guest;
- b) No member may introduce more than ten guests in any one day.

8.2 Prohibition of sales to non-members

8.2.1 Other than when an occasional licence has effect, no person is to be supplied with alcohol on the club premises unless that person is:

- a) a member of the club;
- b) a person who is on the premises at the invitation of a member of the club and is accompanied by that member; or
- c) a member of another club which falls within the description prescribed in the Licensing (Clubs) (Scotland) Regulations 2007

8.2.2 Where a person referred to in Clause 8.2.1b) is supplied with alcohol on club premises when an occasional licence is not in effect, there is to be entered in a book kept for the purpose:

- a) The date in question;
- b) The name and address of the person; and
- c) The name of the member accompanying the person

8.2.3 Where a person referred to in Clause 8.2.1c) above is supplied with alcohol on club premises when an occasional licence is not in effect, there is to be entered in a book kept for the purpose:

- a) The date in question;
- b) The name and address of the person; and

8.3 Off Licence Sales

Alcoholic liquor shall not be sold or supplied in the Union for consumption off premises, except to a member in person for consumption by them, or to persons holding a licence or a

wholesaler's excise licence for the sale of such liquor.

8.4 Property

The Union shall not accept responsibility or liability for any property of members or their guests which is lost or damaged within the Union. Any article left in the Union by a member of guest, may be disposed of.

8.5 Supply of consumables

8.5.1 Right to supply

The Union shall have sole right to arrange for the supply of alcoholic liquor, food and soft drinks within the Union.

8.5.2 Age restriction

Alcoholic liquor shall not be sold or supplied in the Union to any persons under the age of 18.

8.5.3 Personal interests in supply

No member of the Trustees and no person employed by the Union shall have any personal interest in the sale of alcohol in the Union or in the profits arising from such sale.

8.6 Smoking

Smoking including e-cigarettes is not allowed in any building under the control of the Union.

8.7 Publicity material

Publicity, advertising or promotional material shall not be displayed in the Union without the authority of the Executive, or a persons or persons authorised by the Executive to act in their regard. All such material shall bear information indicating the printer and publisher of the material.

8.8 Right to Refuse Entry

The Manager on duty in the Union shall have the authority to bar members from entering the Union and to require members to leave the building if this is required in their opinion to avoid a breach of Licensing Law.

9. Disciplinary Procedure

9.1 General

9.1.1 Union Discipline Committee

The Executive shall act as the Union Discipline Committee. However should the case involve a member of the Executive Committee, the Trustee Board shall act as the Union Discipline Committee.

9.1.2 Authority to Charge

A person authorised by the Trustees, shall be empowered to charge members and to arrange for action to be taken by the Union Disciplinary Committee.

9.1.3 Delegating Responsibility

It shall be competent for any Office-Bearer mentioned in this Bye-Law to appoint a deputy or a staff member to execute their functions under this Bye-Law.

9.2 Jurisdiction

- a) Bye-Laws with regard to conduct shall be applicable to any function held in the name of the Union or any of its constituent parts. The organising body shall report any apparent breach of the Bye-Laws to the President of the Union;
- b) Complaints in respect of alleged breaches of regulations of other Unions by Union Members shall be dealt with by the Union Disciplinary Committee;
- c) An offence allegedly committed by a member of another institution shall be referred to the member's institution for action;
- d) It is the responsibility of all members to acquaint themselves with these Bye-Laws.

9.3 Conduct

The Union Disciplinary Committee may take action regarding any member:

- a) Who has contravened the Constitution or Bye-Laws of the Union or:
 - i) who wilfully damages, defaces, steals or attempts to steal any fittings, property owned by, hired or loaned to the Union or to any member thereof or who is indirectly responsible through omission or default for any of the above;
- b) Who has conducted themselves in a manner unbefitting a member;
- c) Who has breached a Union Policy
- d) Who causes a disturbance in the Union or:
 - i) who wilfully obstructs a duty volunteer or staff member in the execution of their duties;

- e) Who defrauds or attempts to defraud the Union;
- f) Whose guest contravenes these Bye-Laws;
- g) Who refuses to produce their University Identity Card on demand to an authorised person;
- h) Who, not having an Identity card, refuses to give their name and class on demand to an authorised person;
- i) Who has harassed other members, guests or members of Union Staff where harassment is defined using the University Harassment Policy or Union Zero Tolerance Policy;
- j) This Bye-Law shall apply where applicable to other organisations with a reciprocal agreement with the Union.

9.4 Charging Procedure

The following procedure shall be carried out by an authorised person where they consider the conduct of the person to lie within the scope of the Disciplinary Committee.

- a) If possible, the authorised person shall identify themselves to the person whose conduct is in question;
- b) The authorised persons may issue a warning or make a formal charge;
- c) If a warning is issued, the authorised person may make a formal charge if the conduct continues;
- d) The charge form, together with a written statement from the authorised person, shall be sent to the Vice-President as soon as possible.

9.5 Initial date for hearing

9.5.1 The President or their nominee shall organise a meeting of the Union Disciplinary Committee to hear the case. A notice shall be sent to the member/s charged with the date of the meeting and a copy of the charge form and any written statements giving at least five notice days prior to the date of the meeting.

9.5.2 The member charged shall have the right to appear and to be represented by a member of the Union. If the member charged or their representative fails to attend the initial meeting of the committee, the hearing shall be deferred for a maximum of 15 Notice Days. Notice of at least 5 Notice Days shall be given to the charged member if a second meeting has to be arranged.

9.5.3 If the member or their representative fails to appear at the second meeting, the case will be heard in the member's absence at that meeting.

9.6 Procedure of meetings

The procedure at meetings of the Disciplinary Committee shall be as follows:

- a) The committee shall invite the member charged (and/or their representative) (the accused), and the persons who initiated the charge (the complainant) into the room;
- b) The chairperson shall ask the accused whether they wish the meeting to be held *in camera*;
- c) The chairperson shall read out the details of the charge (as noted on the charge form) and ask the accused how they plead;
- d) If the accused pleads guilty, the chairperson shall then receive details of any mitigating circumstance and prior convictions. They may request further details for the purpose of clarification;
- e) If the accused pleads not guilty, the chairperson shall ask the complainant to present their case. If the complainant introduces witnesses, these may be questioned by the accused. The committee may also ask questions to clarify any matter. Each witness shall leave the room after their evidence has been presented. The accused shall then present their case. If they introduce witnesses they may be questioned by the complainant (and by the Committee). Each witness shall leave the room after their evidence has been presented:
 - i) The complainant shall sum-up their case;
 - ii) The accused shall sum-up their case;
 - iii) Accused and complainant shall both leave the room while the Committee considers its verdict. Both parties shall return for the announcement of the verdict;
 - iv) If the verdict is guilty the Committee shall then receive details of any mitigating circumstances and/or prior convictions;
- f) In the case of the accused pleading or being found guilty, the complainant and accused shall be asked to leave the room while the Committee considers the penalty to be imposed, and both shall return for this to be announced;
- g) The committee may refer a case to the Trustee Board if they feel that the case merits a more severe penalty than they are able to impose.

9.7 Informing member of decision

Following the meeting and within 5 Notice Days, the President shall inform the accused member by recorded delivery of the decision of the committee, and if they have been found in breach of discipline they have the right to appeal.

9.8 Appeals procedures

9.8.1 Appeals shall be heard by the Union Trustees. In cases where the Trustee Board has acted as the Discipline Committee, the appeal will be heard by a committee formed by one representative each from:

- a) The University
- b) The National Union of Students
- c) A senior representative (Officer or staff) from another Student Union.

9.8.2 A letter of appeal shall be received by the President within ten Notice Days of the member

being informed of the Disciplinary Committee's decision. The appeals procedure shall be as detailed in Bye-Laws 9.6 and 9.7 for the Disciplinary Committee.

9.8.3 The Trustees shall have the power to change the verdict if they deem necessary. Should the Appeals Committee uphold the verdict the penalty imposed by the Disciplinary Committee shall stand unless the Appeals Committee have sufficient grounds to amend the penalty.

9.8.4 Appeals against a verdict of the Disciplinary Appeals Committee shall be made to the Disciplinary Committee of the University.

9.9 Minor Breaches of Discipline

9.9.1 Minor breaches of discipline taking place in the Union may be dealt with by the Union Minor Disciplinary Group.

9.9.2 This Group shall consist of the Chief Executive Officer and a member of the Executive Committee appointed by the Executive for this purpose. They shall have the power to impose one or more of the following penalties:

- a) an admonition;
- b) a reprimand;
- c) such fine as it considers appropriate, but not exceeding £25;
- d) suspension from some or all of the privileges of membership of the Union for a period not exceeding six weeks;
- e) a requirement to make good in whole or in part any loss or damage caused.

9.9.3 The Group may decide to refer the case to the Union Disciplinary Committee if they feel the penalties available are insufficient or that the case is more appropriately dealt with there.

9.9.4 The member charged shall be asked to attend meeting. They shall be entitled to be accompanied by another Ordinary Member or representative of the Union. The meeting shall be held as soon after the event as possible and the procedures shall be informal. The member may opt to have the case heard by the Union Disciplinary Committee.

9.9.5 The member may appeal against the decision of the Group to the Union Discipline Committee.

9.10 Payment of fines

9.10.1 If an appeal has not been lodged in the specified time, the decision of the Disciplinary Committee, or Appeals Committee, shall become final.

9.10.2 The President shall then send a letter (by recorded delivery) requiring payment of any outstanding fine. If within two weeks from the date this letter was sent, the outstanding fine has not been paid, the member shall be suspended from all privileges of the Union until the fine is paid.

9.11 Suspension of privileges

9.11.1 When a member is suspended from all privileges of the Union a letter shall be sent to affiliated societies and corporate bodies informing them of this fact, and instructing them to prevent the member from holding office or taking part in any activities of the Union.

9.11.2 The Secretary of the University shall be notified of any suspension.

9.12 Exclusion

9.12.1 Notwithstanding the provisions contained elsewhere in this Bye-Law, the Executive Committee shall have the authority to exclude an individual student from any premises which fall under the jurisdiction of the Union.

9.12.2 The exclusion shall have effect only where there exists a threat to the safety of members, their guests, staff or property of the Students Union.

9.12.3 The exclusion will apply until the case has been decided by disciplinary procedures or the member requests that the exclusion be reviewed by the Executive Committee.

9.12.4 The Secretary of the University shall be notified of any exclusion.

10. Activities

10.1 Conditions of Affiliation

A society or club shall satisfy the following conditions before being granted the status of an affiliated body by the Activities Committee:

- a) It shall have a membership of at least 10 Ordinary Members of the Union;
- b) It shall submit and abide by a constitution which it shall not amend without the approval of the Activities Committee. The Activities Committee shall have the power to require societies to amend their constitution if this is necessary in order to ensure the proper running of the society;
- c) It shall charge an annual fee, the minimum value of which shall be specified by the Societies Committee;
- d) It shall lodge with the Activities Committee on affiliation, and thereafter by the date specified by the Union the following:
 - i) A copy of its current constitution;
 - ii) A list of its office-bearers;
 - iii) Details of its bank accounts, investments and cheque signatories.

10.2 Interim Affiliation

Provided that the Society requesting affiliation meets all the conditions of Bylaw 10.1, Affiliations can be approved by the following officers without the need to go to Activities Committee. In order for this to happen, ALL of the following officers must approve the affiliation:

- i) Vice President Community
- ii) Activities Executive Officer
- iii) Activities Coordinator

It is the responsibility of the Societies Convener to notify by email the above people to inform them of the affiliation. In the event of the vote not being unanimous, the affiliation will be presented to Activities Committee as normal, in the case of further action, the society affiliation will be presented at the Executive Meeting at the first available opportunity.

10.3 Financial Support

Each affiliated society or club may apply for financial support from the Activities Committee. The criteria and procedures for the allocation of resources shall be agreed by the Trustees, set down in writing and accessible to all members. Copies shall be available from the Student Union reception.

10.4 Disaffiliation

A society or club may be disaffiliated by a two-thirds majority resolution of the Executive on the grounds of actions contrary to the aims of the Union, or failure to fulfil the requirements regarding affiliation to the Union specified in this Bye-Law.

10.5 Affiliation of Corporate Bodies

Corporate bodies formed by members of the Union for the furtherance of sectional, professional or recreational interests may be affiliated to the Union with the approval of the Trustees.

10.5.1 Conditions of Affiliation

Such bodies will be required to satisfy the following conditions:

- a) To submit a copy of a constitution for approval by Trustees;
- b) The constitution shall not be amended without the approval of Trustees;
- c) To submit accounts annually to the Union.

10.5.2 Corporate Affiliate Bodies may apply for financial support from the Union.

10.5.3 Trustees may withdraw the affiliation of any Corporate Affiliate Body as provided in the Constitution.