

**UNIVERSITY OF SOUTH WALES STUDENTS' UNION**

**STANDING ORDERS**



**UNDEB PRIFYSGOL DE CYMRU**

**CYFANSODDIAD**

**As amended 11.Dec.19**

**CONTENTS**

**1. Elections**

- 1.1 General
- 1.2 Regulations
- 1.3 Elections Committee
- 1.4 Elections for Student Trustees
- 1.5 Elections for Executive Officers
- 1.6 Elections for Student Council Officers and Student Voice Representatives
- 1.7 Elections for Course Representatives
- 1.8 By-Elections
- 1.9 Other elections
- 1.10 Declaration of Election Results
- 1.11 Disputes in Elections
- 1.12 Co-option

**2. Trustee Board**

- 2.1 General
- 2.2 Officer Trustees
- 2.3 Co-opted Trustees (External)
- 2.4 Co-opted Trustees (Alumni)
- 2.5 Student Trustees

**3. General Meetings**

- 3.1 Annual General Meeting
- 3.2 Emergency General Meetings

**4. Policy Setting, Duration and Lapse**

**5. Referenda**

**6. Student Council**

- 6.1 General
- 6.2 Student Council Membership
- 6.3 Discipline/Removal of a Student Council Officer

**7. Student Voice Forum**

- 7.1 General
- 7.2 Student Voice Forum Membership
- 7.3 Discipline/Removal of a Student Voice Representative

**8. Executive Committee**

- 8.1 General
- 8.2 Discipline and/or Removal of an Executive Member
- 8.3 Executive Disciplinary Committee
- 8.4 Executive Disciplinary Appeals
- 8.5 Redundancy

**9. Ad Hoc Working**

- 9.1 Ad Hoc Working Groups
- 9.2 Ad Hoc Working Methods

**10. Sabbatical Officers**

- 10.1 General
- 10.2 Redundancy

**11. Sports Activities**

- 11.1 General
- 11.2 Competitive Sporting Teams
- 11.3 Sports Clubs
- 11.4 Discipline of Competitive Sporting Teams and Sports Clubs

**12. Societies**

- 12.1 General
- 12.2 Discipline of Societies

**13. Members' Disciplinary Procedure**

- 13.1 General
- 13.2 Referral to Members' Disciplinary Panel by the Licensees Forum
- 13.3 Referral to the Members' Disciplinary Panel by the Student Council
- 13.4 Referral to Members' Disciplinary Panel by the President
- 13.5 Referral to Members' Disciplinary Panel by the Complaints Appeals Panel

13.6 Members' Disciplinary Panel

13.7 Disciplinary Appeals Procedure

**14. Complaints Procedure**

14.1 General

14.2 The Complaints Appeals Procedure

14.3 Habitual or Vexatious Complainants

**15. Honorary Membership**

## **1 ELECTIONS**

### **1.1 GENERAL**

- 1.1.1 An annual election will be held to elect the Union's representatives for the following academic year. These officers will be:
- Student Trustees
  - Executive Officers (President, Vice Presidents, Chair of Student Council)
  - Student Council Officers
  - Student Voice Representatives
  - Course Representatives
- 1.1.2 The aim of the process is to elect those officers best able to deliver against the Union's governance objectives, strategic aims and the measurable actions (subject to 8.1.4) set by the Members.
- 1.1.3 All Union elections shall be by means of the "Single Transferable Vote system", as specified in the Electoral Reform Society's publication "How to conduct an election by Single Transferable Vote".
- 1.1.4 All Union elections will allow for the inclusion of a category "Re-Open Nominations" (RON) on the ballot paper.
- 1.1.5 Subject to 6.3.11, 7.3.11, 8.2.8, 8.2.11, revocation of Union membership taken under 13 and students who have opted out of Union membership, all registered students of the University, holding an enrolment card for the current academic year shall be eligible to stand in Union elections.
- 1.1.6 Subject to 6.3.11, 7.3.11, 8.2.8, 8.2.11 revocation of Union membership taken under 13 and students who have opted out of Union membership, all registered students of the University, holding an enrolment card for the current academic year, shall be eligible to vote in Union elections.
- 1.1.7 Subject to 6.3.11, 7.3.11, 8.2.8, 8.2.11, revocation of Union membership taken under 13 and students who have opted out of Union membership, all registered students of the University, holding an enrolment card for the current academic year, shall be able to leave a postal vote with the Returning Officer if they are unable to vote in person on the day(s) of the election. Details will be specified in the election regulations.
- 1.1.8 The nomination period for Student Council Officers (with the exception of International) and Student Voice Representatives will be the same as that for Executive officers. However, the period of voting may differ.

- 1.1.9 The nomination window for elections shall last at least two working weeks with at least one week passing between the close of nominations and the election date. The nomination window for by-elections shall be determined by the elections committee.
- 1.1.10 'Election period' shall be defined as starting with the initial announcement of elections until the close of voting.
- 1.1.11 'Campaign period' shall be defined as the time from close of nominations to the close of voting.
- 1.1.12 'Campaigning' shall be defined as any action taken to influence the result of an election and shall include, but not be limited to; posters, flyers, verbal and electronic communication and advertising, banners and clothing.
- 1.1.13 Paid representatives of the Union will not be permitted to propose, second or campaign on behalf of any election candidate.
- 1.1.14 Other than the salary provided for sabbatical officers, no elected member of the Union will be permitted to use their position for personal material gain, whether through gift, favour or in kind.
- 1.1.15 Union administration staff will provide the clerical support for all Union elections.

## **1.2 REGULATIONS**

- 1.2.1 At its fourth meeting (Term2) of the Academic Year, the Student Council and Student Voice Forum will establish an Elections Committee to oversee Union elections for the following academic year.
- 1.2.2 The Elections Committee will produce a set of election regulations prior to elections, which will be approved by the Student Council.
- 1.2.3 The Elections Committee will produce a report, with appropriate recommendations, at the end of the elections cycle (Term 2). This will then be acted on by the following Elections Committee.
- 1.2.4 To ensure that the elections of elected officers are deemed to be conducted properly the Clerk to the Board of Governors will annually approve:
- The arrangements for the elections
  - The Returning Officer

### **1.3 ELECTIONS COMMITTEE**

1.3.1 The Elections Committee will comprise three members;

- A sitting Board member (either external or alumni, who will be agreed by the Student Council and will act as Returning Officer)
- An official from outside the University of South Wales Students' Union (who will be agreed by the Student Council and Student Voice Forum)
- A Member of Student Council (but not the Chair, who will be elected by Student Council)
- A member of the Student Voice Forum (but not the Chair, who will be elected by the Student Voice Forum)

1.3.2 Members of the Elections Committee may not stand in any election, nor propose, second or support any candidate involved in those elections which they are overseeing.

### **1.4 ELECTIONS FOR STUDENT TRUSTEES**

1.4.1 The Student Trustees for the following year shall be elected in the second term of the academic year by cross-campus ballot.

1.4.2 All Student Trustees shall be elected simultaneously.

1.4.3 All candidates must submit, to the Returning Officer, a nomination form supported by one proposer and ten seconders, before the ascribed deadline. Each nominee, proposer and seconder shall be a registered student at the University of South Wales holding an enrolment card for the current academic year.

1.4.4 Candidates may only stand for one position per election. Once elected, they are then ineligible to stand for alternative positions in by-elections.

1.4.5 The Elections Committee shall organise hustings for all positions in this section.

1.4.6 Sitting Student Trustees will not be permitted to propose or second or support in any manner, candidates standing in elections within this section.

1.4.7 Sitting Student Trustees will not be permitted to use their position as a sitting Student Trustee to unfair advantage during the election period.

### **1.5 ELECTIONS FOR EXECUTIVE OFFICERS**

1.5.1 The Executive Committee (with the exception of the nominated SVR) for the following year shall be elected in the second term of the academic year by cross-campus ballot.

- 1.5.2 All Executive Officers (with the exception of the nominated SVR) shall be elected simultaneously.
- 1.5.3 All candidates must submit, to the Returning Officer, a nomination form supported by one proposer and ten seconders, before the ascribed deadline. Each nominee, proposer and seconder shall be a registered student (or Sabbatical Officer) at the University of South Wales holding an enrolment card for the current academic year.
- 1.5.4 Candidates may only stand for one position per election. Once elected, they are then ineligible to stand for alternative positions in by-elections.
- 1.5.5 The Elections Committee shall organise hustings for all positions in this section.
- 1.5.6 Sitting Executive Officers will not be permitted to propose or second or support in any manner, candidates standing in elections within this section.
- 1.5.7 Sitting Sabbatical Officers will be permitted to take time off work during the campaign period, but will not be permitted to campaign during working hours. Time off will be granted to suit business needs.
- 1.5.8 Sitting Sabbatical Officers will not be permitted to use their position as a sitting Sabbatical Officer to unfair advantage during the election period.
- 1.5.9 Following the elections in the second term, the Student Voice Forum will elect, from their number, an SVR-elect to sit on the Executive Committee for the following year.

## **1.6 ELECTIONS FOR STUDENT COUNCIL OFFICERS AND SVRs**

- 1.6.1 The Student Council Officers (with a campaigning remit) and Student Voice Representatives for the following academic year will be elected in the second term of the academic year by cross campus ballot. The only exception to this will be the election for the Student Council Officer of the International Committee, which may be held during the first two weeks of the following first term.
- 1.6.2 The Student Council Officers (with a regional remit) for the following academic year will be elected in the second term of the academic year by cross region ballot.
- 1.6.3 Subject to 1.6.1, all Student Council Officers and Student Voice Representatives shall be elected simultaneously.
- 1.6.4 All candidates (Student Council) must submit, to the Returning Officer, a nomination form supported by one proposer and ten seconders, before the ascribed deadline. Each nominee, proposer and seconder shall be a registered student at the University of South



Wales holding an enrolment card for the current academic year.

- 1.6.5 All candidates (Student Voice Representatives) must submit, to the Returning Officer, a nomination form supported by one proposer and five seconders, before the ascribed deadline. Each nominee, proposer and seconder shall be a registered student at the University of South Wales holding an enrolment card for the current academic year. In addition, candidates not already holding SVR or Course Representative Positions must be endorsed by a faculty staff member.
- 1.6.6 Candidates may only stand for one position per election. Once elected, they are then ineligible to stand for alternative positions in by-elections.
- 1.6.7 Sitting Executive Officers or Student Council Officers or Student Voice Representatives will not be permitted to propose or second or support in any manner, candidates standing in elections within this section.

## **1.7 ELECTIONS FOR COURSE REPRESENTATIVES**

- 1.7.1 Course Representatives will be elected in Course level elections, led by Faculty staff, supported by the Students' Union.
- 1.7.2 Elections should take place during the first four weeks of academic teaching of each academic year.
- 1.7.3 The results of all elections must be forwarded to the Students' Union.

## **1.8 BY-ELECTIONS**

- 1.8.1 In the event of a vacancy arising for any position (subject to 10.1.14 and 10.1.17), the Elections Committee shall hold a by-election.
- 1.8.2 Notice of the by-election shall be posted within 5 working days of the vacancy becoming known to the Elections Committee.
- 1.8.3 The election shall take place on the first available day that will allow the whole election to take place in one single academic term.
- 1.8.4 Regulations used for the election of Executive Officers will be adopted for By- Elections.
- 1.8.5 In the event that a position on Student Council or the Student Voice Forum is not filled following a by-election (per post), then the relevant body will co-opt members in line with 1.12.

## **1.9 OTHER ELECTIONS**

1.9.1 Student Council and the Student Voice Forum will jointly elect, from their number, delegates to NUS and NUS Wales Conferences.

1.9.3 Subject to 6.3.11, 7.3.11, 8.2.8, 8.2.11, revocation of Union membership taken under 13 and students who have opted out of Union membership, only enfranchised students who have demonstrated an involvement with the Union, be it as a Sabbatical Officer or through Student Council, Committees, Teams, Clubs and Societies, Volunteering and Fundraising, Advocates, Mentors, Course Representatives or Student Voice Representatives are eligible to attend Conferences on behalf of the Union.

## **1.10 DECLARATION OF ELECTION RESULTS**

1.10.1 The result shall be made known as soon as possible after the count.

1.10.2 The result shall stand unless the Elections Committee receives a complaint regarding the result or conduct of the elections within 24 hours of the announcement of the result.

## **1.11 DISPUTES IN ELECTIONS.**

1.11.1 The Elections Committee shall investigate disputes arising from elections and shall rule on the dispute.

1.11.2 All alleged allegations of misconduct during the election process must be received by the Returning Officer, in writing. Complaints that are anonymous and/or verbal will not be investigated nor referred to the Elections Committee.

1.11.3 In the event that the Elections Committee decision is challenged, within 24 hours of the ruling, the matter will be referred to an Appeals Committee.

1.11.4 The Appeals Committee will comprise three members from outside the University of South Wales Union who will be agreed, by the Student Council, prior to the elections.

1.11.5 The ruling of the Appeals Committee shall be final.

## **1.12 CO-OPTION**

1.12.1 Student Council and the Student Voice Forum will co-opt officers to vacant roles in the event of 1.8.5.

1.12.2 The intention to co-opt should be made public within five working days of a vacancy becoming known to the Elections Committee.

- 1.12.3 Candidates that have stood for the same position in the relevant Election or By-Election will not be eligible for Co-option.
- 1.12.4 Candidates wishing to be considered for co-option must complete a nomination form and submit a manifesto no later than the prescribed deadline.
- 1.12.5 Candidates wishing to be co-opted to Student Council will be interviewed by the Chair of Student Council and the President.
- 1.12.6 Candidates wishing to be co-opted to the Student Voice Forum will be interviewed by the Chair of the Student Voice Forum and the President.
- 1.12.7 Co-opted posts will have full voting rights at meetings of the Student Council or Student Voice Forum.
- 1.12.8 Co-opted posts will not receive full bursary payments, if applicable.

## **2. TRUSTEE BOARD**

### **2.1 GENERAL**

2.1.1 Not more than four (4) Officer Trustees will be elected to the Board of Trustees.

2.1.2 Not more than five (5) Co-opted Trustees will be co-opted to the Board of Trustees.

2.1.3 Not more than three (3) Student Trustees will be elected to the Board of Trustees

### **2.2 OFFICER TRUSTEES**

2.2.1 Those Executive Officers deemed major office holders of the Union (Education Act 1994) will automatically take up seats on the Board at the point at which their contract of employment with the Union begins.

### **2.3 CO-OPTED TRUSTEES (EXTERNAL)**

2.3.1 The Trustee Board will co-opt External Trustees. For clarity, 'external' is taken to mean outside of the Union and University of South Wales structures. In addition, External Trustees may not be elected officers of NUS, NUS Wales or any other Union nor related to any member of the Board of Trustees.

2.3.2 Suitable external candidates are those non-students who are deemed, by the sitting Board, to be:

- Reputable
- Experts in their field
- Able to make a positive, constructive and informed contribution to the running of the Union

2.3.2 Suitable external candidates must also meet the criteria laid down by the Charities Commission for fit and proper Trustees.

2.3.3 Subject to quoracy of the Board, the existing Trustees will co-opt External Trustees to any vacant position on a rolling basis.

### **2.4 CO-OPTED TRUSTEES (ALUMNI)**

2.4.1 The Trustee Board will co-opt Alumni Trustees. For clarity, 'Alumni' is taken to mean past students of the University of South Wales, including any and all of its' former names.

2.4.2 Suitable alumni candidates are those non-students who are deemed, by the sitting Board, to be:

- Reputable
- Experts in their field
- Able to make a positive, constructive and informed contribution to the running of the Union

2.4.3 Suitable alumni candidates must also meet the criteria laid down by the Charities Commission for fit and proper Trustees.

2.4.4 Subject to quoracy of the Board, the existing Trustees will co-opt External Trustees to any vacant position on a rolling basis.

2.4.5 Co-option of Alumni Trustees must be ratified by Student Council and the Student Voice Forum.

2.4.6 A period of three (3) years must lapse before a Sabbatical officer may act as Alumni Trustees.

## **2.5 STUDENT TRUSTEES**

2.5.1 Student Trustees for the following vacant term (usually commencing 1<sup>st</sup> July and lasting for no more than 2 years) will be elected in accordance with 1.4.

2.5.2 Subject to 2.5.4, 6.3.11, 7.3.11, revocation of Union membership taken under 13 and students who have opted out of Union membership, any enrolled student of the University may stand for Board membership, providing that they meet the criteria set down by the Charities Commission for good and proper Trustees.

2.5.3 Student Trustees may not sit on Student Council or the Student Voice Forum or be a worker or an employee of the Union in any other capacity.

2.5.4 Sabbatical officers returning to education following their term of office may not be a Student Trustee until a period of three (3) years have elapsed.

### **3. GENERAL MEETINGS**

#### **3.1 ANNUAL GENERAL MEETING**

- 3.1.1 The President will be responsible for the calling of the Annual General Meeting. In setting the date for the AGM, the President must ensure that it does not clash with any national or religious holiday celebrated by students. Should the set date later be found (via student feedback) to conflict with any such holiday, an alternative date will be set.
- 3.1.2 Notice of the AGM must be posted at least twenty working days before the meeting and must detail arrangements for proxy voting, the submission of questions to the accounts and challenges to the budget.
- 3.1.3 Information relating to the AGMs business must be displayed in the Union at least five working days before the date of the meeting.
- 3.1.4 A maximum of two guest speakers may be invited to the AGM, as approved by the Board of Trustees.
- 3.1.5 The business of the AGM shall be conducted in the following order:
- Opening Remarks – Chair of the Board of Trustees
  - Ratification of the Minutes of the previous AGM
  - Receiving a report on the activities of the Board of Trustees
  - Receiving the Annual Report including Audited Accounts, including a simplified version for explanation
  - Approving the list of affiliations of the Union
  - Approving Constitutional Amendments
  - Debating and setting Union Policy
  - Open questions to the Trustees
  - Dealing with business put to the Members by the Trustees
- 3.1.6 Questions to the accounts must be received in writing, by the Chair of the Board of Trustees, no later than two working days before the meeting. All proposals and questions must be displayed on the Executive notice board. No questions to the Accounts may be received from the floor.
- 3.1.7 The quorum for the AGM shall be checked at the commencement of the meeting and prior to the debate of each motion.
- 3.1.8 Matters which relate to a Union staff member or Union staffing conditions are treated as confidential and outside the scope of AGM.

## **3.2 EMERGENCY GENERAL MEETINGS**

3.2.1 Emergency General Meetings can be called to discuss a single issue upon presentation, to the President, of a petition signed by either:

- 100 students of the University of South Wales, with valid enrolment numbers attached OR
- 3 full members of the Executive Committee

3.2.2 Emergency General Meetings shall be convened, by the President, no later than 21 clear days after the request is received.

3.2.3 Information relating to the Emergency General Meeting must be displayed on the Executive notice board immediately after the date of the meeting has been set.

3.2.4 In the event that an EGM is inquorate, either at the start of the meeting or at any time during the meeting, the business will fall and cannot pass to a subsequent Student Council meeting.

3.2.5 Matters which relate to a Union staff member or Union staffing conditions are treated as confidential and outside the scope of EGMs.

#### **4. POLICY SETTING, DURATION AND LAPSE**

4.1 Policy of the Union will be set by:

- Annual General Meeting
- Emergency General Meeting
- Student Council
- Student Voice Forum

For clarity, 'policy' will be taken to mean a guiding principle on how the Union operates eg. equity, sustainability, rather than specific action plans.

4.2 Subject to 4.4, Policy Proposals approved by Annual General Meetings and Emergency General Meetings shall remain Union policy for three years from the date passed.

4.2 Subject to 4.4, Policy Proposals approved by the Student Council shall remain Union policy for three years from the date passed.

4.3 Subject to 4.4, Policy Proposals approved by the Student Voice Forum shall remain Union policy for three years from the date passed.

4.4 Policy Proposals approved by Annual General Meeting or Emergency General Meeting or Student Council or Student Voice Forum can be amended, changed, or removed before the three-year renewal period has passed, providing sufficient evidence is provided for the need to do so.

4.5 Subject to 4.4, at the end of three years, the policy must be presented for renewal to the next available General Meeting or meeting of the Student Council or Student Voice Forum, under the business 'Policy Lapse'. The policy must be proposed and seconded by students of the University of South Wales, with valid enrolment numbers attached.

4.5 Policy requiring renewal will be displayed on the Executive notice board for the meeting that immediately precedes the lapse.



**5. REFERENDA**

- 5.1 A referendum on a single issue may be called by the students of the University upon presentation to the President, a petition of 500 names with valid enrolment numbers attached.
- 5.2 A referendum on a single issue may be called by a vote with a two-thirds majority of a quorate Annual General Meeting or by the Student Council.
- 5.3 A referendum on the issue of continuing an affiliation to an external organisation may be called upon presentation to the President, a petition of names with valid enrolment numbers attached, the number of which should total not less than 4% of membership.
- 5.4 All decisions to *affiliate to* or *disaffiliate from* an external organisation will be displayed on the Executive notice board and reported to the University's Secretary and Clerk to the Board of Governors.
- 5.5 A referendum shall be by cross-campus ballot and shall be held no later than 20 working days after the receipt of the request.
- 5.6 The result of any such referendum shall be binding upon the Union subject to 15% of the membership taking part.
- 5.7 For a referendum to pass, it requires a two-thirds majority of the votes cast.
- 5.8 A suitable Returning Officer shall be appointed by the Executive Committee to oversee the running of referenda.

## **6. STUDENT COUNCIL**

### **6.1 GENERAL**

- 6.1.1 There shall be a Student Council governed by the Standing Orders.
- 6.1.2 The Student Council is an advisory and supervisory body with the power to pass policy (as it relates to non-academic issues) and mandate its own Officers and the Sabbatical Officers of the Union. The Student Council is also required to scrutinise and note Board decisions although the Board shall not be fettered by nor required to act in accordance with instructions or mandates issued by the Council, if the Board considers the policy or mandate will impact negatively on the governance and/or finances of the Union, the Health and Safety or legal compliance of the Union and/or its members or is likely to bring the Union into disrepute. The Board shall carefully consider advice from the Student Council.
- 6.1.3 The Student Council shall have the power to exercise the rights of members in Annual and Emergency General Meetings in the circumstances set out below.
- 6.1.4 The Student Council shall be subservient to the Annual General Meeting except where non-academic business from an inquorate Annual General Meeting passes to a quorate meeting of the Student Council.
- 6.1.5 In addition to the role set out in Clause 24 of the Articles of Association, the Student Council shall hold the Executive accountable (in so far as their Executive role only), discuss non-academic policy proposals from inquorate Annual General Meetings and discuss ordinary policy proposals tabled directly to Student Council.
- 6.1.6 Notice of the meetings of the Student Council must be made public at least 20 working days before the meeting, and 10 working days before the policy proposal deadline.
- 6.1.7 Information relating to the business of the Student Council must be made available at least 5 working days before the relevant deadline.
- 6.1.8 Subject to revocation of Union membership taken under 13 and students who have opted out of Union membership, any enfranchised student or sabbatical officer of the University of South Wales is entitled to propose active changes to Union policy, provided that it is submitted in writing, no later than 5 days before a Student Council meeting. This must be seconded by an enfranchised student or sabbatical officer of the University of South Wales Union. This must also be supported and signed by twenty enfranchised students of the University of South Wales Union.
- 6.1.9 Each proposal will be taken forward as an agenda item and debated by Student Council. Speaking rights will be conferred on those enfranchised students of the University of South

Wales Union who are putting forward a proposal.

- 6.1.10 A proposal can be amended (defined as 'making minor changes in order to make it fairer or more accurate, or to reflect changing circumstances) over the course of the debate. At the end of the debate, a vote will be cast on the final policy by Student Council.
- 6.1.11 The passing of new policy will trigger automatic inclusion in the 'Policy' section of the Standing Orders (unless it requires referral to the Trustee Board).
- 6.1.12 A method for fair and equitable debate for the Student Council will be agreed by the Trustee Board prior to the first Student Council meeting of each academic year.
- 6.1.13 All decisions of Student Council may be overturned by an Emergency General Meeting. If that Emergency General Meeting is inquorate then the decision of Student Council shall be deemed binding.
- 6.1.14 Decisions of Student Council may be overturned by the Board of Trustees if the decision is likely to impact negatively on the governance and or finances of the Union, the Health and Safety and legal compliance of the Union and/or its members or is likely to bring the Union into disrepute.
- 6.1.15 Student Council shall meet no fewer than five times in an Academic Year. The first meeting will take place no later than four weeks from the beginning of the Academic Year. The last meeting will take place no fewer than two weeks before the last day of the academic year.
- 6.1.16 All voting at meetings of Student Council shall be by show of delegate cards, except where a secret ballot is requested by one or more delegates. A majority vote shall be binding except in the case of calling of referenda, Motions of No Confidence and Constitutional changes, which shall require a two-thirds majority.
- 6.1.17 The quorum of the Student Council shall be 50% +1 of the membership of Student Council.
- 6.1.18 The quorum for each meeting of Student Council will be checked at the commencement of the meeting and prior to the debate of each policy proposal.
- 6.1.19 An Emergency Meeting of Student Council may be called to discuss a single issue upon petition of 25% of Council being presented to the Chair of Student Council or by 3 members of the Executive Committee. A meeting shall be called no later than nine working days after the receipt of the notice of calling.
- 6.1.20 In the event of an inquorate meeting of Student Council, all business of the Student Council meeting shall pass to the Executive Committee. All decisions of the Executive Committee taken in this way are subject to ratification at the next scheduled meeting of the Student

Council. In the event of the next scheduled meeting of Student Council being inquorate the decisions of the Executive Committee shall be considered binding, subject to Clause 66 of the Articles of Association. This clause shall not apply to the removal of Executive Officers, changes to the Articles of Association or the calling of a Referendum.

6.1.21 The Order of Business for all meetings of Student Council, which details how meetings are to be conducted, shall be reviewed and approved annually by the Board of Trustees prior to the first meeting of Student Council of the Academic Year and will be made available to all members.

6.1.22 The Order of Business for all Student Council meetings shall include:

- Opening Remarks – Chair of Student Council
- Minutes of the Previous Meeting
- Matters Arising from the Minutes
- Standing Items
- Report from and Questions to Chair of the Trustee Board
- Reports from and Questions to Sabbatical Officers
- Reports from and Questions to Student Councillors
- Policy Renewals for Debate
- Policy Proposals for Debate taken in the order
  - Proposals regarding how the meeting is to function,
  - Proposals regarding the structure or logistics of Council,
  - All remaining Proposals

6.1.23 Matters which relate to a Union staff member or Union staffing conditions are treated as confidential and outside the scope of meetings of the Student Council.

6.1.24 A maximum of two external guest speakers may be invited to any meeting of a Student Council, as approved by the Chair of Student Council. Guest speakers shall not count towards the quorum.

6.1.25 Subject to revocation of Union membership taken under 13 and students who have opted out of Union membership, enfranchised students of the University of South Wales who are not otherwise members of Student Council may attend any Student Council meetings as observers, but shall not count towards the quorum nor shall they have voting rights. Observers proposing or seconding a policy proposal will have speaking rights for this purpose. Observers may be given additional speaking rights solely at the discretion of the Chair of Student Council.

## **6.2 STUDENT COUNCIL MEMBERSHIP**

6.2.1 Student Council will comprise:

- Chair of the Student Council (who shall have no voting rights, excepting a casting vote in the event of equal votes being cast)
- The President
- The Vice Presidents
- The Student Council Officer for Sports
- The Student Council Officer for Societies
- The Student Council Officer for Women Students
- The Student Council Officer for LGBTQ (Women)
- The Student Council Officer for LGBTQ (Trans)
- The Student Council Officer LGBTQ (Open)
- The Student Council Officer for Sexual Orientation
- The Student Council Officer for SWD Students
- The Student Council Officer for Black Students
- The Student Council Officer for Postgraduate & Part Time Students
- The Student Council Officer for Mature Students
- The Student Council Officer for International Students
- The Student Council Officer for Welsh Language
- 2 x Student Council Officers for Cardiff
- 2 x Student Council Officers for Newport
- 2 x Student Council Officers for Pontypridd

There will also be four [4 (1 per faculty)] places for Student Voice Reps to attend as observers. The SVRs will inform Council on academic matters. The SVRs will not have voting rights and will not count toward quoracy.

6.2.2 The election process for all Student Council Officers is detailed elsewhere in these Standing Orders.

6.2.3 A Student Council Officer will be elected by Student Council, from within its number, who shall serve for the whole year on the Union's Elections Committee.

6.2.4 A Student Council Officer will be elected by Student Council, from within its number, who shall serve for the whole year on the Union's Appointments Committee.

6.2.5 A Student Council Officer will be elected by Student Council, from within its number, who shall serve for the whole year on the Union's Member Disciplinary Panel.

6.2.6 A Student Council Officer will be elected by Student Council, from within its number, who shall serve for the whole year on the Union's Executive Disciplinary Committee.

- 6.2.7 A Student Council Officer will be elected by Student Council, from within its number, who shall serve for the whole year on the Union's Disciplinary Appeals Board.
- 6.2.8 In any academic year when a review of the Articles of Association is required, one Student Council Officer will be elected by Student Council, from within its number, who shall serve for the whole year on the Union's Constitutional Review Committee.
- 6.2.9 Any Student Council Officer failing to submit a report to a meeting of the Student Council will be subject to the Performance Management process as outlined in the Officer Handbook.
- 6.2.10 Any Student Council Officer failing to attend two consecutive Student Council meetings or meetings for which they have been elected and/or nominated to serve, without written apologies, shall be deemed to have resigned from Student Council.
- 6.2.11 Apologies must be submitted in writing, at least twenty four hours prior to the meeting, to the Chair of Student Council. The preferred method of submitting apologies is from a University e-mail account. Apologies through social networking sites or text message are not acceptable.
- 6.2.12 All Student Council Officers are required to attend Annual and Emergency General Meetings.

### **6.3 DISCIPLINE/REMOVAL OF A STUDENT COUNCIL OFFICER**

- 6.3.1 Student Council Officers are required to abide by the Unions Rules and Regulations and to, at all times, act in the best interests of the Union and its' Members.
- 6.3.2 In the event that a Student Council Officer breaches the Union's Rules and Regulations or behaves in such a way as to bring the Union into disrepute, then a case may be brought before Student Council.
- 6.3.3 Referral to Student Council shall be made by:
- A Motion of Censure (equivalent to a verbal warning) or
  - A Motion of Further Censure (equivalent to a written warning) or
  - A Motion of Final Censure (equivalent to a final written warning) or
  - A Motion of Action Short of No Confidence or
  - A Motion of No Confidence

The level of motion triggered will be determined by the severity of 6.3.2.

- 6.3.4 All Motions in 6.3.3 must be:

- Proposed by an enfranchised student from the appropriate population sector or faculty of the University of South Wales
- Seconded by an enfranchised student from the appropriate population sector or faculty of the University of South Wales
- Supported by 20 enfranchised students from the appropriate population sector or faculty of the University of South Wales

6.3.5 No amendment may be placed to such a motion.

6.3.6 Such a motion may not take the form of an emergency motion.

6.3.7 Failure (as determined by Student Council) to comply with the terms of any motion as listed in 6.3.3 will automatically trigger the subsequent motion.

6.3.8 It will be the responsibility of the Chair of Student Council to convene a quorate meeting within nine working days of receiving a referral.

6.3.9 The Student Council Officer about whom the referral has been made must be informed of the meeting, in writing. They must also be informed of their right to be accompanied (by another Elected Member, student or NUS representative) to the meeting. If the Student Council Officer wishes to exercise this right, they must notify the appropriate Chair of the name and position of the companion.

6.3.10 Student Council may refuse to allow the companion to attend if s/he considers there to be a conflict of interests. The Student Council Officer must be allowed to nominate a different companion. (The agreed date/time of the meeting may not be changed if the nominated companion is unable to attend).

6.3.11 Student Council will investigate the allegations made in the referral motion and apply sanctions as appropriate. These may include, but are not limited to:

- Motion of Censure – The Student Council Officer will be advised that their standard of conduct/performance is unacceptable/unsatisfactory and that failure to improve within a given timeframe will result in a Further Motion of Censure. The Censure will be given verbally and confirmed in writing.
- Further Motion of Censure - (will normally follow from above or applied for a more serious first offence). The Student Council Officer will be advised that their standard of conduct/performance is (still) unacceptable/unsatisfactory and that failure to improve within a given timeframe will result in a Final Motion of Censure. The Censure will be given in writing.
- Final Motion of Censure – (will normally follow from above, but may be applied after a more serious first or second offence). The Student Council Officer will be

advised that their standard of conduct/performance is (still) unacceptable/unsatisfactory and that failure to improve within a given timeframe will result in a Motion of Action Short of No Confidence or a Motion of No Confidence. The Censure will be given in writing.

- Motion of Action Short of No Confidence – (will normally follow from above, but may be applied after a very serious first offence). Student Council will impose sanctions which may include:
  - Suspension from office for a period of time
  - Ban from the Union buildings or parts thereof between certain hours or permanently
  - Ban from using Union assets or property or equipment for a period of time or permanently
  - Ban from attending meetings on behalf of the Union for a period of time or permanently
  
- Motion of No Confidence – (will normally follow from above, but may be applied in instances of a severe first offence or of gross misconduct). The Student Council Officer will be dismissed either with or without notice. This action MUST be approved by a two thirds majority of Student Council.

6.3.12 The remaining members of Student Council will take over the duties of a disciplined Officer for the duration of their suspension or ban until a by-election or co-option can be held.

6.3.13 A Notice of Appeal against the decision(s) of Student Council may be made to the Union's Disciplinary Appeals Board, in writing, no later than 5 working days following the decision of Student Council.

6.3.14 Any actions, deemed by the Trustee Board, as gross misconduct or an action which brings the Union into disrepute, will result in any elected officer being immediately removed from office.

6.3.15 Any Student Council Officer who has been removed from office, either having exhausted the disciplinary procedure or by the Trustee Board, will not be allowed to take any other elected position within the Union.



## **7. STUDENT VOICE FORUM**

- 7.1 There shall be a Student Voice Forum governed by the Standing Orders.
- 7.1.2 The Student Voice Forum is an advisory and supervisory body with the power to pass policy (as it relates to academic issues) and mandate its own Representatives and the Sabbatical Officers of the Union. The Student Voice Forum is also required to scrutinise and note Board decisions although the Board shall not be fettered by nor required to act in accordance with instructions or mandates issued by the Forum, if the Board considers the policy or mandate will impact negatively on the governance and/or finances of the Union, the Health and Safety or legal compliance of the Union and/or its members or is likely to bring the Union into disrepute. The Board shall carefully consider advice, on academic matters, from the Student Voice Forum.
- 7.1.3 The Student Voice Forum shall have the power to exercise the rights of members in Annual and Emergency General Meetings in the circumstances set out below.
- 7.1.4 The Student Voice Forum shall be subservient to the Annual General Meeting except where academic business from an inquorate Annual General Meeting passes to quorate meetings of the SVR Forum.
- 7.1.5 In addition to the role set out in Clause 25 of the Articles of Association, the Student Voice Forum shall hold the Executive accountable (in so far as their Executive role only), discuss academic policy proposals from inquorate Annual General Meetings and discuss ordinary policy proposals tabled directly to the Student Voice Forum.
- 7.1.6 Notice of the meetings of the Student Voice Forum must be made public at least 20 working days before the meeting, and 10 working days before the policy proposal deadline.
- 7.1.7 Information relating to the business of the Student Voice Forum must be made available at least 5 working days before the relevant deadline.
- 7.1.8 Subject to revocation of Union membership taken under 13 and students who have opted out of Union membership, any enfranchised student or sabbatical officer of the University of South Wales is entitled to propose active changes to Union academic policy, provided that it is submitted in writing, no later than 5 days before a Student Voice Forum meeting. This must be seconded by an enfranchised student or sabbatical officer of the University of South Wales Union. This must also be supported and signed by twenty enfranchised students of the University of South Wales Union.
- 7.1.9 Each proposal will be taken forward as an agenda item and debated by Student Voice Forum. Speaking rights will be conferred on those enfranchised students of the University of South Wales Union who are putting forward a proposal.

- 7.1.10 A proposal can be amended (defined as 'making minor changes in order to make it fairer or more accurate, or to reflect changing circumstances) over the course of the debate. At the end of the debate, a vote will be cast on the final academic policy by the Student Voice Forum.
- 7.1.11 The passing of new academic policy will trigger automatic inclusion in the 'Policy' section of the Standing Orders (unless it requires referral to the Trustee Board).
- 7.1.12 A method for fair and equitable debate for the Student Voice Forum will be agreed by the Trustee Board prior to the first SVR Forum meeting of each academic year.
- 7.1.13 All decisions of Student Voice Forum may be overturned by an Emergency General Meeting. If that Emergency General Meeting is inquorate then the decision of the SVR Forum shall be deemed binding.
- 7.1.14 Decisions of the Student Voice Forum may be overturned by the Board of Trustees if the decision is likely to impact negatively on the governance and or finances of the Union, the Health and Safety and legal compliance of the Union and/or its members or is likely to bring the Union into disrepute.
- 7.1.15 The Student Voice Forum shall hold no fewer than two meetings in an Academic Year.
- 7.1.16 All voting on academic policy matters at meetings of the Student Voice Forum shall be by show of delegate cards, except where a secret ballot is requested by one or more delegates. A majority vote shall be binding except in the case of calling of referenda, Motions of No Confidence and Constitutional changes, which shall require a two-thirds majority.
- 7.1.17 The quorum of the Student Voice Forum for academic policy matters shall be 50% +1 of the membership of the Student Voice Forum. This will be checked prior to the debate of each academic policy proposal.
- 7.1.18 The Order of Business for all meetings of the Student Voice Forum, which details how meetings are to be conducted, shall be reviewed and approved annually by the Board of Trustees prior to the first meeting of the Student Voice Forum of the Academic Year and will be made available to all members.
- 7.1.19 Matters which relate to a Union staff member or Union staffing conditions are treated as confidential and outside the scope of meetings of the Student Voice Forum.
- 7.1.20 Subject to revocation of Union membership taken under 13 and students who have opted out of Union membership, enfranchised students of the University of South Wales who are not otherwise members of the Student Voice Forum may attend any Student Voice Forum meetings as observers, but shall not count towards the quorum nor shall they have voting

rights. Observers proposing or seconding a policy proposal will have speaking rights for this purpose. Observers may be given additional speaking rights solely at the discretion of the Chair of the Student Voice Forum.

## **7.2 STUDENT VOICE FORUM MEMBERSHIP**

7.2.1 The Student Voice Forum will comprise:

- Chair of the Student Voice Forum (who will be the VP Education. The Chair shall have no voting rights, excepting a casting vote in the event of equal votes being cast)
- 2 x Student Voice Representatives for Business
- 2 x Student Voice Representatives for Humanities
- 2 x Student Voice Representatives for Applied Sciences
- 2 x Student Voice Representatives for Computing and Maths
- 2 x Student Voice Representatives for Engineering
- 2 x Student Voice Representatives for Digital and Design
- 2 x Student Voice Representatives for Production and Performance
- 2 x Student Voice Representatives for Care Sciences
- 2 x Student Voice Representatives for Health, Sport and Professional Practice
- 2 x Student Voice Representatives for Psychology and Therapeutic Studies
- 1 x Student Voice Representative for Education

The Chair of Student Council will also attend as an observer. The Council Chair will inform the Forum on non-academic matters. The Chair of Student Council will not have voting rights, nor count toward quoracy.

7.2.2 The election process for all Student Voice Representatives is detailed elsewhere in these Standing Orders.

7.2.3 SVRs may be assigned to University Committees as appropriate.

7.2.4 One SVR will be nominated to sit on the Executive Committee.

7.2.5 One SVR will be nominated to sit on the Elections Committee

7.2.6 In any academic year when a review of the Articles of Association is required, one Student Voice Representative will be elected by the Student Voice Forum, from within its number, who shall serve for the whole year on the Union's Constitutional Review Committee.

7.2.7 Any Student Voice Representative failing to attend two consecutive Student Voice Forum meetings or meetings for which they have been elected and/or nominated to serve,

without written apologies, shall be deemed to have resigned from their position.

7.2.8 Apologies must be submitted in writing, at least twenty four hours prior to the meeting, to the Chair of the Student Voice Forum. The preferred method of submitting apologies is from a University e-mail account. Apologies through social networking sites or text message are not acceptable.

7.2.9 All Student Voice Representatives are required to attend Annual and Emergency General Meetings.

### **7.3 DISCIPLINE/REMOVAL OF A STUDENT VOICE REPRESENTATIVE**

7.3.1 Student Voice Representatives are required to abide by the Unions Rules and Regulations and to, at all times, act in the best interests of the Union and its' Members.

7.3.2 In the event that a Student Voice Representative breaches the Union's Rules and Regulations or behaves in such a way as to bring the Union into disrepute, then a case may be brought before Student Voice Forum.

7.3.3 Referral to the Student Voice Forum shall be made by:

- A Motion of Censure (equivalent to a verbal warning) or
- A Motion of Further Censure (equivalent to a written warning) or
- A Motion of Final Censure (equivalent to a final written warning) or
- A Motion of Action Short of No Confidence or
- A Motion of No Confidence

The level of motion triggered will be determined by the severity of 7.3.2.

7.3.4 All Motions in 7.3.3 must be:

- Proposed by an enfranchised student from the appropriate school or faculty of the University of South Wales
- Seconded by an enfranchised student from the appropriate school or faculty of the University of South Wales
- Supported by 20 enfranchised students from the appropriate school or faculty of the University of South Wales

7.3.5 No amendment may be placed to such a motion.

7.3.6 Such a motion may not take the form of an emergency motion.

7.3.7 Failure (as determined by Student Voice Forum) to comply with the terms of any motion as

listed in 7.3.3 will automatically trigger the subsequent motion.

- 7.3.8 It will be the responsibility of the Chair of the Student Voice Forum to convene a quorate meeting within nine working days of receiving a referral.
- 7.3.9 The Student Voice Representative about whom the referral has been made must be informed of the meeting, in writing. They must also be informed of their right to be accompanied (by another Elected Member, student or NUS representative) to the meeting. If the Student Voice Representative wishes to exercise this right, they must notify the appropriate Chair of the name and position of the companion.
- 7.3.10 The Student Voice Forum may refuse to allow the companion to attend if s/he considers there to be a conflict of interests. The Student Voice Representative must be allowed to nominate a different companion. (The agreed date/time of the meeting may not be changed if the nominated companion is unable to attend).
- 7.3.11 The Student Voice Forum will investigate the allegations made in the referral motion and apply sanctions as appropriate. These may include, but are not limited to:
- Motion of Censure – The Student Voice Representative will be advised that their standard of conduct/performance is unacceptable/unsatisfactory and that failure to improve within a given timeframe will result in a Further Motion of Censure. The Censure will be given verbally and confirmed in writing.
  - Further Motion of Censure - (will normally follow from above or applied for more serious first offence). The Student Voice Representative will be advised that their standard of conduct/performance is (still) unacceptable/unsatisfactory and that failure to improve within a given timeframe will result in a Final Motion of Censure. The Censure will be given in writing.
  - Final Motion of Censure – (will normally follow from above, but may be applied after a more serious first or second offence). The Student Voice Representative will be advised that their standard of conduct/performance is (still) unacceptable/unsatisfactory and that failure to improve within a given timeframe will result in a Motion of Action Short of No Confidence or a Motion of No Confidence. The Censure will be given in writing.
  - Motion of Action Short of No Confidence – (will normally follow from above, but may be applied after a very serious first offence). The Student Voice Forum will impose sanctions which may include:
    - Suspension from office for a period of time
    - Ban from the Union buildings or parts thereof between certain hours or permanently
    - Ban from using Union assets or property or equipment for a period of time or permanently

- Ban from attending meetings on behalf of the Union for a period of time or permanently
- Motion of No Confidence – (will normally follow from above, but may be applied in instances of a severe first offence or of gross misconduct). The Student Voice Representative will be dismissed either with or without notice. This action **MUST** be approved by a two thirds majority of the Student Voice Forum.

7.3.12 The remaining members of the Student Voice Forum will take over the duties of a disciplined Representative for the duration of their suspension or ban until a by-election or co-option can be held.

7.3.13 A Notice of Appeal against the decision(s) of the Student Voice Forum may be made to the Union's Disciplinary Appeals Board, in writing, no later than 5 working days following the decision of the Student Voice Forum.

7.3.14 Any actions, deemed by the Trustee Board, as gross misconduct or an action which brings the Union into disrepute, will result in any elected officer being immediately removed from office.

7.3.15 Any Student Voice Representative who has been removed from office, either having exhausted the disciplinary procedure or by the Trustee Board, will not be allowed to take any other elected position within the Union.

## **8. EXECUTIVE COMMITTEE**

### **8.1 GENERAL**

8.1.1 The Union's Executive Committee shall comprise:

- President
- Vice Presidents (currently three)
- Chair of Student Council
- One Student Voice Representative

8.1.2 Subject to 6.3.15, 7.3.15, 8.2.12 and revocation of Union membership taken under 13 and students who have opted out of Union membership, all enfranchised students and existing Executive officers are eligible to stand for election as an Executive Committee member. Once in office, an Executive member may not hold any other representative or paid position within the Union, nor sit on any University or external committee or group in their capacity as a student at the University of South Wales.

8.1.3 The Union's Executive Committee shall be responsible for representation of students, campaigning work and the implementation of policy as mandated by resolution of General Meetings, Student Council and the Student Voice Forum.

8.1.4 The Executive Committee shall review all measurable actions submitted by Members through agreed channels and assign those that are approved a lead officer, who shall be a Full Time Officer, a Student Council Officer or a Student Voice Representative.

8.1.5 The Executive Committee shall be responsible for ensuring that lead officers are working appropriately and timely to ensure completion of assigned measurable actions.

8.1.6 The Union's Executive Committee shall meet at least fortnightly. The President shall be responsible for the calling of Executive Committee meetings. At least three days notice for such meetings shall be given. Meetings held out of term time must take into account the availability of the Chair of Student Council and the Student Voice Representative. No meeting may be scheduled that would deliberately exclude the Chair of Student Council or the Student Voice Representative. The last meeting of the academic year must include the committee elect.

8.1.7 The President or the President's nominee shall chair the Executive Committee.

8.1.8 The quorum of the Executive Committee shall be 50% +1 of the membership of the Executive Committee.

- 8.1.9 The Chair of Student Council may nominate an elected Student Council Officer to substitute for them at meetings of the Executive Committee when the Student Council Chair is absent. The nominee will have full voting and speaking rights when substituting, unless the Student Council Chair objects.
- 8.1.10 Apologies must be submitted in writing to the President at least one day prior to the date of the meeting.
- 8.1.11 Any Executive member failing to attend two consecutive meetings to which they are elected/nominated to serve without written apologies shall be deemed to have resigned from their position, except in exceptional circumstances (excludes Emergency Meetings).
- 8.1.12 Emergency meetings of the Executive Committee may be called from time to time by a petition of three Executive members or by the President. The meeting shall be called no later than 2 working days after the request.
- 8.1.13 The sabbatical members of the Executive Committee shall present written reports of their work to the Annual General Meeting and to meetings of Student Council and the Student Voice Forum.
- 8.1.14 All elected officers, Student Council Officers and Student Voice Representatives are entitled to attend, as observers, meetings of the Executive Committee except where an item of 'closed business' is being discussed.
- 8.1.15 The Executive Committee will, in agreement with the Staff Consultative Group, approve a Staff Protocol Policy at the commencement of each Academic year.
- 8.1.16 The Executive Committee shall be responsible for controlling access to the non-licensed areas of the Union's buildings/facilities. Access shall be open to all users of Union services as described in the Articles of Association upon presentation of an approved identity card (usually NUS) except:
- when a decision of the Disciplinary Committee precludes entry OR
  - the decision of a Licensee precludes entry
- 8.1.17 Controlling access to licensed areas of the Union's buildings/facilities shall be the responsibility of the Union's licensees.
- 8.1.18 The Executive Committee for the following academic year shall be elected in the second term of the academic year by cross-campus ballot.



## **8.2 DISCIPLINE AND/OR REMOVAL OF AN EXECUTIVE MEMBER**

8.2.1 Members of the Executive Committee are required to abide by the Unions Rules and Regulations and to, at all times, act in the best interests of the Union and its' Members. Sabbatical Officers are also required to adhere to the terms and conditions of their employment.

8.2.2 In the event that an Executive member breaches the Union's Rules and Regulations or fails to satisfactorily discharge their job mandate or behaves in such a way as to bring the Union into disrepute, then a case may be brought before the Executive Disciplinary Committee.

8.2.3 Referral to the Executive Disciplinary Committee shall be made by a:

- A Motion of Censure (equivalent to a verbal warning) or
- A Motion of Further Censure (equivalent to a written warning) or
- A Motion of Final Censure (equivalent to a final written warning) or
- A Motion of Action Short of No Confidence or
- A Motion of No Confidence submitted to and passed by a two thirds majority of Student Council or the Student Voice Forum.

The level of motion triggered will be determined by the severity of 8.2.2.

8.2.4 All Motions in 8.2.3 must be:

- Proposed by an enfranchised student or Sabbatical Officer of the University of South Wales
- Seconded by an enfranchised student or Sabbatical Officer of the University of South Wales
- Supported by 100 enfranchised students of the University of South Wales and submitted on an official Union template.

8.2.5 No amendment may be placed to such a motion.

8.2.6 Such a motion may not take the form of an emergency motion.

8.2.7 Failure (as determined by the Executive Disciplinary Committee) to comply with the terms of any Motion as listed on 8.2.3 will automatically trigger the subsequent Motion.

8.2.8 A paid (sabbatical) Executive Officer who breaches their contract of employment and/or the terms and conditions of that employment will be subject to the Grievance Procedure as detailed in the Employee Handbook. Sanctions imposed under this procedure may affect the ability of the Officer to further carry out their job function. In this instance, the matter will be referred to the Executive Disciplinary Committee.

- 8.2.9 An Executive Officer who contravenes licensing regulations will be subject to the Member Disciplinary Procedure as detailed in 13. Sanctions imposed under this procedure may affect the ability of the Officer to further carry out their job function. In this instance, the matter will be referred to the Executive Disciplinary Committee.
- 8.2.10 Any actions, deemed by the Trustee Board, as gross misconduct or an action which brings the Union into disrepute, will result in any Executive Officer being immediately removed from their position.
- 8.2.11 Removal of an Executive Officer by the Trustee Board, will be subject to Clause 57 and Clause 58 of the Articles of Association.
- 8.2.12 Any Executive Officer who has been removed from office, either having exhausted the disciplinary procedure or through the grievance procedure or by the Trustee Board, will not be allowed to take any other elected position within the Union.
- 8.2.13 The Student Voice Representative on the Executive Committee will not be subject to 8.2.

### **8.3 EXECUTIVE DISCIPLINARY COMMITTEE**

8.3.1 The Executive Disciplinary Committee will comprise:

- 1 External or Alumni Trustee
- 1 member from Student Council
- 1 member of the Student Voice Representative Forum
- 1 Elected Officer of NUS Wales

Candidates for these positions will be identified at the beginning of each academic year and ratified by Student Council and the Student Voice Forum.

- 8.3.2 The quorum of the meeting shall be 100% of membership of the committee.
- 8.3.3 It will be the President's responsibility to convene a quorate meeting of the Executive Disciplinary Committee within nine working days of receiving a referral from a meeting of Student Council or the Student Voice Forum.
- 8.3.4 In the event that the complaint is against the President, the Executive Committee will nominate an alternative Executive member to undertake responsibility for the meeting.
- 8.3.5 The Executive Officer about whom the Referral has been made must be informed of the meeting, in writing. They must also be informed of their right to be accompanied (by another Executive Officer, student or NUS representative) to the meeting. If the Executive Officer wishes to exercise this right, they must notify the President (subject to 8.3.6) of the

name and position of the companion.

- 8.3.6 The Executive Disciplinary Committee may refuse to allow a companion to attend if it considers there to be a conflict of interest. The Executive Officer must be allowed to nominate a different companion. (The agreed date/time of the meeting may not be changed if the nominated companion is unable to attend).
- 8.3.7 The Executive Disciplinary Committee will investigate the allegations made in the Referral Motion and apply sanctions as appropriate. These may include, but are not limited to:
- Motion of Censure – The Executive Officer will be advised that their standard of conduct/performance is unacceptable/unsatisfactory and that failure to improve within a given timeframe will result in a Further Motion of Censure. The Censure will be given verbally and confirmed in writing.
  - Further Motion of Censure - (will normally follow from above or applied for more serious first offence). The Executive Officer will be advised that their standard of conduct/performance is (still) unacceptable/unsatisfactory and that failure to improve within a given timeframe will result in a Final Motion of Censure. The Censure will be given in writing.
  - Final Motion of Censure – (will normally follow from above, but may be applied after a more serious first or second offence). The Executive Officer will be advised that their standard of conduct/performance is (still) unacceptable/unsatisfactory and that failure to improve within a given timeframe will result in a Motion of Action Short of No Confidence or a Motion of No Confidence. The Censure will be given in writing.
  - Motion of Action Short of No Confidence – (will normally follow from above, but may be applied after a very serious first offence). The Executive Disciplinary Committee will impose sanctions which may include:
    - Suspension from office for a period of time
    - Ban from the Union buildings or parts thereof between certain hours or permanently
    - Ban from using Union assets or property or equipment for a period of time or permanently
    - Ban from attending meetings on behalf of the Union for a period of time or permanently
  - Motion of No Confidence – (will normally follow from above, but may be applied in instances of a severe first offence or of gross misconduct). The Executive Officer will be dismissed either with or without notice. This action MUST be approved by a two thirds majority of Student Council.
- 8.3.9 The remaining Executive members will take over the duties of a disciplined Executive member for the duration of their suspension or ban.

8.3.10 A Notice of Appeal against the decision(s) of the Executive Disciplinary Committee may be made to the Union's Disciplinary Appeals Board, in writing, no later than 5 working days following the decision of the Executive Disciplinary Committee.

#### **8.4 EXECUTIVE DISCIPLINARY APPEALS**

8.4.1 All appeals will be carried out in line with 13.7

**9 AD HOC WORKING**

**9.1 Ad Hoc Working Groups**

- 9.1.1 The Board of Trustees, the Annual General Meeting, Student Council, Student Voice Forum and the Executive Committee shall each have the ability to set up Ad Hoc working groups of themselves where deemed appropriate.
- 9.1.2 Membership and remit of these Ad Hoc working groups shall be decided by resolution of the parent body on the proviso that they do not conflict with committees already provided for under the Articles of Association.
- 9.1.3 The Ad Hoc Working Group will agree amongst themselves as to who will act as Chairperson.
- 9.1.4 The Chairperson of the Ad Hoc Working Group will report back to the establishing Committee the results of its work.
- 9.1.5 Apologies must be submitted in writing to the Chair of the body at least three days prior to the date of the meeting, except in exceptional circumstances.
- 9.1.6 Any member failing to attend two consecutive meetings without written apologies shall be deemed to have resigned, except in exceptional circumstances.

**9.2 Ad Hoc Working Methods**

- 9.2.1 The Union shall have the ability to adopt working methods to best address the changing needs of its members.

## **10. SABBATICAL OFFICERS**

### **10.1 GENERAL**

10.1.1 Subject to 1.1.1, the following Sabbatical (full time, paid) Officers will be elected during the second term of the Academic Year;

- President
- Vice President (currently 3) whose role shall be determined annually by the needs of the Union

10.1.2 A Sabbatical term of office will commence on 1<sup>st</sup> July and end on 30<sup>th</sup> June the following year. The terms and conditions of employment (including salary details) will be contained in a Contract of Employment, issued in line with employment regulations.

10.1.3 Sabbatical Officers may serve no more than two years (may be consecutive) in office.

10.1.4 All Sabbatical Officers will be Trustees of the Union.

10.1.5 All Sabbatical Officers will sit on the Executive Committee.

10.1.6 All Sabbatical Officers will sit on the Student Council.

10.1.7 All Sabbatical Officers will be required to prepare reports for the Annual General Meeting, General Meetings and Student Council meetings.

10.1.8 Officers must be available to answer questions with regards their areas of responsibility at Annual General Meetings, General Meetings and meetings of Student Council and the Student Voice Forum.

10.1.9 Apologies must be submitted in writing to the Chair of the body at least three days prior to the date of the meeting.

10.1.10 Any member of this section failing to attend two consecutive democracy meetings or meetings of internal/external committees on which they have been elected/nominated to serve, without written apologies shall be deemed to have resigned from their position.

10.1.11 A Sabbatical Officer may not undertake any other paid employment during their term of office that conflicts with or impedes their ability to complete their role. Any other employment must be declared to and approved by Trustee Board.

10.1.12 A Sabbatical Officer may not stand for the position of Chair of Student Council in the year immediately following their term of sabbatical office.

- 10.1.13 If, during the first term, the President, whether by resolution of the appropriate body, or by resignation, is removed from office, a Vice President, as agreed by Student Council, shall act as President, until a by-election can be called.
- 10.1.14 If, during the second term, the President, whether by resolution of the appropriate body, or by resignation, is removed from office, a Vice President, as agreed jointly by Student Council and the Student Voice Forum, shall act as President until the President Elect (subject to 10.1.17) is able to take office. If this is not possible a by election will be held.
- 10.1.15 If, during the first term, any of the Vice Presidents, whether by resolution of the appropriate body, or by resignation, are removed from office, a by-election will be called.
- 10.1.16 If, during the second term, any of the Vice Presidents, whether by resolution of the appropriate body, or by resignation, are removed from office, the remaining Sabbatical Officers, in conjunction with the relevant regional Council members, will assume the workload. After this time, the Vice President Elect shall take office early. If this is not possible a by election will be held.
- 10.1.17 If the Officer Elect is a Sitting Officer, the remaining Sabbatical Officers will assume the workload until such time that a by-election can be held.

## **10.2 REDUNDANCY**

- 10.2.1 In the event that the Union needs to make redundancies, the paid roles carried out by Sabbatical Officers will be considered in the Redundancy Consultation in the same way as the roles of other employees of the Union.

## **11. SPORTS ACTIVITIES**

### **11.1 GENERAL**

11.1.1 The Union shall facilitate sports activities by students at the University provided that:

- The sport or activity has a national Governing body recognised by Sport Wales.
- There are approved Health and Safety arrangements for the sport or activity, which are adhered to at all times.
- The Union has adequate resources, including facilities, equipment and technical expertise to safely support an activity.
- There are the required nominated or elected officials to take overall responsibility for the activity as defined in the Union's Sports Handbook.

11.1.2 The Vice President Activities will be the Sabbatical Officer with responsibility for sports activities of the Union.

11.1.3 Sabbatical officers of the Students' Union shall be permitted to participate in Union Sports activities, if selected through the trials process and pay the appropriate subscription, providing that their sports participation does not conflict with or impede their ability to carry out their job role.

11.1.4 The Vice President Activities will be responsible for the production of the Union's Sports Handbook which will:

- Require approval by Student Council before the commencement of the academic year.
- Detail the arrangements for sports at the University of South Wales Students' Union.
- Include a model Union Sports Club Constitution
- Detail the distribution of any grants available to Sports Clubs from the overall Union budget

11.1.5 The total financial allocations for Sport Activities shall be by resolution of the Board of Trustees.

11.1.6 Student Council will allocate sports activities into one of the following categories during the third term for the following Academic Year:

- Competitive Sporting Team
- Sports Club

11.1.7 Any Competitive Sporting Team or Sports Club wishing to change category for the following Academic Year must submit a written proposal detailing the reasons for the change to the



President no later than the end of the 2<sup>nd</sup> term. Changes are subject to approval by Student Council.

- 11.1.8 Officials from both Competitive Sports Teams and Sports Clubs must attend induction training as designated by the Union's Sports Handbook.
- 11.1.9 All monies collected on behalf of Competitive Sporting Teams or Sports Clubs must be deposited, without deduction, with the Union's Central Resources Unit.
- 11.1.10 All Competitive Sporting Activities and Sports Clubs will be provided with an individual account managed by the Union's Finance Department. They will not be permitted to open their own bank account.
- 11.1.11 Competitive Sporting Teams and Sports Clubs will be permitted to operate a Web site separate from the Union's website.
- 11.1.12 All Sabbatical Officers of the Union shall be ex-officio members of all Competitive Sporting Teams and Sports Clubs, but will be required to pay the relevant fee to become a participating member of these Competitive Sporting Teams and Sport Clubs.
- 11.1.13 Subject to 11.2.11, 13.17, revocation of membership taken under 13 and students who have opted out of Union membership, all enfranchised students at the University of South Wales are eligible to participate in Competitive Sports Teams and Sports Clubs.
- 11.1.14 Students who have opted out of Union Membership will be required to pay the full operating costs (which may be different to the set subscription rate) of their participation in Competitive Sporting Teams and Sports Clubs.

## **11.2 COMPETITIVE SPORTING TEAMS**

- 11.2.1 Competitive Sporting Teams will be organised through the Student Activities Office and will comprise those sports that compete in the British Universities Colleges Sport (BUCS) league programme on the primary Sports day of the week (currently Wednesday).
- 11.2.2 The Union's Board of Trustees will allocate, subject to its overall financial commitments, funding to allow participation in the BUCS league programme by Competitive Sporting Teams.
- 11.2.3 Administration of the competitive sporting programme will be provided by the Union's Fixture Co-ordinator.
- 11.2.4 The duties of Competitive Sporting Teams nominated officials (captains) will be detailed in the Union's Sports Handbook.

### **11.3 SPORTS CLUBS**

11.3.1 Sports Clubs shall be managed in accordance with their own constitutions using the approved model Union Sports Club Constitution as its basis.

11.3.2 No Sports Club shall be affiliated or constituted unless:

- It has a constitution approved by Student Council.
- Its aims and objectives do not conflict with those of the Union.
- All members are holders of valid NUS cards.
- It collects a subscription fee from its members. The total fee collected must be sufficient to cover the outgoing costs of the club for the academic year.
- It has three officers who shall be responsible for the overall activities of the Sports Club as described in the Union's Sports Handbook. These officers must:
  - be fully paid up members of that Sports Club
  - have been democratically elected by the members of that Sports Club
  - attend induction training as designated by the Union Societies Handbook.

11.3.3 Subject to 11.2.11, 13.17, revocation of membership taken under 13 and students who have opted out of Union membership, all users of Union services, as described under this Constitution, are eligible for membership.

11.3.4 Sports Clubs will receive no financial or other support from the Union until they are constituted and affiliated to the Union.

11.3.5 Sports Club funding will be approved by Student Council.

11.3.6 To remain a recognised Sports Club for the following year a Sports Club must hold an AGM during the third term of the Academic Year. This meeting must include elections for a new Club Committee as defined in the Union's Sports Handbook.

11.3.7 All Sports Clubs shall give the President at least 5 working days notice of their AGM.

### **11.4 DISCIPLINE OF COMPETITIVE SPORTING TEAMS AND SPORTS CLUBS**

11.4.1 The Vice President Activities shall have the power to suspend the activities of a Competitive Sporting Team or Sports Club on evidence of:

- Financial mismanagement
- Contravention of the Union's Constitution
- Contravention of the Sport Club's own Constitution.
- Breach of Health and Safety regulations.
- The Union being brought into disrepute.

- Contravention of the Union's Sports Handbook

- 11.4.2 The Vice President Activities will carry out initial investigations of a breach of regulations and present his/her recommendation to Student Council within 5 working days from notification of the incident.
- 11.4.3 The Student Council shall carry out the disciplinary hearings (within 5 working days of referral) and have the power to suspend a Competitive Sport Team or Sports Club from undertaking any further Sporting Activities.
- 11.4.4 In the event of action being taken under 11.4.1, the Competitive Sports Team or Sports Club shall have the power of appeal to the Union's Disciplinary Appeals Panel within one week of the suspension. The decision of the Appeals Panel will be final.
- 11.4.5 The Student Council will refer to the Union's Disciplinary Committee (within 5 working days of notification of the incident), any matters relating to individual members contravening Union Disciplinary Codes whilst representing the Union in Sporting Activities.

## **12. SOCIETIES**

### **12.1 GENERAL**

12.1.1 The Union shall facilitate the setting up and running of Societies by students at the University provided that:

- The Society adopts a Constitution based on the Union's approved model Societies Constitution.
- Those proposing the Society can show an educational objective.
- Approved Health and Safety arrangements, where appropriate, will be met for the activity.
- The Union has adequate resources, including facilities, equipment and technical expertise, to safely support the activity.

12.1.2 The Vice President Activities will be the Sabbatical officer with responsibility for Societies in the Union.

12.1.4 The Vice President Activities will be responsible for the production of the Union Societies Handbook which will:

- Require approval by the Student Council before the commencement of the Academic Year.
- Detail the arrangements for the running of Societies at the University of South Wales Students' Union.
- Include a model Union Societies Constitution.
- Detail the distribution of grants to Societies from the overall Union budget.

12.1.5 No Society shall be affiliated or constituted unless:

- It is managed in accordance with a constitution which has been approved by the Student Council.
- Its aims and objectives do not conflict with those of the Union.
- All members are holders of valid NUS cards.
- It collects a subscription fee from its members. The total fee collected must be sufficient to cover the outgoing costs of the club for the academic year.
- It has three officers (Chairperson, Secretary and Treasurer) who shall be responsible for the overall activities of the Society as described in the Union's Societies Handbook. These officers must:
  - be fully paid up members of that Society.
  - have been democratically elected by the members of that Society.

- be enfranchised students of the Union.
- attend induction training as designated by the Union Societies Handbook.
- adhere to the Union Health and Safety Policy at all times.

12.1.6 Subject to 12.2.1, 13.17, revocation of membership taken under 13 and students who have opted out of Union membership, all users of Union services, as described under this Constitution, are eligible for membership.

12.1.7 Students who have opted out of Union Membership will be required to pay the full operating costs (which may be different to the set subscription rate) of their participation in Societies.

12.1.8 A Society shall receive no financial or other support from the Union until it is constituted and affiliated to the Union.

12.1.9 The total financial allocations for Societies shall be by resolution of the Board of Trustees.

12.1.10 A Society shall be allocated funds by resolution of Student Council.

12.1.11 All monies collected on behalf of a Society must be deposited, without deduction, with the Union.

12.1.12 All Societies will be provided with an individual account managed by the Union's Central Resources Unit. They will not be permitted to open their own bank account.

12.1.13 Societies will be permitted to operate a website separate from the Union's website.

12.1.14 All Sabbatical Officers of the Union shall be ex-officio members of all Societies but will be required to pay the relevant fee to become a participating member of a Society.

12.1.15 Societies must hold an A.G.M. during the third term of the Academic Year in order to remain a recognised Society for the following year. This meeting must include elections for a new Chairperson, Secretary and Treasurer, as defined in the Union Societies Handbook.

12.1.16 All Societies must give the President at least 5 working days notice of their AGM.

## **12.2 DISCIPLINE OF SOCIETIES**

12.2.1 The Vice President Activities shall have the power to suspend the activities of any Society upon evidence of:

- Financial mismanagement
- Contravention of the Union's Constitution

- Contravention of the Society's own Constitution.
- Breach of Health and Safety regulations.
- The Union being brought into disrepute.
- Contravention of the Union's Societies Handbook

- 12.2.2 The Vice President Activities will carry out initial investigations of a breach of regulations and present his/her recommendation to Student Council within 5 working days from notification of the incident.
- 12.2.3 The Student Council shall carry out the disciplinary hearing (within 5 working days from referral) and have the power to suspend a Society from undertaking any further activities.
- 12.2.4 In the event of action being taken under 12.2.1, the Society shall have the power of appeal to the Union's Disciplinary Appeals Panel within one week of the suspension. The decision of the Appeals Panel will be final.
- 12.2.5 The Student Council will refer to the Union's Disciplinary Committee (within 5 working days of notification of the incident), any matters relating to individual members contravening Union Disciplinary Codes whilst undertaking Society Activities.

## **13. MEMBERS DISCIPLINARY PROCEDURE**

### **13.1 GENERAL**

- 13.1.1 The University of South Wales Students' Union will operate within its' Constitution and Standing Orders in order to fulfil its' aims and objectives. All users of Union services shall be expected to abide by the Articles of Association, the Standing Orders, the Behavioural Policy, the Equal Opportunities Policy and any and all policies, procedures and Licences operated by the Union.
- 13.1.2 Similarly, members of the Union shall not act in any way as to bring disrepute or detriment to the Union or its users.
- 13.1.3 Subject to referral from the appropriate body, the Members Disciplinary Panel shall hear cases brought against members who contravene 13.1.1 and 13.1.2, except where allegations are made against Executive Officers and Elected Members in relation to their duties as elected representatives of the Union.
- 13.1.4 Referral to the Members Disciplinary Panel may be made by:
- Licensees Forum
  - Student Council
  - President (subject to 13.1.3)
  - Complaints Appeals Board (subject to 13.2.6)
- 13.1.5 In the event of any allegation or concern about breach of the USW Student Code of Conduct and/or Student Conduct Regulations being raised with the SU, the Chair of the Board of Trustees reserves the right to refer the issue to the University to manage in accordance with University procedures and regulations.

### **13.2 REFERRAL TO MEMBERS DISCIPLINARY PANEL BY THE LICENSEES FORUM**

- 13.2.1 In the event that members contravene licensing regulations and/or Union regulations within licensed areas/during licensing hours, the Licensees Forum will convene.
- 13.2.2 The Licensees Forum will follow the procedures as detailed in Licensees Disciplinary Code.
- 13.2.3 Referral to the Members Disciplinary Panel will be made within 5 working days of the incident.
- 13.2.4 All actions and decisions of the Licensees Forum will be logged. It is the responsibility of the Licensees Forum to inform the respondent of the referral to the Members Disciplinary Panel.

### **13.3 REFERRAL TO MEMBERS DISCIPLINARY PANEL BY THE STUDENT COUNCIL**

13.3.1 In the event that individual members contravene 13.1.1 and/or 13.1.2 in the course of their participation in sports teams or clubs, societies or Union Supported Activities, Student Council will investigate the allegations.

13.3.2 Following the investigation (based on evidence provided), Student Council will make either:

- A recommendation to the Members Disciplinary Panel of No Further Action
- A recommendation to the Members Disciplinary Panel of Further Action

13.3.3 All actions/decisions of Student council will be logged.

### **13.4 REFERRAL TO MEMBERS DISCIPLINARY PANEL BY THE PRESIDENT**

13.4.1 Subject to 13.1.3, the President may refer a complaint to the Members Disciplinary Panel.

### **13.5 REFERRAL TO MEMBERS DISCIPLINARY PANEL BY THE COMPLAINTS APPEALS PANEL**

13.5.1 Subject to 13.2.6, the Complaints Appeal Panel may refer a complaint to the Members Disciplinary Panel.

### **13.6 MEMBERS DISCIPLINARY PANEL**

13.6.1 The membership of the Members Disciplinary Panel shall be:

- 1 member of the Executive Committee (who shall act as Chair)
- 1 member of Student Council (other than the Chair of Student Council)
- 1 member of the Board of Trustees (other than a sabbatical officer)
- Union Licensees (ONLY when the matter relates to contravention of licensing regulations)

Members of the Panel shall not have been involved in the alleged incident. Members of the Panel must declare an interest if the alleged incident involved any friend and/or family member.

13.6.2 The Quorum for the Members Disciplinary Panel shall be 100 % of the membership of the Members Disciplinary Panel.

13.6.3 The Members Disciplinary Panel must hear all disciplinary cases within ten working days from receipt of a referral.

13.6.4 Details of the hearing will be forwarded, by the Chair of the Members Disciplinary Panel to



the respondent (and complainant in the event of referral from the President or Complaints Appeals Panel), no later than 5 working days before the date of the hearing.

- 13.6.5 In the event of Police action in relation to an incident, all disciplinary action shall be suspended until the Police have completed their investigation.
- 13.6.6 In the case of referral from the Licensees Forum, the respondent will be suspended from using Union services as defined by the Licensees Disciplinary Code, from the time of the alleged offence until the case can be heard. Exempt from this are access to education and welfare support via prior appointment,
- 13.6.7 The respondent will be entitled to attend the hearing of the Members Disciplinary Panel, together with a representative or friend. This person shall have no speaking rights. The Members Disciplinary Panel may refuse to allow a representative/friend to attend if it considers there may be a conflict of interest. The respondent must be allowed to nominate an alternative representative. (The agreed date/time of the meeting may not be changed if the nominated candidate is unable to attend).
- 13.6.8 If the respondent chooses not to attend the hearing, the hearing will continue in their absence.
- 13.6.9 If the respondent fails to attend and does not send apologies, the hearing will be re-scheduled for another date.
- 13.6.10 If the respondent fails to attend and does not send apologies for a second time, the hearing will continue in their absence.
- 13.6.11 In the event of referral from the President or the Complaints Appeals Panel, the complainant will be entitled to attend the hearing of the Members Disciplinary Panel, together with a representative or friend, if they so wish. This person will have no speaking rights.
- 13.6.12 If the complainant chooses not to, or fails to attend the hearing, the complaint will be dismissed.
- 13.6.13 Immediately following the decision of the Members Disciplinary Panel, the Chair will forward the outcome to the respondent (and complainant in the case of referral by the President or Complaints Appeals Panel). In any case, this shall be no longer than 3 working days from the decision.
- 13.6.14 The maximum sanction that can be set by the Members Disciplinary Panel is a life ban from all Union services (including bars, student activities etc.) and the reporting of the matter to the University. Exempt from this is access to education and welfare support via prior

appointment.

13.6.15 The Members Disciplinary Panel shall also have the ability to fine an offender up to the sum of £25.

13.6.16 Where the Union, as a result of an incident, has incurred costs, the Members Disciplinary Panel shall have the power to recover those costs from the respondent. Terms of payment acceptable to both parties shall be negotiated as far as is possible.

### **13.7 DISCIPLINARY APPEALS PROCEDURE**

13.7.1 This procedure will be applicable to all appeals arising from:

- Discipline/Removal of an Executive Officer (SO 8)
- Discipline/Removal of a Student Council Officer (SO 6)
- Discipline/Removal of a Student Voice Representative (SO 7)
- Members Disciplinary Procedure (SO 13)

13.7.2 A respondent has the right of appeal to the Disciplinary Appeals Board. This information will be communicated to the respondent directly after the ruling of the Members Disciplinary Committee.

13.7.3 In the event of a referral from the President or the Complaints Appeals Committee, the complainant also has the right of appeal to the Disciplinary Appeals Board. This information will be communicated to the respondent directly after the ruling of the Members Disciplinary Committee.

13.7.4 The Disciplinary Appeals Board shall comprise:

- An Executive Officer (who was not on the relevant Disciplinary Panel) who will act as non-voting Chair
- The President of NUS Wales/UCMC or their nominee
- An External/Alumni Trustee (who was not on the Executive Disciplinary Panel)
- A Student Trustee (who was not on the Members Disciplinary Panel)
- A member of Student Council, as elected by the Student Council.

13.7.5 The quorum of the Disciplinary Appeals Board shall be 4 members of the Board.

13.7.6 The respondent or the complainant must inform the President, in writing, of their wish to appeal no later than 3 working days of notification of the outcome of the Disciplinary Committee hearing.

13.7.7 The Chair of the Disciplinary Appeals Board shall organise the Disciplinary Appeals Board

hearing as soon as it is practical to achieve quorum.

- 13.7.8 A respondent will remain suspended until the final ruling of the Disciplinary Appeals Board.
- 13.7.9 The respondent will be entitled to attend the hearing of the Disciplinary Appeals Board, together with a representative or friend. This person shall have no speaking rights. The Disciplinary Appeals Board may refuse to allow a representative/friend to attend if it considers there may be a conflict of interest. The respondent must be allowed to nominate an alternative representative. (The agreed date/time of the meeting may not be changed if the nominated candidate is unable to attend).
- 13.7.10 The decision of the Disciplinary Appeals Board shall be final and binding.
- 13.7.11 The Disciplinary Appeals Board shall not impose extra penalty upon the appellant.
- 13.7.12 The Chair of the Disciplinary Appeals Board shall inform the respondent (and complainant) of the outcome of the Disciplinary Appeals Board no later than 3 working days after the Disciplinary Appeals Board is convened.

## **14. COMPLAINTS PROCEDURE**

### **14.1 GENERAL**

14.1.1 The University of South Wales Students' Union will operate within its' Articles of Association and Standing Orders in order to fulfill its' aims and objectives. Similarly, members are expected to abide by the Articles of Association, the Standing Orders, the Behavioural Policy and any and all Policies and Procedures of the Union.

14.1.2 Any member who deems that 14.1.1 above has been contravened has the right to lodge an official complaint. However, it should be noted that:

- In the case of dissatisfaction with the way in which Executive Officers carry out their duties, matters should be referred to the Executive Disciplinary Committee. (SO 8)
- In the case of dissatisfaction with the way in which Student Council Officers carry out their duties, matters should be referred to Student Council (SO6)
- In the case of dissatisfaction with the way in which Student Voice Representatives carry out their duties, matters should be referred to the Student Voice Forum (SO7)
- In the case of dissatisfaction with the way in which members of sports teams or clubs conduct themselves whilst participating in activities organised in the name of the Union, matters should be referred to Student Council. (SO 11)
- In the case of dissatisfaction with the way in which members of societies conduct themselves whilst participating in activities organised in the name of the Union, matters should be referred to Student Council. (SO 12)

14.1.3 Complaints against members made by those external to the Union will also be considered.

14.1.4 Complaints against members of staff by members must be made directly to the CEO.

14.1.5 Complaints about service provision must be made directly to the section head, who will investigate fully.

14.1.6 Complaints must be submitted to the President (or nominee), in writing, using the Complaints Form. The Union presumes that all complaints are submitted in good faith, are not spurious or intend to cause harm. All complaints will be treated in confidence.

14.1.7 Complaints made anonymously may be investigated, but only after consideration of

- a) the seriousness of the issue(s) raised and
- b) the credibility of the concern.

14.1.8 All complaints will be investigated by the President (or nominee), who shall have no material interest in the complaint, within 5 working days of receiving the complaint.

14.1.9 Members submitting complaints or those being complained about are entitled to independent advice and support from the Campus Vice President.

14.1.10 Following the investigation (based on the evidence provided), the President will make either:

- A recommendation to the Members Disciplinary Committee of No Further Action
- A recommendation to the Members Disciplinary Committee of Further Action

14.1.11 All decisions/actions taken by the President in the course of the investigation will be logged.

## **14.2 THE COMPLAINTS APPEALS PROCEDURE**

14.2.1 A complainant who is dissatisfied with the outcome of 14.1.10 is entitled to appeal to the Complaints Appeals Board, within 3 working days of notification of the outcome. The Complaints Appeals Board shall be established as and when necessary and is not required to comprise the same individuals each time.

14.2.2 The Complaints Appeals Board shall comprise:

- An Executive Officer of the Union (who is not on the Members Disciplinary Panel) who will act as Chair of the hearing
- The President of NUS Wales (or nominee)
- The Vice Chancellor's nominee

14.2.3 The quorum of the Complaints Appeals Board shall be all members of the Complaints Appeals Board.

14.2.4 The Chair of the Complaints Appeals Board shall organise the hearing as soon as is practicable to achieve quoracy. This may be done electronically.

14.2.5 All actions and decisions of the Complaints Appeals Board will be logged.

14.2.6 In the event that a recommendation of No Further Action is overturned, the matter will be passed directly to the Members Disciplinary Committee.

14.2.7 In the event that a recommendation of Further Action is overturned, the complaint will be dropped. Any and all actions taken by the Members Disciplinary Committee will be revoked.

14.2.8 The Chair of the Complaints Appeals Board shall inform the complainant of the outcome of the Complaints Appeals Board within 3 working days of the decision.

14.2.9 The decision of the Complaints Appeals Board shall be final.

14.2.10 Once a ruling has been made, the complaint or a similar complaint using the same evidence, cannot be re-submitted.

### **14.3 HABITUAL OR VEXATIOUS COMPLAINANTS**

14.3.1 Habitual or vexatious complainants can be a problem for the Union, its' Trustees, officers, members and staff. The difficulty in handling such complainants is that they are time consuming and wasteful of resources in terms of Officer, Member and staff time and displace scarce human resources that could otherwise be spent on Union priorities. Whilst the Union endeavours to respond with patience and sympathy to the needs of all complainants there are times when there is nothing further which can reasonably be done to assist or to rectify a real or perceived problem.

14.3.2 For the purpose of this policy the following definition of habitual or vexatious complainants will be used:

The repeated and/or obsessive pursuit of:

- unreasonable complaints and/or unrealistic outcomes; and/or
- reasonable complaints in an unreasonable manner

as deemed by the Member Disciplinary Panel.

14.3.3 Complainants (and/or anyone acting on their behalf) may be deemed to be habitual or vexatious where previous or current contact with them shows that they meet *one* of the following criteria:

- Persist in pursuing a complaint where the Union's complaints process has been fully and properly implemented and exhausted.
- Persistently change the substance of a complaint or continually raise new issues or seek to prolong contact by continually raising further concerns or questions whilst the complaint is being addressed. (Care must be taken, however, not to disregard new issues which are significantly different from the original complaint as they need to be addressed as separate complaints.)
- Are repeatedly unwilling to accept documented evidence given as being factual or deny receipt of an adequate response in spite of correspondence specifically answering their questions or do not accept that facts can sometimes be difficult to verify when a long period of time has elapsed.
- Repeatedly do not clearly identify the precise issues which they wish to be investigated, despite reasonable efforts of the Union to help them specify their concerns, and/or where the concerns identified are not within the remit of the Union to investigate.

- Regularly focus on a trivial matter to an extent which is out of proportion to its significance and continue to focus on this point. It is recognised that determining what constitutes a trivial matter can be subjective and careful judgement will be used in applying this criteria.
- Have threatened or used physical violence towards employees at any time. This will, in itself, cause personal contact with the complainant and/or their representative to be discontinued and the complaint will, thereafter, only be continued through written communication. The Union has determined that any complainant who threatens or uses actual physical violence towards employees will be automatically be regarded as a vexatious complainant. The complainant will be informed of this in writing, together with notification of how future contact with the Union is to be made.
- Have, in the course of addressing a registered complaint, had an excessive number of contacts with the Union – placing unreasonable demands on Trustees, officers and staff. A contact may be in person, by telephone, letter, email or fax.
- Have harassed or been verbally abusive on more than one occasion towards employees dealing with the complaint. Trustees, officers and staff recognise that complainants may sometimes act out of character in times of stress, anxiety or distress and will make reasonable allowances for this. *Some complainants may have a mental health disability and there is a need to be sensitive in circumstances of that kind.*
- Are known to have recorded meetings or face-to-face/telephone conversations without the prior knowledge and consent of other parties involved.
- Make unreasonable demands on the Union, its Trustees, officers and staff and fail to accept that these may be unreasonable.
- Make unreasonable complaints which impose a significant burden on the human resources of the Union and where the complaint :
  - i) clearly does not have any serious purpose or value; or
  - ii) is designed to cause disruption or annoyance; or
  - iii) has the effect of harassing the Union; or
  - iv) can otherwise fairly be characterised as obsessive or manifestly unreasonable.
- Make repetitive complaints and allegations which ignore the replies which the Union has supplied in previous correspondence.

14.3.4 When it is considered that habitual and/or vexatious complaints are being received, the President will make a recommendation to the Member Disciplinary Panel that the complainant be determined as habitual and/or vexatious.

- 14.3.5 On approval of the recommendation, the President will notify the complainant, in writing, of the reasons why their complaint has been treated as habitual or vexatious.
- 14.3.6 The President will further notify the complainant, in writing, that the Union has responded fully to the points raised and has tried to resolve the complaint but there is nothing more to add and continuing contact on the matter will serve no useful purpose. The complainant will also be notified, in writing, that the correspondence is at an end.
- 14.3.7 Should habitual or vexatious correspondence continue, the Union will temporarily suspend all contact with the complainant, in connection with the issues relating to the complaint being considered habitual or vexatious and seek legal advice.



**15. HONORARY MEMBERSHIP (IN ANY CATEGORY)**

15.1 From time to time, the Union may award Honorary Membership to any student, staff member, alumni or community member who has made an exceptional contribution to, and has had a positive impact on, the Union and its' members.

15.2 Award will be by nomination to the first and last meetings of Student Council and Student Voice Forum of the academic year.

15.3 Awards will be limited to eighteen in an academic year.

15.4 The criteria for awards will be reviewed annually by the Student Council and Student Voice Forum.

11.5 Honorary Membership will not be automatically conveyed to outgoing Sabbatical officers.

15.6 Holders of Honorary Membership are entitled to:

- Join the Union's clubs and societies
- Attend Union activities and events (subject to ticket purchase)

15.7 Holders of Honorary Membership are not entitled to:

- Participate in the Union's democratic processes
- Hold any Union office (including those in clubs and societies)
- Speak and/or vote at meetings
- Play for any of the Union's competitive sporting teams
- Sign-in guests