

Leeds University Union

Bye-Laws

15th October 2007

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Bye-Laws

Background

1. Leeds University Union ("LUU" or "the Students' Union" or "the Union") is an unincorporated association.
2. These Bye-Laws are made pursuant to Article 48 of the Articles of Governance of the Union.
3. These Bye-Laws cover the following:
 - (1) Referenda
 - (2) Elections
 - (3) Student Activities;
 - (4) Union Council
 - (5) Sub-Committees of U.C.
 - (6) The Student Executive;
 - (7) Sub-Committees of the Board;
 - (8) Annual General Meetings
 - (9) Union Assemblies
 - (10) Union Representatives
 - (11) Policy of the Union
 - (12) Discipline and Appeals

Definitions and Interpretation

4. Words and phrases used in these Bye-Laws have the same meaning as ascribed to them in the Articles of Governance of the Union.
5. The Articles of the Governance of the Union shall take precedence over these Bye-Laws and these Bye-Laws shall not be interpreted or applied in any way which is inconsistent with the Articles of Governance of the Union.

Amendments

6. These Bye-Laws may be altered, varied or amended by the Trustees in accordance with Article 48, which requires any amendments to be approved by Union Council.

Guidance Documents

7. Rules and provisions made in Guidance Documents provided supplementary to these Bye-Laws shall carry the same weight as rules contained within the Bye-Laws themselves.

8. Amendments to Guidance Documents shall remain the authority of the relevant body as detailed in the Bye-Laws.

Bye-Laws last updated and approved 15th October 2007

Bye-law (1) : Referenda

General Provisions for Ordinary Referenda

1. Ordinary Referenda shall be held twice a year.
2. Business for Ordinary Referenda will be submitted by any full member to a Union Council Referenda Meeting.
3. Business submitted for an Ordinary Referendum must be debated at a Union Council Referendum Meeting.
4. Motions for Ordinary Referendum can be withdrawn only by the person proposing the motion unless they are being withdrawn on specific legal advice in which case the Returning Officer may withdraw the motion.
5. All business to be decided by an Ordinary Referendum must be debated at a Referenda Debate Meeting. The Debate meeting will follow the General Provisions stated in rules 48. to 55. of this Bye-law.
6. Motions shall be submitted for Ordinary Referenda by Union Council or by Secure Petition.

General Provisions for Extraordinary Referenda

7. An Extraordinary Referendum may be called on the presentation of a Secure Petition (defined in rule 1.5 of this Bye-Law) of 750 Ordinary Student Members. The petition will state the dates on which voting will take place and the question that is proposed for referenda.
8. An Extraordinary Referendum must be held not less than six working days and not more than ten working days after the date of the request has been submitted to the appointed Union office (the deadline for petition signatures).
9. The business of an Extraordinary Referendum shall be restricted to the motion or business for which the referendum was called.
10. Motions for Extraordinary Referendum can be withdrawn only by the person proposing the motion unless they are being withdrawn on specific legal advice in which case the Returning Officer may withdraw the motion.

Requirements for Referenda Motions

11. Motions proposed to either Ordinary or Extraordinary Referenda must comply with the following Bye-Laws.

12. Individual motions must be no longer than 400 words in total length excluding the title.

13. Motions must clearly state what the motion resolves for the Union. The title must reflect this. The title may be subject to change under rule 26. of this Bye-Law.

14. Motions for Referenda must include, separately from the word count, the name and student numbers of a Proposer and a Secunder. Where the Proposer of a motion is a Union Councillor their position may be stated.

15. Motions for Ordinary Referenda must also nominate a category under which it shall be discussed as follows (this is separate from the word count):

- (i) Education
- (ii) Activities, Strong & Active Union
- (iii) Welfare
- (iv) Wider Society & Citizenship

16. Where appropriate, motions must clearly state any relevant changes proposed to Articles or Bye-Laws either within the body of the motion or as supporting information.

17. No motion may be taken to Ordinary or Extraordinary Referendum that concern the allocation of resources to any current or future student activity group(s) unless the business has first been to the Activities Executive and Union Council. A student activity group is here taken to mean any group of self-organised students.

18. Motions may not deny any other groups of members rights or privileges as protected under the Articles of Governance and the Bye-laws. This includes the legal responsibilities of the University and Union and stated in such working agreements as the Freedom of Expression Agreement.

19. Content of motions may be amended by Steering Committee prior to Referendum voting on the grounds of legality or unproven factual accuracy. Such an enforced amendment may be made at any time including after a Secure Petition.

20. No motion, business or question can be taken to either an Ordinary or Extraordinary Referendum more than once in the same session. Union Council and / or Steering Committee can decide whether a proposed motion is repetitive of motions submitted previously in the same academic year and therefore whether this rule applies.

General provisions for Referenda Union Council Meetings

21. The Referenda Union Council Meeting will be held during a week day of term time.

22. Any Union member may attend the Referenda Union Council meeting and can request to speak for or against a motion or amendment.

23. Only Council members have voting rights at this meeting.

24. The agenda for the Referenda Union Council meeting will contain only motions and amendments submitted in accordance with these Bye-laws.

25. The agenda will be prepared having organised motions which were submitted into one of the categories under rule 15.

26. If Steering Committee feel that a motion has been submitted under an incorrect category then they have the power to move it into another category.

27. Union Council may take no normative judgement on any motion or amendment. Union Councillors are advised to only block the passage of motions or amendments under the following criteria :

- (i) Where student safety may be put at risk.
- (ii) Where passage of the motion would endanger the future of the organisation due to breach of the law, undue financial risk or serious risk to the reputation of the organisation
- (iii) Where the motion or amendment has no relevance to students

28. Amendments to proposed Referenda motions must have been submitted by a member of the Union. Amendments must be made in writing to Steering Committee via the nominated office by the published deadline 2 working days prior to the meeting. After this deadline emergency amendments will be allowed at the discretion of the proposer.

29. The Steering Committee shall have the power to withdraw any amendments which contravene any of rule 28. Such an amendment may only be overturned by a majority decision of Union Council.

30. A motion that has been withdrawn by the person proposing it may still be submitted for Ordinary Referendum by requesting a Secure Petition as per rules 33. to 47. of this Bye-Law.

31. Steering Committee is responsible for agreeing final motion titles. Steering Committee should ensure that the title accurately reflects the proposal contained within the motion.

General Provisions for Secure Petitions

32. A secure petition only meeting all the following rules will result in a motion being put to Ordinary or Extraordinary Referenda.

33. A petition may be requested by any member wishing to put a motion to Extraordinary Referenda or by any member who has proposed a motion for Ordinary Referenda which was rejected by Union Council.

34. The deadline for requesting a Secure Petition for a motion to be added to an Ordinary Referendum agenda is 2pm the following working day after the Union Council Ordinary Referendum Meeting.

35. A request for a secure petition for an Extraordinary Referenda can be made at any point during term time. A request for an Extraordinary Referenda Secure Petition must include a full copy of the proposed motion and names and student numbers of the member proposing and seconding the motion.

36. Requests for a Secure Petition should be made to the appointed office in writing.

37. The appointed Union office will arrange the staffing of the Petition to be available for members to sign by the start of the following working day at latest.

38. The Petition will be hosted at the Union Reception and supervised by Union staff.

39. Petitions will be available for members to sign between 9.00am until 5.00pm each weekday and until 12.00pm on the day of the Petition deadline.

40. Members wishing to sign the Petition will have to show their Student ID and record their name and Student Number.

41. Quorum for Secure Petitions for Ordinary Referendum is 330 valid members' signatures.

42. Quorum for Secure Petitions for Extraordinary Referendum is 750 valid members' signatures.

43. At the Petition deadline the Returning Officer will confirm the total number of students who have signed the Petition. Any member will be able to scrutinize the completed petition. If duplicate signatures or invalid student numbers are discovered then they shall all be discounted from the Petition.

44. A copy of the petition will be retained by the Democracy Support Office.

45. Lobbying may take place to encourage people to sign the petition. This must take place under the guidance document on campaigning regulations under the authority of the returning officer. Lobbying must not commence until a lobby briefing has been delivered by the Returning Officer or their nominee.

46. Requests for secure petition cannot contravene rules 17. and 18. of this Bye-Law.

General Provisions for Referenda Debate Meeting

47. The following provisions shall be overseen by the Returning Officer and the Union Council Speaker who will normally chair the Debate Meeting

48. The Chairperson may, at their discretion, delay opening the meeting by up to thirty minutes.

49. At the opening of the meeting the chair person will announce the time of closure.

50. The order of Speeches on each Motion will be:

- (i) A speech proposing the motion (2 minutes)
- (ii) A speech against the motion (2 minutes)
- (iii) An even number of speeches for and against the motion (1 minute each)
- (iv) A speech summing the arguments against the motion

- (1 minute)
- (v) A speech summing the arguments for the motion (1 minute)

51. The proposer of the motion has the right to make, delegate or waive the speech proposing or summing their motion.

52. The summation speech shall contain no new information to the debate.

53. Points of order may be made by any Union member on one or more of the following grounds:

- (i) A ruling from the chair
- (ii) A breach of Articles of governance, Union Bye-Laws or other regulations
- (iii) The conduct of the meeting

54. The position of Chair will be taken by the Union Council Speaker or, if they are absent or decline the Chair, by another Union Councillor that must be approved by the debate meeting. The chair shall:

- (i) Be heard in silence when they are speaking
- (ii) Be impartial and not participate in the debate
- (iii) Ensure the debate is orderly and conducted in accordance with the standing orders and may suspend debate if the meeting becomes disorderly.
- (iv) Require all speakers to address the meeting from a designated position.
- (v) Invite members to speak for and against motions but shall not call the same speaker to speak more than once on the same motion except for summation.
- (vi) Be competent to move procedural motions alone when there is no dissent.

General Provisions for Referenda Voting

55. Referendum voting shall take the form of a secret cross campus ballot in which members are asked to vote either yes or no in answer to a clearly defined motion or motions.

56. Referendum voting shall last not less than one working day and no more than four working days.

57. The quorum for a Referendum is 1500 Ordinary Student Members per motion.

58. Rules on Referenda polling, publicity, conduct and counting shall be as per Bye-Law (2) : Elections rules 28. to 46.

Requirements for Referenda Campaigning

59. Campaigning for or against individual motions may only begin once all appropriate campaign briefings have been completed overseen by the Returning Officer or their deputy.

60. Campaigning must follow the Guidance Document on Campaigning Regulations as overseen by the Returning Officer and according to Bye-law (2) : Elections.

Campaign Complaints and Disciplinary Procedures

61. A formal complaint may be made to the Returning Officer regarding campaigning by any member. The Returning Officer has the right to take disciplinary action where they have witnessed breaches of procedure themselves or where any member of the public or University has requested an investigation into campaign activity be conducted.

62. All complaints must be brought in writing and shall receive a written response within 48 hours.

63. If a complaint is upheld against an individual nominee, the Returning Officer has the power to apply any disciplinary sanction short of dismissing the motion and or campaign. Such sanctions might include, written warning, ban from using specific publicity materials or media, or a ban from active campaigning until polling closes. This list is not exhaustive. Sanctions must be confirmed in writing.

64. If the Returning Officer believes the offence to have been fundamentally and significantly detrimental to the integrity of the vote to the extent that the motion and / or campaign should be dismissed then they should make this recommendation to the Steering Committee to consider.

65. Appeals against the rulings of the Returning Officer as made in rule 64. above should be made in writing within one working day of the decision being confirmed in writing. The appeal should be submitted to the appointed office for the attention of the Steering Committee who will be convened at the earliest opportunity. The appeal should state the grounds for appeal, the desired outcome and whether the appellant wishes to present the appeal in person or for the Steering Committee to

review the Returning Officer's judgments based on the written statement of appeal alone.

66. Complaints regarding the outcome of a Steering Committee decision on appeal may be reviewed only via the University complaint procedure.

67. In the event of an Appeal being upheld against a decision which had resulted in a motion being removed from a ballot, Steering Committee shall have the discretion to order the individual Referendum motion to be re-submitted to the membership at the earliest convenient time or to automatically carry the motion forward to the next Ordinary Referendum. In either circumstance the nominee shall receive a new budget for campaign purposes.

Timings for Ordinary Referenda

68. Dates for Ordinary Referenda shall be published at the start of the academic year.

69. The deadline for members to submit motions for Ordinary Referenda will be a published date during term time.

70. The deadline for members to submit amendments to Referenda motions will be one week after the deadline for submitting motions.

71. The Union Council Referenda Meeting will be held two working days after the deadline for amendments to be submitted.

72. The deadline for members to submit requests for secure petition will be midday of the second working day after the Union Council Referenda Meeting

73. The deadline for members to sign Secure Petitions will be midday of the fourth working day after the deadline for requesting a secure petition.

74. The Referenda Debate meeting will be held on the second working day after the deadline for members to sign Secure Petitions.

75. Polling on Ordinary Referenda motions will open on the third working day after the Debate Meeting was held.

Bye-Law (2): Elections

General Regulations for Elections (including voting in Referendum ballots)

1. No member shall have more than one vote
2. Voting shall be by secret ballot using the single transferable vote (STV) system as described by the Electoral Reform Society of Great Britain & Northern Ireland and shall include re-open nominations as a candidate.
3. Should re-open nominations be the elected candidate, then the post in question shall remain vacant until a by-election is held.
4. Should re-open nominations be elected in a multi-seat election, its surplus of votes shall be transferred to a new re-open nominations candidate.
5. The Returning Officer shall be a member of LUU appointed by Union Council for the period of any election, for the purpose of administering the election regulations. The Returning Officer shall be appointed at the first Union Council of the academic year.
- 6 The Deputy Returning Officer will be appointed by Union Council for the period of the election to support the Returning Officer in his/her duties.
7. The Returning Officer shall be responsible for the conduct of all matter regarding the elections subject to his/her decisions being reviewed by the Steering Committee.
8. The Steering Committee shall have the duty to determine and amend the Guidance Document on Campaign Rules and Guidance Document on Secure Petitions. The Steering Committee shall be convened as under Bye-Law (5) : Sub-Committees of Union Council.

Elected Positions

9. The following posts shall be elected by cross-campus ballot:
 - (i) Student Executive Officers
 - (ii) General Student Representatives
 - (iii) Assembly Chairs
 - (iv) The Speaker
 - (v) Delegates to National Union of Students (NUS) National Conference
 - (vi) Leeds Student Editor

10. Delegates to all other National Union of Students (NUS) conferences shall only be proposed, seconded and elected by members self-defining within these groups.

Timing of Elections

11. Elections shall be held at times which are intended to enable the largest possible number of members to vote.

12. Formal notice of all elections shall be given from the start of each academic year with the agreement of Union Council, with full details available from the notice periods indicated in 13.

13. Nominations shall open sixteen days before close of polling.

14. Detailed Notice of elections shall be given a minimum of seven working days before nominations open.

15. Nominations shall close ten working days before close of polling.

16. A candidates' meeting must be held following the closure of nominations at a time specified by the Returning Officer.

By-Elections

17. Subject to Articles 62 and 63 Officer Trustees elected in by-elections shall hold office from the date that the result is declared for the remainder of that period in office.

18. In the event of a vacancy in a Non-Officer Trustee post, Union Council can call a by-election at its discretion such that polling closes in term time.

Nominations

19. Nomination papers must be available as soon as nominations open and available for collection from the Student Executive Office and other appointed offices in the Union building.

20. Completed nomination papers should be returned to the appointed office. The Returning Officer will then check and compile these at the close of nominations.

21. A written receipt must be issued to confirm the submission of each completed paper.

22. Each completed nomination paper must include the names, signatures and Union card numbers of those nominating an individual.

23. No member may stand for more than one position in the same election and no member may stand for a position as both a Student Executive Officer and Union Councillor at the same time.

Hustings

24. Hustings shall be held for the elections of Student Executive Officer and the election of the Leeds Student Editor.

25. Hustings shall be available for all candidates seeking election to these positions.

26. Candidates should inform the Returning Officer in writing if they are unable to attend hustings, stating their reasons for non-attendance.

27. Hustings for the posts of Student Executive and Leeds Student Editor shall be chaired by the Returning Officer. In the event that (s)he is unable to attend, they will appoint a member to take the chair.

Polling

28. Polling shall take place in a manner which allows the greatest possible number of members to take part, as ratified by Steering Committee.

29. A valid Union card or University user details are required in order to vote.

30. Members on ballot box duty shall not interfere with the course of elections in any way.

31. The names of candidates for each elected position shall be placed in random order on the ballot paper, with re-open nominations at the end.

Publicity

32. All campaigning publicity must meet the requirements of the Guidance Document on campaigning regulations, as approved by the Returning Officer and Steering Committee.

33. All candidates/nominees in an Election or Referendum shall receive a publicity budget at a level set by Steering Committee.

Conduct

34. Candidates/Nominees must conduct themselves in line with the Guidance Document on Campaigning Regulations. Candidates / nominees breaching these regulations will be subject to the disciplinary procedures outlined in the appropriate Guidance Document.

35. Campaigning may begin at the end of the candidates/nominees briefing.

36. Complaints regarding candidates conduct must be submitted to the Returning Officer no later than the close of polling. Complaints will be dealt with as outlined in the Guidance Document covering campaigning regulations or elsewhere in these rules.

37. Receipts covering budget used in campaigning shall be submitted to the appointed office by the close of polling.

38. The Returning Officer may take any disciplinary action short of permanent withdrawal of a candidate/motion that they believe to be reasonable. In the event that the Returning Officer deems it appropriate to withdraw a candidate/motion they should make this recommendation to the Steering Committee in writing.

39. Steering Committee shall hear any appeals relating to decisions of the Returning Officer short of withdrawal of a candidate/motion.

40. The Returning Officer shall be responsible for convening Steering Committee in the event of any such appeals.

41. If a candidate/nominee wishes to complain against any decision of the Steering Committee they can only do so using the University complaints procedure.

42. Any member of Steering Committee who is either a nominee in a Referendum, candidate or campaign supporter in an election shall be suspended from Steering Committee until such a time as the election result is certified.

Counting

43. The timing of the count shall be approved by Steering Committee or the Returning Officer prior to the start of polling.

44. Each candidate/nominee in any election will be permitted to nominate one individual to monitor the count on their behalf.

45. Complaints about the count must be made in writing to the Returning Officer no later than 1 working day after the announcement of the result. Steering Committee must be convened to hear any complaints.

46. The results of all Union elections shall be certified by the Returning Officer.

Bye-Law (3) Student Activities

Definition of Student Activities

1. The Student Activities of LUU comprises student Groups formed and co-ordinated under the direction of LUU and monitored by Student Activity Executive including the following categories : Faith and Cultural; General Interest; Political and Campaigning; Performing; Media; Sport; Outdoor Activities; Martial Arts and Dance; Departmental and Volunteering.

Student Activities

2. The Activities Executive shall have the power to form LUU activity groups, at the request of members, which will fall under the activity groups listed above.

3. Groups will always remain constituent parts of the Union and are subject to the day to day rulings of Union Council and the Board of Trustees.

4. Groups shall have the right to use space in the Union building.

5. Groups shall be eligible to receive financial assistance from the Union in the semester following their creation.

6. Groups shall have a constitution which includes all the provisions in the sample Constitution and which cannot be amended to counter the spirit and intentions of these provisions.

7. Changes to the sample constitution shall be approved by Union Council and the Board of Trustees.

8. Membership of Groups shall only be open to members of the Union except at the discretion of the Student Activities Executive and on payment of an appropriate fee.

9. Non-members joining Groups shall be specifically excluded from holding office on a committee or other positions of responsibility within the group. The only exclusion to this rule would be where a specific level of experience or qualification is required that no member holds to lead the activity safely.

Formation of Activities

10. Activity formation applications should be presented to the Activities Executive for approval.

11. Applications for formation should state the name, aims and objectives of the proposed group and include the name, address, Union card number and signatures of the President/Captain, Treasurer and Secretary.

12. Applications for formation should be accompanied by a petition in support of the group listing the names, student numbers and signatures of 20 Union members who would wish to join that group.

13. Any group whose membership falls below 15 members will have their activities and funds frozen for six months until their activity membership exceeds that number. If after six months the activity group still has fewer than 15 members then it will be no longer recognized by the Union.

14. On dissolution all assets and monies of the group revert to the Union.

15. Any data held by the Union about the group will adhere to LUU's data policy and the data protection act.

Responsibilities of the Club/Society

16. The captain/president of the group has the responsibility to ensure that the Union has up to date details of the committee and must provide LUU with required information.

17. The Union will keep membership lists in order to assess groups' viability. This information will not be disclosed to any third party.

18. The group must have an elected president/captain, secretary and treasurer in office.

19. Committee members will be held accountable for the actions of their group and will be subject to a disciplinary at the discretion of the Activities Executive when the group acts out of conduct.

20. Groups must use the appointed Student Activities cash office for all financial transactions and must abide by the Union's financial procedures.

21. Groups may not hold any external bank account.

Leeds Student Newspaper

22. There shall be a Leeds Student Newspaper.

Bye-Law (4) – Union Council

Composition

1. No member may hold more than one seat on Union Council at any one time. The composition of the Union Council shall comprise the following:
2. Student Executive;
3. Eight Student Representatives elected from the general student body;
4. Two Student Representatives in the first year of study to be elected at the earliest opportunity at the start of each academic year.
5. The Chair of the Activities Executive Committee.
6. Assembly Chairs and Convenors as follows:
 - (i) Black and Asian Students Assembly Convenor
 - (ii) Democracy and Communications Assembly Convenor
 - (iii) Disabled Students Assembly Convenor
 - (iv) Education Assembly Chair
 - (v) Ethical and Environmental Assembly Chair
 - (vi) Interfaith Assembly Chair
 - (vii) International Students' Assembly Chair
 - (viii) Lesbian, Gay, Bisexual and Trans Students' Assembly Convenor
 - (ix) Mature and Part-time Students' Assembly Convenor
 - (x) Post-Graduate Assembly Chair
 - (xi) Racial Minorities Assembly Convenor
 - (xii) Student Parents Assembly Convenor
 - (xiii) Welfare Assembly Chair
 - (xiv) Women's Assembly Convenor
7. Union Council members shall serve from the point that they are elected. If a Union Council position is not filled at any election then it shall be considered vacant until filled at a future election.
8. A Union Council seat shall be considered vacant form the point that nominations are closed for an election.

Convocation of Ordinary Union Council Meetings

9. Meetings shall take place a minimum of once per month during term time.

10. The agenda for each meeting shall be made available five working days before the meeting is due to be held.

11. The quorum for Union Council Meetings shall be a majority of those members entitled to attend.

Convocation of Extraordinary Union Council Meetings

12. Meetings shall take place within three working days of being convened by a signed minute of a majority of Union Council members or the Trustees.

13. The motion or business for which the meeting is being called must be clearly specified and the agenda shall be limited to that motion or business.

14. The agenda for extraordinary meetings shall be made available at least two working days before the meeting takes place.

15. The quorum for Extraordinary Union Council Meetings shall be the same as Ordinary Union Council Meetings.

Duties of Union Council

16. To represent the voice of Students.

17. To set the policy of the Union in accordance with Article 65.2 of the Articles of Governance and Bye-law (11) – Union Policy.

18. To hold the Student Executive to account for its representational work receiving regular reports.

19. Appoint Honorary Life Members.

20. Receive a quarterly report from the Trustees.

Powers of the Union Council

21. To delegate any of its powers.

22. To form and disband Assemblies.

23. To appoint Sub-Committees and Working Groups supporting the work of Union Council.

24. To nominate representatives to serve on bodies outside the Union who shall be mandated to represent Union policy.

25. To hold open Union Council Referendum Meetings as part of the ordinary Referendum process.

26. To no confidence any person from any committee with the exception of no-confidencing members of the Student Executive from the Student Executive. Following a vote of no-confidence a member shall be deemed withdrawn from that body and their position vacant.

27. To withdraw or suspend the membership rights of any member.

Duties of all Union Council Members

28. To act at all times in accordance with Union policy and subject to Articles of Governance to be bound by the mandates of the Board of Trustees, the Annual General Meeting and Union Council meetings.

29. To attend all meetings of Union Council for the duration of the meeting.

30. To attend the AGM and Debate Meetings.

31. To prove their attendance at all meetings by signing the attendance sheet.

32. To actively promote the Union and its campaigns.

Duties of Assembly Chairs

33. To form an Assembly in accordance with the terms of their position as outlined within the Articles of Governance and Bye-laws and chair its meetings.

34. To represent the views of students within their particular portfolio to Union Council and where appropriate the Student Executive and University.

35. To report twice per semester the key activities of their Assembly. This report will be available to Union Council and on luuonline.com.

36. To formally propose policy to Union Council on behalf of the Assembly within their portfolio.

37. To actively seek to promote participation by ordinary members in Assembly meetings and activities, publicize all meetings.

Voting by Union Council

38. Voting during Union Council meetings shall be by a show of hands or secret ballot as directed by The Speaker.

39. In the event of a tied vote The Speaker shall have the casting vote but not vote until that situation arises.

40. For the purposes of electing representatives any member may only cast as many votes as there are vacancies on a committee.

Discipline of Union Council Members

42. If any member is in breach of rules 28. to 37. or could not or cannot carry out their duties, they must present their apologies to the next available meeting.

43. If a member presents no apology, or Union Council decides not to accept an apology then such members will have been deemed to be in contempt of Union Council.

44. Members who are deemed to be in contempt of Union Council in respect of a material breach of rules 28. to 37. or three times in a session for a non-material breach shall be subject to the rulings of Union Council.

Attendance at Union Council Meetings

45. Meetings of Union Council shall be open to all eligible members of the Union.

46. Observers shall not disturb the business of the meeting, shall have no voting rights and shall not speak without the permission of the meeting.

47. The speaker shall have the power to eject any person from the room.

48. Union Council members wishing to leave a meeting for more than ten minutes must be given permission to do so by the Speaker.

49. Absence after an adjournment shall count as an absence from the meeting.

General Standing Orders for Union Council

50. All decisions of Union Council shall be carried by a simple majority of those present at the meeting, unless specified elsewhere in the Articles and Bye-Laws.

51. Members wishing to speak must address the Speaker.

52. The Speaker will decide right of priority in speaking and length of discussion to allow all items of business on the agenda to be considered.

53. A member may speak at any time on a point of order.

54. Points of information may be made at the discretion of the member speaking.

55. Procedural motions may be moved at any time and shall be voted on immediately, however may only be proposed once during the same item of business at the discretion of the Chair.

Points of Order

56. If any of the following points of order are moved only the proposer shall speak and the meeting shall then move directly to a vote on that point of order:

- (i) A challenge to the Chair's ruling.
- (ii) No confidence in the Chair.
- (iii) A suspension of standing orders

57. The proposer of a suspension of standing orders shall state the standing orders to be suspended and the duration of the suspension.

Procedural Motions in order of precedence

58. A motion that a vote be taken

59. A motion that discussion of the current item of business should cease and a vote not be taken

60. A motion to refer the matter back to the Student Executive, a sub-committee of Union Council or an Assembly for re-examination.

61. A motion that the matter be deferred for further discussion at the next meeting; and

62. A motion for a temporary adjournment.

Standing Orders for Union Council

63. The following shall be the order of business at meetings of Union Council:

- (i) Apologies for absence.
- (ii) Minutes of the previous Union Council meeting for ratification as a true and accurate record of that meeting.
- (iii) Matters arising out of these minutes.
- (iv) Business referred by Assemblies
- (v) Business referred by the Student Executive
- (vi) Business referred by other Members
- (vii) Minutes of the meetings of sub-committees of Union Council.
- (viii) Reports and declarations to Union Council
- (ix) Executive Question Time
- (x) Any other business.

Standing Orders for Extraordinary Union Council

64. The business for an Extraordinary Union Council meeting shall be restricted to the motion or business for which the meeting was called.

Standing Orders for Union Council Referendum Meeting

65. The business for a Union Council Referendum Meeting shall be restricted to the discussion of motions proposed as business for the Ordinary Referendum for which it has been called under Bye-Law (1) : Referenda.

The Speaker

66. The Speaker shall chair all Union Council meetings but shall have no voting or speaking rights other than as chair.

67. The Speaker shall chair and convene the Disciplinary Appeals Body.

68. The Speaker shall be subject to the same disciplinary procedures as Union Councilors.

69. Once elected for a term of office the Speaker may not submit motions to Union Council or Referenda or speak on any proposed items of business other than impartially to maintain balanced debate.

70. In the absence of the Speaker at any meeting over which they are presiding, a member of the Student Executive shall take responsibility for electing a substitute from Union Councilors present. Once elected, the substitute Speaker shall be subject to rules 66. to 69. above for the duration of that meeting.

In Camera Meetings

71. Any meeting of Union Council or a Sub-Committee may move to be in camera by a decision of at least two-thirds majority of those present and voting.

72. In any case, a meeting in camera will become open again when it moves to the next item of business on the agenda.

73. If an item of business has been discussed in camera, then it shall continue to remain in camera if brought up at a later date.

74. If a meeting moves to be held in camera, those in attendance may, at the discretion of the Chair, be required to leave the room until the meeting becomes open again.

75. The minutes of any part of a meeting held in camera shall be deemed confidential and shall be ratified as true and accurate in camera.

Bye-Law (5) : Sub Committees of Union Council

1. The following Sub-Committees shall be convened to support the work of Union Council:

- (i) Activities Executive
- (ii) Steering Committee
- (iii) Student Executive Committee (as defined in Bye-law 6).

General Regulations for Sub Committees and Working Groups of Union Council

2. All committees shall keep minutes of their proceedings and submit them to Union Council for approval.

3. The quorum for all committees shall be half of the elected members of that committee, unless otherwise stated in these Bye-Laws.

4. Each committee shall elect a chair if one is not otherwise stated in these Bye-laws.

5. Business for each committee shall be submitted at least three working days before the date of the meeting at which it is to be discussed.

6. The agenda of each committee meeting shall be made available at least two working days before the date of any meeting.

7. Committees shall be empowered to co-opt as non-voting members such individuals as they deem necessary.

8. Extraordinary committee meetings shall be convened by a signed minute of the committee in question.

9. Committee members shall be elected as detailed under Bye-law 2.

Activities Executive

10. Composition

- (i) Activities Officer
- (ii) Chair of Activities Assembly
- (iii) Representatives elected from each of the Student Activity Groups.

11. Convocation

- (i) Meetings shall take place fortnightly during term time.
- (ii) Meetings shall be convened and chaired by the chair of Activities Assembly, but may be convened by the Activities Officer at his/her request
- (iii) The Chair is the elected representative of the Activities Executive on Union Council, and must feedback the opinions of the Activities Executive to Union Council and act on their behalf.
- (iv) The Activities Executive members are representative of each activity area and must represent these areas to the Activities Executive at meetings.
- (v) Committee Members shall be elected by internal ballot in the third term with only Activity President/Captain, Secretary and Treasurer of each club eligible to vote.

12. Duties

- (i) To monitor and receive reports from the Activities Officer.
- (ii) To assist in the organization of events.
- (iii) To give guidance and support to the Activities Officer.
- (iv) To assist in the organization of events.
- (v) To give guidance and support to the Activities Officer.
- (vi) To take on activities-related campaigns.

13. Powers

- (i) To recommend actions to Union Council.
- (ii) To set the Activities membership fee.
- (iii) To allocate the Activities annual funding budget, subject to ratification by the Audit and Risk Committee.
- (iv) To approve the formation of new Student Activities.
- (v) To oversee the discipline of Student Activities groups and their members.

Steering Committee

14. Composition

- (i) The Communications & Internal Affairs Officer
- (ii) The Deputy Returning Officer
- (iii) Five members of Union Council, elected at any ordinary meeting of Union Council
- (iv) In attendance, the Returning Officer

15. Convocation

- (i) Meetings may be convened at the request of Union Council or the Communications & Internal Affairs Officer

- (ii) During any election process held by LUU, the Returning Officer shall convene the committee to review any appeals or complaints regarding the election.

16. Duties

- (i) To be responsible for hearing any appeals or complaints against decisions of the Returning Officer which regard the general conduct of Union elections.
- (ii) To consider any proposals from the Returning Officer that a candidate be withdrawn from an election.
- (iii) To determine, monitor and keep under review policy and procedures of the Union that relate to elections.
- (iv) To be responsible, when necessary, for the disciplinary procedures, including appeals, of Union Council

17. Powers

- (i) To make final and binding decisions regarding the conduct of elections.
- (ii) Steering Committee shall have absolute discretion on the appeals against any decisions of the Returning Officer in relation to elections.
- (iii) To approve the guidance document on campaigning regulations.
- (iv) To make final and binding decisions regarding the disciplinary procedures of Union Council.

Bye-Law (6): The Student Executive

Definition

1. The Student Executive shall be the Officer Trustees as defined in the Articles of Governance.
2. There shall be the following Officer Trustees:
 - (i) Activities Officer
 - (ii) Community Officer
 - (iii) Communications & Internal Affairs Officer
 - (iv) Education Officer
 - (v) Equality & Diversity Officer
 - (vi) Welfare Officer

Conditions

3. Officer Trustees shall remain in office in accordance with Articles 36-37 of the Articles of Governance.
4. Officer Trustees shall be granted all the privileges of Union membership.
5. Officer Trustees must be a Student Ordinary Member at the time of their election.
6. Officer Trustees may not publicly take side in a representative election

Collective Duties of Officer Trustees

7. To be Trustees of the organization.
8. To promote and defend the rights of members.
9. To work in accordance with and in furtherance of, Union policy.
10. To be responsible both to and for the Student Executive as a whole.
11. To ensure Union Council is kept up to date on the actions of the Student Executive.
12. To support, where appropriate, Union Councilors in the fulfillment of their roles.

13. To liaise with external organizations appropriate to individual roles.

14. Duties of Officer Trustees may be reallocated by the Student Executive or Board of Trustees.

Duties of the Activities Officer

15. To represent all the Union Activity Groups.

16. To collaboratively work as part of the Activities Executive to establish and oversee the funding procedures for Activity Groups.

17. To work with activities development staff in the Union and University.

18. To oversee the development of the range of facilities available for Union Activities.

19. To oversee the Varsity competition alongside student representatives from Leeds Metropolitan University, and the Christie Championship, alongside student representatives from Manchester and Liverpool Universities.

20. To represent Members to the University on Union Activity matters, including sitting on the relevant committees of the University.

21. To represent Members to regional and national organizations on all issues relating to student activities.

Duties of the Community Officer

22. To represent LUU to local community organizations and to oversee student representation at relevant community meetings.

23. To oversee the LUU community strategy.

24. To represent students on issues of safety, crime and housing both within the University and the local community.

25. To respond to current issues affecting students in the community by representing students and leading campaigns.

Duties of the Communications & Internal Affairs Officer

26. To chair the Board of Trustees.

27. To chair the Student Executive Committee meetings.
28. To communicate with the membership regarding the activities of the Union.
29. To be the spokesperson of the Union to the media and other external bodies.
30. To act as NUSSL Liaison Officer.
31. To represent the Union on University committees related to general student issues.
32. To liaise with the Chief Executive to ensure effective running of the organization.

Duties of the Education Officer

33. To represent students' views and liaise with the University and external bodies on educational matters.
34. To oversee student support and representation on educational issues.
35. To liaise with the Medical Students' Representative Council.
36. To lead the Union's delegation to the University Senate.

Duties of the Equality & Diversity Officer

37. To monitor and update Union policy on equality and diversity matters.
38. To ensure University services and policies fully reflect the diversity of student needs.
39. To promote and campaign for equal opportunities within the University, Union and the wider community.
40. To liaise with national, regional and local organizations on issues of equality and diversity.

Duties of the Welfare Officer

41. To represent students on relevant University committees.

42. To work with the University on matters affecting University owned student accommodation.

43. To work actively with local and regional Primary Care Trust and external bodies on matters affecting student health.

44. To lobby and campaign to ensure sufficient provision is available for students' general, sexual and mental health.

45. To lobby and campaign to ensure sufficient provision is available in the areas of financial and debt management.

Removal of Officer Trustees

46. Student Executive Officers can only be removed in accordance with Articles 58 and 61 of the Articles of Governance.

Bye-Law (7) : Sub-Committees of the Board

Appointments Committee

Composition, quorum and reporting

1. The Appointments Committee will consist of not less than 5 Trustees appointed by the board with the Chief Executive in attendance in an advisory capacity. The Chair of Trustees is ex-officio a member of the Appointments Committee.
2. A quorum will be at least 3 board members one of whom must be the Chair of the Appointments Committee or the Chair of Trustees.
3. The appointments panel which interviews prospective Trustee candidates shall consist of the Chair of Union Council, the Chair of the Board, a Co-opted Trustee and University Nominee. The Chief Executive shall be in attendance in an advisory capacity only.
4. The Appointments Committee having considered the views of the appointments panel will meet and report back regularly. And at least annually, to the Trustee Board.

Overall Responsibility

5. The Appointments Committee will take delegated responsibility on behalf of the Trustee Board for identifying, and proposing Student Trustees and Co-opted Trustees in accordance with Articles 40 and 42 of the Articles of Governance and for their induction, support and development.

Main duties

General

6. To carry out regular skills, experience and diversity audits of the Trustee Board and identify the skills, experience, characteristics and backgrounds that are needed to provide high quality effective governance.
7. To prepare job descriptions, person specifications and an information pack for prospective Student Trustees and Co-opted Trustees and to be open about the time commitments involved and what is expected of each Trustee. It is essential that prospective Trustee Board members share the Union's mission and values; are team players; and can be constructively challenging and independently minded.

8. To prepare a recruitment plan and timetable, and to consider whether vacancies should be advertised internally, through newsletters, the internet etc, advertised externally, through the web, local or national press or in specialist journals if specialist skills are needed.

9. To identify a list of prospective Student Trustees and Co-opted Trustees and develop their interest in the work of the organization.

10. To meet the prospective Trustee Board members, to scrutinize their suitability and to make recommendations to the Board.

11. To inform successful and unsuccessful candidates.

12. To induct, mentor and involve new Trustee Board Members.

13. To appoint the Chief Executive.

Audit and Risk Committee

Purpose

14. To ensure that the Union complies with all relevant laws and regulations and that an internal system of accountability is formally set up.

15. To review and consider appropriate methods of controlling the Union's activities (financial and otherwise).

16. To analyze and manage the Union's overall risk profile.

Membership

17. The Committee shall consist of 3 trustees appointed by the Trustee Board, the external auditor and 2 external members who will be individuals of appropriate skills and expertise (of which a maximum of 1 are independent and not otherwise associated with the Union). The Chief Executive and the Director of Resources shall be in attendance.

18. Each member cannot serve for more than 4 years in whatever capacity, for example as Trustee or external member.

19. Trustee members may be members of Audit and Risk Committee as long as they are members of the Board of Trustees.

20. External members may not serve for more than 4 years.

21. The External Auditor shall be a member of Audit and Risk for the duration of his/her company's contract with LUU.

Proceedings

22. The Trustee Board will appoint the Chair of the Audit and Risk Committee.

23. The quorum of the Committee shall be 3 and shall meet at least 5 times per year.

24. Any trustee may attend a meeting of the Audit and Risk Committee, even where he or she is not a formally appointed member of the Committee.

25. The Audit and Risk Committee may require the attendance of any Officer Trustees or employee of the Union to report on any matter raised by the Audit Committee, and may appoint or instruct any external professional advisor, legal or otherwise, to properly perform its functions.

26. The Audit Committee may review, investigate or analyze on behalf of the Trustee Board any matter or issue which may threaten or adversely impact the Union's objects and governing documents, operations, assets, compliance with applicable law and regulations, records, data and overall reputation.

Remit

27. To review the risk profile of the Union and any existing audit framework (both internal and external).

28. To structure and recommend appropriate levels of internal and external audit systems.

29. To monitor the performance of existing audit systems and to present regular reports to the Trustee Board in respect of the results of any auditing exercise.

30. To advise on and ensure that audit checks are carried out in all key areas of the Union's operations: in particular, legal, financial and tax management, investment policies and performance, health and safety insurance.

31. To promote a culture of accountability throughout the Union's operations and among its staff and members.
32. To review and advise the Trustee Board in respect of any matter which threatens or carries a risk for the Union.
33. To institute and monitor any special or ad-hoc audit or investigation, providing a report of its findings to the Trustee Board.
34. To offer an ultimate port of call for the more urgent or sensitive concerns raised in respect of the Union's integrity, financial and otherwise.
35. To liaise with external auditors and promote a more efficient and co-ordinated audit process involving internal and external auditors.
36. To appoint other professional advisers where necessary and request specialist advice as may be required to perform its role effectively.
37. To make other decisions of a financial nature but only as delegated by the Trustee Board.

External Audits

38. To monitor frequency and scope of external audits.
39. To advise the Trustee Board on the appointment and to monitor the performance of external auditors.
40. To review existing arrangements of external auditors (and their terms of business/engagement) and to advise on tenders if appropriate.
41. To liaise with external auditors and review the preparation of the audit report.
42. To co-ordinate the relationship between the Trustee Board and external auditors.
43. To review the documentation provided by the Trustee Board to external auditors, for the preparation of the charity's statutory accounts and other financial statements.

Remuneration and HR Committee.

Purpose

- 44. To agree amendments to employee policies.
- 45. To approve the Union wide pay award.
- 46. To agree the pay award for the Chief Executive.

Membership

- 47. The committee shall consist of 3 trustees appointed by the Trustee Board, 2 external members who will be individuals of appropriate skills and expertise. The Chief Executive, Director of Resources and the HR Manager shall be in attendance.
- 48. Trustee members may be members of Remuneration and HR Committee as long as they are members of the Board of Trustees.
- 49. External members may not serve for more than 4 years.

Proceedings

- 50. The Trustee Board will appoint the Chair of the Remuneration and HR Committee.
- 51. The quorum of the Committee shall be 3 and it shall meet at least 5 times per year. The Chief Executive shall not take part in any decision concerning his/her remuneration.
- 52. Any trustee may attend a meeting of the Remuneration and HR Committee even where he or she is not formally appointed member of the Committee.
- 53. The Remuneration and HR Committee will meet approximately two weeks before and report to the Trustee Board after each meeting or at any time it may be necessary or desirable.
- 54. The Remuneration and HR Committee may require the attendance of any Officer Trustees or employees of the Union to report on any matter raised by the HR Committee, and may appoint or instruct any external professional advisor, legal or otherwise to properly perform its functions.

55. The HR Committee may review, investigate or analyze on behalf of the Trustee Board any matter or issue which relates to human resources or remuneration.

Remit

56. To approve the Union wide pay award (e.g. cost of living and feedback on negotiations)

57. To agree any significant changes to remuneration systems.

58. To agree the remuneration of the CEO

59. To agree amendments to employee policies.

60. To receive the results of the staff satisfaction survey and agree any subsequent action to be taken.

61. To receive reports concerning employment statistics e.g. disability, equal ops, working time directive, absence and agree any subsequent action to be taken.

62. To oversee compliance with current employment legislation.

Bye-Law (8): Annual General Meetings

Regulations for Annual General Meetings

1. Annual General Meetings shall be called and conducted in accordance with Articles 17-29.
2. The agenda must be published at least five working days before the date of the meeting and must be made generally available.
3. The order of business shall not be subject to suspension and business shall be dealt with in the prescribed order.
4. No member who can show their current Union card may be excluded from the meeting nor any part of it except those with suspended privileges at the time of the meeting.
5. Persons who are not members of the Union or Trustees may only be present at a general meeting at the discretion of the Chair.
6. The Chair shall have the authority to give a ruling on the provisions of the standing Orders set out in rules 9. to 14. of this Bye-Law and shall decide the right of priority in speaking.
7. Members shall address speeches and comments through the Chair.
8. Points of information may be made at the discretion of the member speaking.

Standing Orders for Annual General Meetings

9. Minutes of the previous Annual General Meetings for ratification as a true and accurate record.
10. Trustees' Report
11. Receiving the Accounts
12. Appointment of the Auditors
13. Open questions to the Trustees by the Members.

Bye-Law (9) : Union Assemblies

Definition

1. Assemblies shall be defined as groups, networks or meetings where members regularly come together to exchange views and participate in activity which will stimulate member's interest and inform Union Council in areas of common concern.

2. Assemblies shall seek to maintain work within specific terms of reference and will be guided by the Assembly Chair who is a full member of Union Council. LUU Assemblies may be formed at the approval of Union Council and shall include:

- (i) Black and Asian Students Assembly.
- (ii) Democracy and Communications Assembly
- (iii) Disabled Students Assembly
- (iv) Education Assembly
- (v) Ethical and Environmental Assembly
- (vi) Interfaith Assembly
- (vii) International Students' Assembly
- (viii) Lesbian, Gay, Bisexual and Trans Students' Assembly
- (ix) Mature and Part-time Students' Assembly
- (x) Post-Graduate Assembly
- (xi) Racial Minorities Assembly
- (xii) Student Parents Assembly
- (xiii) Welfare Assembly
- (xiv) Women's Assembly

Purpose

3. Within the terms of reference for an individual Assembly:

4. To promote the views, interests and organize activities of common concern for members of the Assembly.

5. To make proposals and recommendations to Union Council on specific issues.

6. To direct LUU policy and campaign activity.

Provisions Applicable to all Assemblies

7. All Assemblies shall keep summary notes of their proceedings and submit them to Union Council if required for approval.

8. A quorum for an Assembly may be requested by Union Council but in normal circumstances shall not be required.

9. Each Assembly shall be convened by the Assembly Chair and in the absence of such a person then an appropriate Executive Officer or otherwise approved by the Executive Committee.

10. Any full member of LUU shall be entitled to speak or vote at an Assembly meeting or debate at the discretion of the Chair.

Duties of Assemblies

11. To promote and oversee the running of any activities or campaigns organized by the Assembly.

12. To produce detailed proposals for campaigns and activities including budgets where appropriate.

13. To always seek to recruit volunteers to participate in campaigns and activities.

14. To liaise with other organizations who represent the interests of its members.

15. To consider market research or student feedback in relation to the student experience to inform the future developments and campaign issues.

16. To provide information and report back on activity to Union Council.

Bye-Law (10): Union Representatives

Union Representatives on University Committees

1. University Council
 - (ii) Education Officer
 - (iii) Communications & Internal Affairs Officer
2. University Court
 - (ii) Five members of the Student Executive
3. University Senate
 - (ii) One Union Academic Representative (UAR) from each faculty
 - (iii) The six members of the Student Executive
 - (iv) The Education Assembly Chair
 - (v) The Postgraduate Assembly Chair
 - (vi) Two further members selected by Union Council
4. Other University Committees
 - (i) Union representatives on all other University Committees shall be nominated by the Student Executive who shall retain a publicly accessible list of these representatives.

Union Representatives at NUS National Conference

6. The delegation is open to all ordinary members and shall be decided by cross campus ballot.
7. All delegates must vote in line with Union policy.
8. Following the selection of the Union's delegation Union Council will elect a Delegation Leader.
9. Following NUS National Conference the Delegation Leader will provide a report to Union Council.
10. Union Council, based on this report, will be empowered to withdraw any expenses due to a delegate, and/or find a delegate in contempt of Union Council.

Union Representatives at NUS Regional Conferences

12. The Student Executive Officers shall automatically be delegates.

13. Members will make up the remainder of the delegation.

14. In the event of the delegation membership being contested, Union Council shall make final and binding decisions.

Union Representatives at NUS Liberation Conferences

15. Delegations shall be appointed according to NUS guidelines.

16. All delegates must vote in line with Union policy.

17. Following a Liberation Conference the delegates shall provide a report to Union Council.

18. Union Council, based on this report or in the absence of a report, will be empowered to withdraw any expenses due to a delegate, and/or find a delegate in contempt of Union Council.

Bye-Law (11): Policy of the Union

Policy

1. Policy (as defined in Article 1.7) shall be set by:
2. Union Council in accordance with Article 65.2 of the Articles of Governance, but subject to Article 69.
3. Referenda of the Members in accordance with Bye-Law (1):Referenda.
4. Policy shall last for three years unless it is overturned by a higher body. Union Council cannot rescind a decision made by Referenda. Referenda can rescind a decision made by Union Council and Referenda can overturn Referenda
5. Policy (as defined in Article 1.17) is only subject to the authority of the Board of Trustees on the grounds of financial considerations, charity or education law or other legal requirements (including ultra vires) or reputation of the Union.

Bye-Law (12): Discipline and Appeals

Disciplinary Appeals Body

Purpose

1. To act as an appeals body for individual members who feel that they have been unfairly treated by Union bodies including disciplinary decisions taken with regard to LUU premises, clubs and societies.

Composition

2. The Speaker.
3. Three female members of the Union.
4. Three male members of the Union.

Convocation

5. The chair of the meeting shall be the Speaker.
6. The Speaker must call a meeting within seven days of any decision being brought before Disciplinary Appeals Body.
7. A list of those Union members wishing to sit on the committee shall be maintained by the Student Executive.
8. Members shall be randomly selected from a list of names for each case.

Duties

9. To have jurisdiction over members of the Union and over persons using Union facilities and resources.
10. To have final jurisdiction over the decisions of Clubs and Societies affecting individual members.
11. To report all decisions of Disciplinary Appeals Body to Union Council.

Powers

12. To uphold or repeal disciplinary decisions of Union Committees, Clubs and Societies.

13. To require the attendance at Disciplinary Appeals Body of any Union member.

14. Non-compliance is an offence and will lead to further disciplinary action.

Regulations

15. All members must declare any interests that they have regarding the case.

16. No member may sit on the committee if the issue under consideration concerns activities or person that they may be involved with.

17. No members of Union Council may sit on the committee.

18. Quorum is a full complement of members as outlined above.

Procedures

19. Any member of the Union may appeal against a decision of Union committees of Clubs and Societies.

20. The complainant must be informed of:

- (i) The relevant sections of the Articles or Bye-Laws
- (ii) The factual details of the decision.
- (iii) The time, date and place of the hearing.
- (iv) The necessity to produce all witnesses at the time of the hearing.

21. Both the complainant and the Union Representative must be present for the meeting to proceed.

22. In the absence of either party the meeting shall adjourn and the Chair shall investigate the reasons for absence.

23. Following an investigation by the Chair the meeting shall be reconvened and may proceed at the discretion of Disciplinary Appeals

24. Body and any of the parties may have the right to appoint another member as their representative.

25. The complainant, or their representative, will present the case.

26. All parties have the right to question each other under the direction of the Chair.

27. Disciplinary Appeals Body will consider their decision in camera.

28. Disciplinary Appeals Body shall reach its decision by simple majority.

29. The Chair shall notify the parties immediately of the Body's decision.

Appeal of Removal as a Trustee – Appeals Body

30. In accordance with Article 61, a Trustee removed in accordance with Articles 58.2, 59.2 and 60.2 shall be entitled to appeal the decision to remove him or her to an Appeal Body. The Trustee appealing shall be called "the Appellant".

31. The Appellant has the right to appeal against a decision of the Trustees provided s/he lodges his or her appeal in writing with the Chief Executive not more than 14 days after the receipt of the written notice of the decision of the Trustees.

32. The appeal should contain a statement of the grounds upon which the appeal is brought and of the facts and matters relied upon.

33. If an appeal is lodged within time the decision to dismiss the Appellant shall not take effect until the final determination of the matter.

Notification of hearing and exchange of information

34. The Appellant shall be given at least 21 days' written notice of the date, time and place of the appeal hearing.

35. At least 14 days prior to the date of the hearing, the Appellant shall:

36. Confirm whether or not s/he intends to attend the hearing and, if so, the name of any person who will be accompanying or representing him or her;

37. If s/he intends to seek the agreement of the Appeals Body to submit any such fresh evidence that s/he wishes to rely upon.

38. At least 7 days prior to the date of the hearing, the Union shall provide the Appellant with any further evidence which it wishes to rely upon.

39. Neither party shall without the consent of the other or the permission of the Appeals Body rely on any statement of document other than those provided or identified under rules 35. to 37. of this Bye-Law.

Composition of the Appeals Body

40. The Appeals Body shall be made up as constituted under Article 61.2. The identity of those who sit on the Appeals Body, as per the agreed categories, shall be decided by the NUS appointee and University. In addition, the University nominee and the independent person should not have had any substantive involvement in the matter under appeal. Their relationship with the Appellant should not give rise to any conflict of interest.

The parties in proceedings before the Appeals Body

41. The Appellant shall be entitled to be accompanied or represented by one other person of his or her own choice except where, in the opinion of the Chair of the Appeal Body, such person has a conflict of interest.

42. The Chair of the Trustees shall act on behalf of the Union as the Respondent to the appeal and for this purpose may instruct a representative.

Procedure before the Appeals Body

43. The function of the Appeals Body is to review the reasonableness of the decision to dismiss the Appellant. On the appeal, the Appeals Body will consider the documents, statements and other evidence produced to the original Trustee meeting. The Appeals Body shall not interview or cross examine any witnesses.

44. The hearing of an appeal shall be conducted in accordance with rule 45. to 48. of this Bye-Law except where to do so would be inconvenient or unjust, when the Chair of the Appeals Body may modify the procedure to the extent that s/he deems necessary provided that the result is fair to the Appellant.

Courses of action which the Appeals Body may take

45. The courses of action which the Appeals Body may take are:

46. To uphold the appeal; or

47. To reject the appeal.

48. Within seven days, the Chief Executive will notify the Appellant, in writing of the decision of the Appeals Body.

The absence of the Appellant

49. If at the Appeal hearing, the Appellant is not present or represented, the Appeals Body may proceed to consider the matter in the Appellant's absence if it is satisfied that notice was properly served upon him or her in accordance with rule 34.

Order of proceedings

50. The order of proceedings for the Appeals Body meeting, unless the Chair otherwise directs, will be as follows:

51. Submissions by or on behalf of the Appellant.

52. Submissions by or on behalf of the Respondent.

53. Consideration of the evidence by the Appeals Body.

54. Closing submissions by or on behalf of the Appellant.

55. Closing submissions by or on behalf of the Respondent.