

**CODE OF PRACTICE ON THE OPERATION OF THE
STUDENTS' UNION**

**UNIVERSITY OF SOUTH WALES H E C
PRIFYSGOL DE CYMRU C A U**

**EDUCATION ACT 1994: CODE OF PRACTICE ON THE OPERATION
OF THE STUDENTS' UNION**

1. Introduction

The Education Act 1994 places responsibilities on the Board of Governors of the University to ensure that the Students' Union operates in a fair and democratic manner and is accountable for its finances. Section 22 of the Act sets out the specific requirements which must be met, including the production of a Code of Practice which is to be made available annually to all students. This document constitutes such a Code of Practice. (NB The sections in bold represent a summary of the specified sections of the Act.)

2. Constitution of the Students' Union - Section 22(2)(a) and (b)

The Act requires that the Students' Union has a written constitution which is approved by the Board of Governors and reviewed by the Board of Governors at intervals of not more than five years.

The Students' Union will have a written Constitution approved by the Board of Governors. The Constitution will be reviewed periodically by the Board of Governors, at intervals of not more than five years.

3. Right not to be a member of the Students' Union - Section 22(2)(c)

The Act requires that a student should have the right not to be a member of the Union and that students who exercise that right should not be unfairly disadvantaged with regard to the provision of services, or in other ways, as a consequence of exercising that right.

Any student may exercise his/her right not to be a member of the Union by giving notice in writing to the Academic Registrar of the University. Once this right has been exercised, it will remain in force whilst the student remains enrolled on their course (unless rescinded formally in writing). Students who exercise this right will receive an identification document, which will enable them to use all the services of the Union as agreed between the Union and the University, but they will not be able to participate in the democratic and decision-making processes of the Union, including its clubs and societies.

4. Union Elections - Section 22(2)(d), (e) and (f)

The Act requires that appointment to major Union offices should be by election in a secret ballot in which all members are entitled to vote. The Board of Governors must satisfy itself that the elections are properly conducted, and no person shall hold sabbatical office in the Union for more than two years.

The Constitution of the Union will be required to meet all of these requirements. The appointment of the Returning Officer for elections must be approved by the Clerk to the Board of Governors. The Returning Officer will be either an External or Alumni Trustee of the Students' Union, whose appointment is also agreed by the Students' Council of the Students' Union.

5. Finance - Section 22(2)(g) and (h)

The Act requires that the financial affairs of the Union are properly conducted and that the Board of Governors approves the Union's budget and monitors its expenditure. Financial reports must be published, at least annually, and be available to the Board of Governors and all students. They must contain details of any donation to external organisations.

The Constitution of the Union will be required to make provision for the proper conduct of its financial affairs. The Board of Governors will approve the Union's budget for each year in advance, and will monitor its expenditure by receiving financial reports comparing actual income and expenditure with budgeted income and expenditure and an accompanying balance sheet for the six months to 31st January and the twelve months to 31st July in each financial year. The annual financial reports of the Union will be published and made available to students at the Annual General Meeting, and the Board of Governors. The reports will include details of any donations to external organisations.

6. Allocation of resources to Clubs and Societies - Section 22(2)(l)

The Act requires that the procedure for allocating resources to clubs and societies is set down in writing and freely accessible to students.

The Constitution of the Union or its Standing Orders/Clubs & Societies handbook will include details of such procedures.

7. Affiliations to External Organisations - Section 22(2)(j), (k) and (l)

The Act requires that decisions by the Union on affiliations to external organisations, including details of any payments made, are published and that notice of such decisions is available to the Board of Governors and all students. A list of all affiliations, including details of payments, must be published at least annually, and a review of these must be undertaken at least annually. There must be arrangements whereby not more than 5 per cent of members can request a secret ballot on the question of continued affiliation to any particular organisation.

Decisions on affiliations to external organisations will be recorded in the Minutes of General Meetings of the Union and will be made available online to students on the Students' Union website. The decisions will be reported by the Union to the Clerk to the Board of Governors for report to the Board.

The Union will review all affiliations annually at its Annual General Meeting. Minutes of that meeting will contain a list of all approved affiliations, including details of payments, and will be made available online to students on the Students' Union website. The same details will be reported by the Union to the Clerk to the Board of Governors for report to the Board.

The Constitution of the Union will provide for a referendum to be called on any issue, including the continuing affiliation to any organisation by:

- i) A resolution of the Trustees of the Students' Union; or
- ii) A majority vote of the Students' Council; or
- iii) A secure petition signed by at least 100 Members

8. Complaints Procedure - Section 22(2)(m) and (n)

The Act requires that there should be a complaints procedure available to students when they are dissatisfied in their dealings with the Union or where they believe that they are unfairly disadvantaged through exercising their right not to be a member of the Union. The complaints procedure should provide for an independent person appointed by the Board of Governors to investigate and report on complaints. Complaints should be dealt with promptly and fairly, and where a complaint is upheld, there should be an effective remedy.

Students who are dissatisfied in their dealings with the Union shall have the opportunity to raise their complaint with the Union in the first instance through procedures contained within the Union's Standing Orders. Those who fail to obtain a satisfactory outcome through the Union, or who claim to be disadvantaged as a result of exercising their right not to be a member of the Union, will be entitled to appeal to the Vice-Chancellor in accordance with the University's Student Complaints Procedure. If they fail to obtain a satisfactory outcome through these procedures, they may appeal to the Board of Governors of the University, who will appoint an independent person to investigate the complaint. The Board will receive a report from that independent person and determine what remedy, if any, is appropriate.