

UNIVERSITY OF WESTMINSTER

STUDENTS'
UNION

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UWSU Bye Laws

Last reviewed December 2018

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Bye-Law (1): Referenda

Organisation of a Referendum

1. The Board of Trustees shall appoint a returning officer who shall be responsible for organising Referenda and other matters (but not elections) which shall be organised in accordance with the Union's Articles of Association. The returning officer appointed under this paragraph shall be known as the "Union Returning Officer". For the avoidance of doubt, where the referendum concerns affiliation to an external body, the Returning Officer cannot come from that external body (as may be practice in other elections) and would normally be a suitably qualified senior member of staff from another union.
2. The returning officer shall organise a referendum when instructed as set out in accordance with the Union Articles of association
3. The Referendum shall be held not sooner than 10 days and not later than 20 days following receipt of the petition, or at such other time as may be mutually agreed by the proposers of the Referendum and the President.
4. The Referendum shall be arranged in accordance with the following timetable (of days prior to the first day of voting):
 - 4.1 10 Days: Publish the proposal and date(s) for the Referendum, seeking any alternative or related proposals and statements for and against the proposals, within 5 days.
 - 4.2 5 Days: Cease accepting alternative or related proposals.
 - 4.3 4 Days: Publish the proposal, with any alternative or related proposals and the arrangements for meetings required to debate it.
5. An alternative or related proposal shall be considered on receipt of a Secure Petition signed by at least 500 Members. It shall be worded so that it can stand alone from, or alongside, the original proposal.
6. In the case of any dispute regarding the wording of proposals, or if it deems necessary, the Board of Trustees shall be empowered to revise the wording of proposals in order to ensure that those voting in Referenda are presented with clear choices and decisions.

General Arrangements for Referenda

7. Any decision or petition for a Referendum shall specify a single proposal or separate proposals each of which shall not exceed 100 words.
8. The Board of Trustees shall determine the financial arrangements for publicising Referenda. Such arrangements for publicising Referenda shall ensure that all Referenda held within each Academic Year receive equal funding.
9. A minimum of 5% of the total membership shall be required to cast votes in a the Referendum for the decision to be quorate.
10. The Union Returning Officer shall actively seek statements for and against Referenda proposals to assist those voting to consider the issues involved. If more than one statement is submitted, the Union Returning Officer shall decide upon which one is published, or may prepare a new statement combining different statements.

11. The proposers and opponents of a Referendum shall be entitled to produce a statement of not more than 200 words, and proposers and opponents of alternative or related proposals a statement of not more than 100 words.

Conduct of the Referendum

12. The Referendum shall be conducted by means of a ballot open to all Members.
13. Polling shall be held on at least one day for at least 8 hours.
14. The Referendum shall be conducted in accordance with the regulations covering elections, as laid out in Bye-Law 3: Elections.

Bye-Law (2): Student Forums

General

15. There shall be recognised student forums as established by the Articles of Association. The forums covered in these bye-laws are:
 - 15.1 Annual Student Conference;
 - 15.2 Scrutiny Panel;
 - 15.3 Course Rep Councils (done by site/faculty);
 - 15.4 Societies Forum;
 - 15.5 Sports Forum; and
 - 15.6 Diversity Forum.

16. **The Annual Student Conference**
 - 2.1. The Annual Student Conference (ASC) will be held once a year in accordance with the Articles of Association.
 - 2.2. The ASC shall be called by at least 14 clear days' written notice.
 - 2.3. Notice of the ASC shall be given to every Member and to the Trustees and any patron of the Union.
 - 2.4. The business to be transacted at the ASC shall include:
 - 2.4.1. ratification of minutes of previous ASC;
 - 2.4.2. receiving the report of the Trustees on the Union's activities since the previous ASC;
 - 2.4.3. receiving the accounts of the Union for the previous financial year;
 - 2.4.4. approving the list of affiliations of the Union; and
 - 2.4.5. open questions to the Trustees by the Members.
 - 2.5. The ASC will also review the Union's work on key Student priorities.
 - 2.6. The ASC is open to all Members. Every Member has the right to attend the ASC and the right to vote. A resolution put to the vote of the ASC shall be decided on a show of hands, and every Member shall have one vote.
 - 2.7. Every resolution put to the vote of the ASC shall be decided by a simple majority of the votes cast.
 - 2.8. The ASC will involve an overview presentation by the Officer Trustees, followed by group discussions.
 - 2.9. UWSU shall seek to invite all students through its membership database but will also target other specific groups including:
 - 2.9.1. Representatives from other forums listed above;
 - 2.9.2. Students who voted in the Union elections; and
 - 2.9.3. Students who have taken part in market research activity.

- 2.10. If it is felt that more than 50% of the quorum is made up of a single constituency (for the purpose of clarification, a constituency in this case would be the student forums listed above) then the chair can declare the meeting advisory and require all business to be ratified by trustees (for example, if more than 50% of attendees at the ASC are regular attendees of the societies forum).
- 2.11. 100 persons entitled to vote upon the business to be transacted, each being a Member (but excluding Trustees), shall be a quorum. No business shall be transacted at any ASC unless a quorum is present.
- 2.12. If a quorum is not present within half an hour from the time appointed for the ASC, the ASC shall stand adjourned to the same day in the next week at the same time and place or to such other day, time and place as the Trustees may determine and, if at the adjourned ASC a quorum is not present within half an hour from the time appointed for the ASC, the Members present shall be a quorum.
- 2.13. The Deputy Chair of the Trustees shall preside as chair of the ASC. In the absence of the Deputy Chair, the Members present and entitled to vote shall choose one of their number to be chair.

3. Scrutiny Panel

- 3.1. The scrutiny panel as set out in the Memorandum and Articles is a committee concerned with the scrutiny of the performance of elected officers.
- 3.2. Membership of the panel shall be as follows:
- 3.2.1. Ordinary Student Trustee (as chair);
 - 3.2.2. 3 x Society Presidents nominated by societies council;
 - 3.2.3. 1 x Sports Captain nominated from sports council;
 - 3.2.4. 1 x Faculty Representative from each university faculty, elected from the course reps of that faculty; and
 - 3.2.5. 5 x other students selected by random ballot from the membership database held by UWSU.

Terms of office

- 3.3. The Ordinary Student Trustee shall be chair for their term of office as a trustee.
- 3.4. Other members shall serve a maximum of 12-months and can only undertake one term of office.

Students selected by random ballot

- 3.5. The ballot must be performed at the start of the first semester every academic year and the 5 students invited to join the panel. Should any/all students not respond within 7 days of the invite a repeat ballot will be performed for the remaining places. This process will continue until all 5 places are filled; or
- 3.6. Should the random ballot fail to provide 5 students in time for the first scrutiny panel of the academic year then, there shall be up to 2 faculty reps per each university faculty. These reps should be elected in advance and placed on a reserve list and called upon should there be any vacancies amongst the balloted members.

Quorum

- 3.7. Quorum shall be 7 students (including the chair) and shall consist of at least 1 representative from each of the groups listed as being part of the membership. Should there be no balloted members the quorum shall be the same with one representative from each of the groups except the balloted members.
- 3.8. Should there be no quorum within 20 minutes of the scheduled start time then the meeting can continue in an advisory capacity and all decisions will need to be ratified at the next quorate meeting. Motions of censure cannot be discussed, even in an advisory way, by a meeting that is not quorate.

Officers subject to scrutiny by the panel

- 3.9. Any elected post holder (elected by cross campus ballot – i.e. the Sabbatical Officers and Liberation Officers but not the NUS delegates).

Other people in attendance at the meeting

- 3.10. Other people shall be in attendance at the meeting:
 - 3.10.1. The CEO or their delegated member of staff, who will act as secretary;
 - 3.10.2. Any Trustee of UWSU; and
 - 3.10.3. Pre-agreed representatives of the UWSU media.

Conduct of the meeting

- 3.11. Unless otherwise stated below, the general conduct of the meeting shall be determined by the chair.
- 3.12. People who are in attendance at the meeting shall not be permitted to speak or vote, except with the express consent of the chair, and normally only to make general updates to the information presented, clarifications to factual inaccuracy or to outline problems with process at the meeting.
- 3.13. People who are in attendance at the meeting shall not be present during any deliberations or discussions about the outcome of the performance assessment of the elected post holders.
- 3.14. Decisions will be made by a simple majority on a show of hands except the vote on a motion of censure which shall be a two-thirds majority conducted by secret ballot.

Assessing the performance and conduct of the officers

- 3.15. The panel must make a judgement on the past performance and conduct of the elected post holders. They should assess performance since the previous meeting of the scrutiny panel but can take into account previous reports of the panel.
- 3.16. Scrutiny panel cannot recommend workload allocation, give direction on officer priorities or request follow up work or reports.
- 3.17. In order to make a judgement, the panel should be provided with the following evidence:
 - 3.17.1. Monthly written officer reports;
 - 3.17.2. Manifesto commitments and sabbatical goals documents;
 - 3.17.3. Sabbatical officer handbook and guidelines;
 - 3.17.4. Verbal reports and answers to questions at the panel meeting; and
 - 3.17.5. Any other information deemed relevant to support the work of the officers.

3.18. The panel must take into account all of the evidence that is presented and pass one of the following judgements:

- 3.18.1. Commend the work of the officer subject to scrutiny;
- 3.18.2. Be satisfied with the work of the officer subject to scrutiny;
- 3.18.3. Require a better performance at the next scrutiny panel; or
- 3.18.4. Move to a motion of censure (see below).

Motions of censure

3.19. A motion of censure against an officer subject to scrutiny may be discussed at the committee if:

- 3.19.1. It has been put on the agenda by a valid vote at another student forum; or
- 3.19.2. It is the judgement that the work of the officer subject to scrutiny amounts to serious misconduct or that the work of the officer subject to scrutiny has been persistently poor despite scrutiny panel requiring better performance.

3.20. The motion of censure must state clearly:

- 3.20.1. The standard of behaviour expected or the procedure that should have been followed;
- 3.20.2. Where the officer has not met the standard of behaviour or not followed the procedure; and
- 3.20.3. How that is impacting on student experience and the ability of the officer to undertake their role.

3.21. Motions of censure against the liberation officers will not normally be discussed unless it has been already discussed and approved by the diversity forum. The chair will outline clearly the reasons for accepting such motions that have not been through this route.

3.22. If the motion of censure is not on the agenda in advance then the officer under scrutiny should be informed of the reasons for that motion being taken and allowed time out of the meeting to prepare a defence or gather mitigating evidence. This shall normally not be longer than 30 minutes.

3.23. Should this censure, if passed, automatically lead to a motion of no confidence the officer under scrutiny may request the meeting to be rescheduled to allow them time to prepare their defence. The rescheduled meeting shall be within 7 days of the current meeting.

3.24. If a third censure is passed then a motion of no confidence shall be placed and decided by a quorate general meeting. For the avoidance of doubt, a section of the Annual Student Conference can be declared as a general meeting for the purposes of discussing this motion. If the meeting is not quorate then the vote should go to a referendum.

3.25. If the motion of no confidence is agreed to be discussed at a time of year where it would be difficult to hold a general meeting, the Trustee Board can agree to go straight to a referendum to decide this motion.

3.26. This does not affect the right of the Trustees to progress disciplinary issues through the Standards and Ethics Committee. However, both processes cannot be run concurrently and the Trustee Board should refrain from action until the motion has been passed.

3.27. The Union should seek to resolve a motion of no confidence within one month of the third censure being passed. This includes holding a general meeting and having a referendum afterwards.

4. Other Student Forums

General

- 4.1. Student forums should be open to all students and the meeting should be set up and run in a way that does not disadvantage students from attending.
- 4.2. Unless otherwise specified in the Bye-Laws:
 - 4.2.1. The meeting schedule shall be set in advance for the academic year by the chair, in conjunction with the relevant member of UWSU staff;
 - 4.2.2. Notification of the meeting should be made online and via posters at least 7 days in advance;
 - 4.2.3. The process for the administration of the forum, the conduct of the meeting, agenda and recording minutes shall be at the discretion of the chair;
 - 4.2.4. The quorum for a student forum is 30 students; and
 - 4.2.5. Decisions will normally be made by a simple majority vote on the show of hands but anyone in the meeting can call for a secret ballot. It shall be the discretion of the chair if the vote shall be made by secret ballot.

Course Rep Councils

- 4.3. There shall be a Course Rep Council for each faculty of the University which shall be held at least once a semester.
- 4.4. The Councils are open for all to attend but only those students who are recognised course reps shall be entitled to vote and count towards the quorum.
- 4.5. The Councils shall have the authority to:
 - 4.5.1. hear reports on the actions of the SU with regard to the educational experience;
 - 4.5.2. recommend educational policy of the union and the educational priorities of the officers;
 - 4.5.3. request training or briefings on specific course issues;
 - 4.5.4. request a motion of censure against an elected officer be voted on at the next scrutiny panel; and
 - 4.5.5. elect Faculty Representatives.

Societies Forum

- 4.6. There shall be a Societies Forum which shall be held at least once a semester.
- 4.7. The Societies Forum is open for all to attend but only 2 students from each recognised society shall be entitled to vote and count towards the quorum.
- 4.8. The Societies Forum shall have the authority to:
 - 4.8.1. hear reports on the actions of the SU;
 - 4.8.2. review and comment on the budget allocations to the societies;
 - 4.8.3. recommend policy of the union in the area of running student activities and the priorities of the officers regarding student activities;
 - 4.8.4. request training or briefings on specific issues; and
 - 4.8.5. request a motion of censure against an elected officer be voted on at the next scrutiny panel.

Sports Forum

- 4.9. There shall be a Sports Forum which shall be held at least once a semester.
- 4.10. The Sports Forum is open for all to attend but only 2 students from each recognised sporting club shall be entitled to vote and count towards the quorum.
- 4.11. The Sports Forum shall have the authority to:
- 4.11.1. hear reports on the actions of the SU;
 - 4.11.2. review and comment on the budget allocations to the sporting clubs;
 - 4.11.3. recommend policy of the union in the area of running student activities and the priorities of the officers regarding student activities;
 - 4.11.4. request training or briefings on specific issues; and
 - 4.11.5. request a motion of censure against an elected officer be voted on at the next scrutiny panel.

Diversity Forum

- 4.12. The purpose of the Diversity Forum shall be to enable the Students' Union to promote and celebrate the diversity of its members. It will:
- 4.12.1. support the work of the liberation officers and provide guidance on their campaign priorities;
 - 4.12.2. discuss the needs of different groups of students and coordinate action to improve their student experience, in particular those groups who do not have representation by a liberation officer;
 - 4.12.3. express a view as to the effectiveness of the sabbatical officers in representing the diversity of the students;
 - 4.12.4. work in partnership with University of Westminster to create an inclusive university experience;
 - 4.12.5. run educational and awareness campaigns and activities with the members;
 - 4.12.6. select delegates to represent the views of members at external conferences, such as NUS liberation campaign conferences; and
 - 4.12.7. report issues of performance of the liberation officers to the Scrutiny Panel and recommend motions of censure against the liberation officers for discussion by the Scrutiny Panel.

Composition

- 4.13. The forum shall be open for any individual to attend, in particular individuals who have an interest in promoting the diversity of the students and enabling an inclusive university experience.
- 4.14. A register of forum attendees will be taken for each meeting. The chair will note in the minutes if any particular groups are over represented. The Trustees can take a view if they accept the decisions of the meeting based on the attendance.
- 4.15. The membership of the Forum shall normally be as follows:
- 4.15.1. President (as chair);
 - 4.15.2. All liberation officers;
 - 4.15.3. All site Vice Presidents;
 - 4.15.4. Up to 2 representatives from each of the registered societies of UWSU that represent demographic groups these may include; LGBT Society, Faith-based societies (such as Islamic

- society), Cultural-based societies (such as Afro Caribbean Society), Mature students Society, PG students Society; and
- 4.15.5. Other representative roles as determined by the issues at the time.

Conduct of all Forum Meetings

- 4.16. The meeting schedule shall be set by the Chair and agreed at the first Trustee Board of the academic year. There shall be at least one forum per semester.
- 4.17. The agenda will be set by the Chair and will be advertised on the website and social media at least one week in advance.
- 4.18. The Chair shall be entitled to invite other members to attend and speak depending on the issues to be discussed.
- 4.19. The meeting business should not normally require a vote. There will be no official quorum for student views and opinions reported to the meeting. However if there are issues which do require a vote then this will be done as a simple majority of those present and voting with a quorum of 12 and at least 5 different demographic groups being represented at that meeting.
- 4.20. All other issues relating to the conduct of the meeting shall be decided by the Chair.

Expectations and Responsibilities of individual members

- 4.21. Provide a student perspective from their own experiences and actively seek the views of other students.
- 4.22. Ensure that the forum is an inclusive meeting. Members should respect all points of view and understand that there may not be consensus on all issues.
- 4.23. Promote the work of the forum to all students and act as a point of communication on SU.

Union Representatives at NUS Liberation Conferences

5. Liberation Conference delegations shall be led by the equivalent liberation officer with any additional delegates elected by cross-campus ballot, or from within their respective self-defining groups as determined by the Board of Trustees.
6. Liberation Conference delegations shall be agreed by the Diversity Forum within their respective self-defining groups.
7. All delegates must vote in line with Union Policy.
8. Following a Liberation Conference the delegates shall provide a report to the Board of Trustees.

Bye-Law (3): Elections

Glossary of terms for Bye Law 3

- **Candidates** – any person who is officially recognised as standing in an election
- **Campaign team** – any person who is actively campaigning for a candidate by approaching other students and soliciting their vote. (Telling friends who you are voting for or showing someone your preference by way of a badge/stickers or clothing does not constitute actively campaigning.)
- **Elections** – unless otherwise specified this refers to the annual election of the sabbatical officers which also includes the annual election of delegates to the NUS conference
- **Election Period** – This is the period from the opening of nominations to the declaration of results
- **Hustings** – these are public forums at which candidates set out their pledges and answer questions on their manifesto and campaign commitments so that voters can make up their mind who to vote for. At Westminster we do this is
- **Multi-seat/multi member** – An election where more than one person is required to be voted in – for example the NUS elections where we have 6 people
- **Returning Officer** – a legally recognised election official. At UWSU this person is independent to the organisation and normally from NUS. This person is the ultimate arbiter in the cases of disputes and application of these bye laws
- **Slate** – this is a group of candidates who stand together as one team under one banner. Usually a slate will have a common brand/identity and set out common aims and goals. The most obvious example of a slate is a political party.
- **STV/ATV** – Single Transferable Vote/Alternative Transferable Vote – a method of voting which is supported by the Electoral Reform Society which involves numerically ranking candidates in order of preference instead of marking an X by the name of your preferred candidate.

General Regulations for Elections (including voting in Referendum ballots)

9. For the purpose of elections, voting members shall be defined as all students who are registered with the university who are:
 - current at the date of voting (or at an agreed census date as close to that date of voting as is practical) and
 - On a course that requires attendance of at least one term and
 - Studying at the main University sites (not at a partner college)
 - It shall include students who are suspended/on hold for financial reasons
10. No Member shall have more than one vote.
11. 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.
12. Should re-open nominations be the elected candidate, then the post in question shall remain vacant until a by-election is held.
13. Should re-open nominations be elected in a multi-seat election, its surplus votes shall be transferred to a new re-open nominations candidate.
14. The Returning Officer shall be appointed by the Union Board of Trustees for the period of any election, for the purpose of administering the election regulations. The Returning Officer shall be independent of the University of Westminster and the Union and shall be nominated by the National Union of Students (NUS).
15. The Returning Officer may appoint a Deputy Returning Officer from the staff of the Union for the period of the election to support the Returning Officer in their duties.
16. The Returning Officer shall be responsible for the conduct of all matters regarding the elections.
17. The Returning Officer shall have the duty to determine and amend the Campaign Rules.
18. The Returning Officer shall produce a report on the conduct of the Sabbatical Elections which shall be presented to the Board of Trustees and confirm that the elections have been held in a fair, free and legal manner.

Campaign principles

19. Candidates are expected to conduct themselves in a way that is fair and reasonable and engage in a positive campaigning experience that helps students to vote. Candidates will be expected to uphold the following campaign principles:
 - 19.1 All candidates should have equal and fair access to be able to communicate with students
 - 19.2 All students should be given a free and fair choice at the point of voting
 - 19.3 There will be a right to question the actions of the candidates or the union but this will only be through the Deputy Returning Officer and the Returning Officer
 - 19.4 The elections are about Westminster students and their student experience
 - 19.5 If candidates are unsure about any aspect of the campaign or standards of behaviour it is their responsibility to ask
20. There shall be a candidate guide produced summarising these bye laws and outlining expectations of candidates which shall be approved by the Returning Officer

21. Failure to adhere to the principles or follow the guidance may result in action by the Returning Officer

Powers of the Returning Officer

22. The Returning Officer can rule out of order any statement or the contents of any publicity, which they view is in breach of the Articles of Association, Bye-Laws and the NUS No platform Policy.
23. The Returning Officer is the sole official competent to deal with complaints about the conduct and administration of the Election Bye-Law during the election period.
24. A candidate who wishes to appeal against the competence of or fairness of the Returning Officer, can do so by appealing to the NUS.

Elections Steering Group

25. There shall be a steering group formed for the running of the elections consisting of:
 - i. The nominated Deputy Returning Officer (chair)
 - ii. The senior member of staff responsible for student engagement
 - iii. The senior member of staff responsible for communications
 - iv. A member of the Research, Representation and Welfare team
 - v. A student representative approved by the Trustee Board
26. The role of the steering group will be to ensure the smooth running of the elections and ensuring that it is appropriately managed
27. The group shall have no influence in the decisions of the Returning Officer or the outcome of the election

Elected Positions

28. The following posts shall be elected by cross-campus ballot:
 - 28.1 the Officer Trustees; and
 - 28.2 National Union of Students (NUS) Representatives who will attend all National, regional and Extraordinary Conferences in that Academic Year.
29. Delegates to NUS Liberation Conferences shall only be elected by Members self-defining within these groups.

Timing of Elections

30. Elections shall be held at times which are intended to enable the largest possible number of Members to vote.
31. Proposed dates of all elections shall be given from the start of each Academic Year with the agreement of Board of Trustees, with full details available from the notice periods indicated below.
32. Nominations shall open no less than sixteen days before the close of polling.
33. Detailed Notice of elections shall be given a minimum of seven working days before nominations open.
34. Nominations shall close no less than ten working days before the close of polling.
35. A candidates' meeting must be held following the closure of nominations at a time specified by the Returning Officer.

By-Elections

36. Subject to Articles 36 to 39 of the Articles of Association, 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.

Nominations

37. The Nomination form must be available online as soon as nominations open.
38. Nominations shall be completed online. The Returning Officer will then check and compile these at the close of nominations.
39. A receipt must be issued to confirm the submission of each completed nomination; this will be issued after the close of nominations.
40. Each completed nomination form must include the names, e-mail addresses and student numbers of those nominating an individual. Those nominating will be e-mailed to confirm their nomination.
41. No Member may stand for more than one position in the same election.
42. In accordance with Article 32.3, an Officer Trustee must be a current, registered University of Westminster student at the time of their election or an Officer Trustee of the Union in their first year of office.
43. Candidates for the Vice-President positions must be registered students from one of the faculties based at the relevant site of the University of Westminster.
44. Combined Honours students are eligible to run for Vice-President positions for any of the sites at which they are studying. This does not include students who have modules being taught at different sites to where their faculty is based. They shall only be eligible to stand at the site where their faculty is based.
45. The Returning Officer will make a judgement on eligibility for any candidate on a course which is relocating site.
46. Students whose courses relocate to a different site during their time as a student or a sabbatical will be eligible to stand for Vice-President of either site.
47. The Returning Officer will be responsible for clarifying any issues relating to eligibility to stand for any of the Vice-President positions.

Slates and candidates standing as a group

48. Candidates in UWSU elections stand as individuals and not as part of a group or team
49. UWSU does not recognise “slates” nor can candidates stand as part of a slate or a group
50. The Returning Officer will monitor candidate campaigns for signs of collusion that may require action. Examples of activities that may result in action are:
 - Manifesto’s that reference other candidates
 - Candidates handing out leaflets or discussing voting for multiple candidates
 - Candidates openly declaring support for other candidates as part of an election poster or as part of a hustings speech
 - Adopting a “brand” similar to that of other candidates
 - Conducting online campaigning which continually references other candidates
 - Other such actions in line with these examples
51. Individual students are allowed to campaign for whoever they choose and can campaign for more than one candidate

Hustings

52. Hustings shall be held for the elections of Officer Trustees.
53. Hustings shall be open to all candidates seeking election to these positions.
54. Candidates should inform the Returning Officer in writing if they are unable to attend hustings, stating their reasons for non-attendance.
55. Hustings for the posts of Officer Trustees shall be chaired by an independent chair approved by the Returning Officer
56. Any candidate absent from the Hustings without giving apologies to the Returning Officer or his/her deputy shall be deemed to have withdrawn from the Elections.

Polling

57. Polling shall take place in a manner which allows the greatest possible number of Members to take part.
58. Valid University user details are required in order to vote.
59. The names of candidates for each elected position shall be placed in random order on the ballot.
60. Polling for all elections will take place online only.

Publicity

61. All campaigning publicity must meet the requirements of the Elections Handbook, as approved by the Returning Officer.
62. All candidates/nominees in an Election or Referendum shall receive a publicity budget at a level set by the Returning Officer.
63. No candidate shall publish or display publicity away from the premises of the University or before the beginning of the campaigning period, as determined by the Returning Officer.

64. All election candidates must provide all information required for manifestos and related information by the Returning Officer by stipulated deadlines. Failure to do so may result in immediate disqualification.
65. All publicity must display the Union's Official stamp.
66. No campaign publicity should refer at any point to any member of the Union staff by name or by position, or in any other way which may identify them. Any breach of this rule will result in immediate disqualification.
67. All candidates and campaigners must adhere to the Union's Candidate's Code of Conduct, University's Code of Conduct, University's Equality & Diversity policy and the University's Personal Dignity Policy.

Manifestos

68. Manifestos must be submitted by the closing date laid down in the Election Timetable. Manifestos must be presented as outlined in the Election Handbook.
69. Manifestos will be displayed with nomination information on the Union's election webpage.

Voting On-line

70. Unless otherwise specified in the Articles of Association or these Bye-Laws, or where directed otherwise by the Returning Officer because of hardware or software limitations, elections shall be conducted on-line.
71. The Returning Officer shall check the operation of the software to be employed and if satisfied, that the system will meet the requirements of these regulations shall certify the software accordingly.
72. The system shall require that access to the 'election site' shall be restricted to students of the University. As a part of the system, students must authenticate their status as a student of the University.
73. The Returning Officer shall arrange for the production of an on-line ballot for each position being contested. Ballots shall bear the name of each candidate and the office being contested.
74. The ballot shall be produced so as only to permit completion in accordance with the electoral system specified in these regulations.
75. The "election site" shall show a list of the candidates standing in each election and advice as to the process of completing a ballot.
76. The method of voting shall be by Alternative Transferable Vote in single seat constituencies and Single Transferable Vote in multi-seat constituencies for all posts.
77. There will be a facility for voting for Re- open Nominations for each position.
78. Members are not allowed to vote on computers or portable internet devices provided to them by candidates or their campaigners. Candidates and their campaign team providing such devices to members so they can make an online vote will be subject to action by the Returning Officer.
79. Candidates and their campaign team should not provide advice about how to use the online voting system but should direct students to a member of the UWSU staff team or an election official

The Count

80. The count will commence only if the Returning Officer is satisfied that all complaints relating to the conduct and administration of the election have been resolved. Complaints after the count has commenced may only relate to the conduct of the count and must be lodged in writing within twenty-four hours of the verbal declaration of the Election result.
81. The count for an individual election, group of elections or all elections can be delayed should the returning officer wish further time to investigate an election complaint. The guidance for this is as follows:
- 81.1 The count may only be considered for delay if all of the following conditions are met:
- That a potential outcome would be disqualification
 - That there is reasonable doubt as to the actions of a candidate and circumstances in which they have acted
 - That additional evidence such as witness reports and interviews with candidates would assist the investigation
- 81.2 The process for delaying a count
- i. The Returning Officer will ensure all candidates in the election being considered and the Chair of the Trustee Board are informed that the count may be delayed as soon as this part of the Returning Officer's considerations.
 - ii. Before delaying any count the Returning Officer will outline a reasonable timescale for the delay and subsequent count date.
 - iii. Should the Returning Officer decide a count does need to be delayed all candidates will be notified and a message posted on the website outlining the delay of the count, the reason for the delay and the expected new count date.
 - iv. Until the count is held all candidates shall be informed of progress and notified of any potential that the count date may be subsequently changed.
- 81.3 Additional Complaints during a delayed count
- i. Delaying a count does not extend the period within which election complaints can be submitted.
 - ii. No further election complaints shall be considered after the original date of the count, even if the count is delayed, unless they are directly dealt with as part of the investigation process
82. Each candidate or an appointed representative may, if they so wish, attend the counting of the votes, as observers only.
83. The Returning Officer may be assisted in the count by a number of individuals as deemed necessary by the Returning Officer.

Declaration

84. Results of the election(s) shall be declared by the Returning Officer as the count for each post is completed in the case of single seat constituencies or when the count for all posts has been successfully completed for multi seat constituencies.
85. A list of successful candidates will be posted on the Union's website within three working days of the declaration of results.

Conduct

86. Candidates/Nominees must conduct themselves in line with the Elections Handbook. Candidates/nominees breaching these regulations will be subject to the disciplinary procedures outlined in the Elections Handbook.
87. All Candidates must attend the Candidates' training provided by the Union and any other elections-related events, as stipulated by the Returning Officer.
88. Campaigning may begin at the end of the candidates/nominees briefing.
89. Complaints regarding candidates' conduct must be submitted to the Returning Officer no later than the close of polling. In determining a complaint, the Returning Officer after hearing all the appropriate evidence may not uphold the complaint or may halt elections for specified post(s) or disqualify specified candidate(s) if, in their view, one or more candidates has breached the Election rules.
90. Receipts covering budgets used in campaigning shall be submitted to the appointed office by the close of polling.
91. The Returning Officer may take any disciplinary action that they believe to be reasonable.

Counting

92. The timing of the count shall be approved by the Returning Officer prior to the start of polling.
93. Each candidate/nominee in any election will be permitted to nominate one individual to monitor the count on their behalf.
94. 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.
95. The results of all Union elections shall be certified by the Returning Officer.

Appeals

96. An appeal against the decision of the Returning Officer or the conduct of the count can be made up to 7 days after the declaration of the election result.
97. An appeal will only be considered if it is made in writing to the Chair of the Trustee Board and the Chief Executive Officer. An appeal will automatically be heard unless:
 - i. The basis of the appeal is that the election bye laws or regulations are wrong and should be changed
 - ii. The appeal is part of a current appeal or ongoing election investigation, in which case it will be noted as part of the current process.
98. The President of the NUS will be asked to appoint an Independent Reviewing Officer who will conduct the appeal.

The Independent Reviewing Officer

99. The President of the NUS should be advised of the following criteria for selecting the Independent Reviewing Officer:
 - i. Suitable Students' Union experience, including running elections
 - ii. Having no direct personal contact to any of the named individuals in the appeal including the Returning Officer
 - iii. Available to conduct the investigation and complete the report within 14 days

The appeal process

100. The President of the NUS will notify the Chair of the Trustees and the candidate making the appeal. As to who the Independent Reviewing Officer will be. Both parties have the the right to request an alternative within 24 hours.
101. The candidate making the appeal will be given all reports by the Returning Officer and evidence that was considered, subject to data protection regulations, within three days of the appointment of the Independent Reviewing Officer
102. The candidate shall then have a further 5 working days to compile a response which will be submitted to the Independent Reviewing Officer and the Returning Officer
103. The Independent Reviewing Officer shall then interview the candidate, the Returning Officer and any other people as the investigation demands in order to make a judgement The Independent Reviewing Officer will be responsible for the review process, the agenda of the meetings and the format of any interviews required
104. The Independent Reviewing Officer will communicate their decision as soon as practically possible to the candidate, Chief Executive Officer and Chair of the Trustees

Bye-Law (4): Student Clubs and Societies

Recognition of clubs and societies

1. The Trustees shall agree a process by which student groups can become recognised by the Union and have an official status as part of the Union.
2. On an annual basis student groups will need to sign a charter which outlines the expectations of the Union and a code of conduct. This charter shall contain:
 - a. The process by which post holders in the student group are fairly elected or selected;
 - b. A mission statement for the student group and expected activity;
 - c. The process for funding and the union financial procedures; and
 - d. The policies and procedures that student groups are expected to follow.

Membership of Clubs and Societies

3. Membership of affiliated clubs and societies will be open to all Members of the Union.
4. Student groups shall be required to register their members through the identified process and shall be responsible for keeping this membership list up to date.

Post holders

5. Only full members of the Union can become post holders within student groups. If the status of a post holder changes and they are no longer a full member that person will have deemed to have resigned with immediate effect.

Dealing with breaches of order or disciplinary matters

6. In the first instance, the student activities team will deal with any breaches of good order. There shall be a process set out by which incidents can be investigated and dealt with. Where there is a serious breach then the individuals involved should be dealt with.

Bye-Law (5): Committees of the Board of Trustees

Delegated Committees of the Board of Trustees

1. In accordance with Articles 43 and 44 of the Articles of Association, the Board of Trustees may delegate any of their powers to any person(s) or committee(s). The Board of Trustees will determine the number, remit and membership of these committees.
2. As set out in Article 44.2 of the Articles of Association, the Trustees shall establish as a minimum the following committees:
 - 2.1 the Senior Management Team;
 - 2.2 the Appointments and Remuneration Committee;
 - 2.3 the Finance Committee; and
 - 2.4 the Standards and Ethics Committee.
3. The Trustees may establish such other committees as they see fit, from time to time, and determine the terms of reference and membership of those committees subject to the provisions of the Articles of Association (and in particular Article 44.3). For the avoidance of doubt, all such committees may include elected Officer Trustees and non-elected Members of the Union.
4. Subject to any resolution of the Trustees, all committees of the Board of Trustees shall operate within the relevant terms of reference set out in this Bye-Law.
5. Members of Union staff may be invited to attend committee meetings to advise or support the committee at the request of the chair of the relevant committee.
6. All committees of the Board of Trustees shall report regularly to the Trustees in accordance with Article 44.1.
7. The Trustees shall have the power to revoke in whole or in part or to amend any delegation of their powers to any committee and to require any such committee (other than the Leadership Team, Appointments and Remuneration Committee, Finance Committee and Standards and Ethics Committee to no longer meet and therefore cease to exist.

Senior Management Team

8. As set out in article 46 The Senior Management Team's responsibility shall not include the duties of the Trustees as set out in Article 42.1 but shall include the delivery of the strategic vision and the officer goals.

Composition

9. The composition shall be as is set out in Article 46

Meetings and Reporting

10. The Senior Management Team shall meet at least every two weeks.
11. The Senior Management Team will report to the Board of Trustees at each meeting of the Board through the CEO in their update to the board

Appointments and Remuneration Committee

12. The purpose of the Appointments and Remuneration Committee shall be to:
 - 12.1 appoint the Student Trustee and External Trustees in accordance with Articles 33 and 35 of the Articles of Association;
 - 12.2 set the remuneration for the Officer Trustees; and
 - 12.3 ensure that the Board of Trustees as a whole has the range and balance of skills and experiences necessary for good and effective governance.

Composition

13. The membership of the Appointments and Remuneration Committee shall be as follows:
 - 13.1 the President (who shall be the Chair);
 - 13.2 one Officer Trustee;
 - 13.3 one External Trustee; and
 - 13.4 a person nominated by the University.

14. The Chief Executive shall act as secretary to the Appointments and Remuneration Committee.

Quorum

15. No business shall be transacted at a meeting of the Appointments and Remuneration Committee unless a quorum is present. A quorum will be at least 3 members of the Appointments and Remuneration Committee, one of whom must be the External Trustee.

Functions

16. The functions of the Appointments and Remuneration Committee shall include:
 - 16.1 approving the information and documentation which is sent to potential candidates;
 - 16.2 setting the timetable for the recruitment, interview and selection processes;
 - 16.3 approving the processes which are used to select candidates;
 - 16.4 shortlisting and interviewing potential applicants for the Student Trustee and External Trustee posts and making appointments;
 - 16.5 carrying out regular skills, experience and diversity audits of the Board of Trustees and identifying the skills, experience and expertise that are needed for the Board of Trustees to achieve high quality and effective governance; and
 - 16.6 ensuring that vacancies on the Board of Trustees are filled at the earliest opportunity commensurate with operating.

Meetings and Reporting

17. The Appointments and Remuneration Committee shall meet as and when required.
18. The Appointments and Remuneration Committee shall report to the Board of Trustees at least annually.

Finance Committee

19. The purpose of the Finance Committee is to ensure that the Union complies with all relevant financial laws and regulations and that the Union has systems of accountability in place to ensure that the Union's funds are effectively managed and monitored.

Composition

20. The membership of the Finance Committee shall be as follows:
 - 20.1 President;
 - 20.2 one other Officer Trustee; and
 - 20.3 one External Trustees (who shall be the chair of the Finance Committee);
 - 20.4 one other who shall either be an External Trustee or a University Nominated Trustee.
21. The Chief Executive and Finance Manager shall be in attendance in an advisory capacity.
22. Any Trustee may attend a meeting of the Finance Committee, even where he or she is not a formally appointed member of the Finance Committee.
23. The Finance Committee may request the attendance of any Trustee, Officer or employee of the Union to report on any matter raised by the Committee.
24. The Finance Committee may appoint or instruct any external professional advisor, legal or otherwise, to enable it to properly carry out its duties and responsibilities.

Quorum

25. No business shall be transacted at a meeting of the Finance Committee unless a quorum is present. A quorum will be at least 3 members of the Finance Committee.

Functions

26. The functions of the Finance Committee shall include:
 - 26.1 responsibility for the formulation of policy on financial and commercial activities, and to make recommendations on such activities to the Board of Trustees;
 - 26.2 reviewing and approving revenue and capital budgets for submission to the Board of Trustees, in accordance with the Financial Procedures Manual;
 - 26.3 ensuring the production of monthly management accounts, and monitor expenditure against budget, ensuring that such expenditure complies with the Financial Procedures Manual and any other regulations and does not exceed that allocated by the Board of Trustees;
 - 26.4 ensuring that appropriate systems and controls are in place to ensure the smooth and efficient running of all Union financial activities and to ensure that all Union funds are effectively accounted for;
 - 26.5 promoting a culture of accountability throughout the Union's operations and among its staff and Members;
 - 26.6 reviewing the Financial Procedures Manual for appropriateness on an annual basis;
 - 26.7 offering an ultimate port of call for the more urgent or sensitive concerns raised in respect of the Union's integrity, financial and otherwise; and
 - 26.8 making other decisions of a financial nature but only as authorised by the Board of Trustees.

Meetings and Reporting

27. The Finance Committee shall meet at least three times per year.
28. The Finance Committee will report to the Board of Trustees regarding decisions made after every meeting.

Standards and Ethics Committee

29. The purpose of the Standards and Ethics Committee is to uphold standards in the conduct, behaviour and performance of all of the elected officers and Trustees of the Union, including Officer Trustees and diversity and equality officers and SSAC Officers.

Composition

30. The membership of the Standards and Ethics Committee shall be as follows:
- 30.1 the President;
 - 30.2 the Student Trustee;
 - 30.3 one External Trustee (who shall be the Chair); and
 - 30.4 one University Nominated Trustee.
31. Where a member of the Standards and Ethics Committee has an interest in an item for consideration before the Standards and Ethics Committee, they shall declare that interest and their membership shall be substituted for another member (who may or may not be a Trustee).

Chair, Deputy Chair and Secretary

32. The chair of the Standards and Ethics Committee shall be the External Trustee nominated to the Committee.
33. A Deputy Chair may be appointed from amongst the membership of the Standards and Ethics Committee when:
- 33.1 an issue is raised which directly involves the Chair; or
 - 33.2 the Chair is unable to attend a meeting.
34. The Secretary to Standards and Ethics Committee shall be the Chief Executive or nominee.
35. The Standards and Ethics Committee may appoint or instruct any external professional advisor, legal or otherwise, to enable it to properly carry out its duties and responsibilities.
36. The Standards and Ethics Committee will operate through the use of powers that have been delegated to it by the Board of Trustees or through making recommendations to the Board of Trustees.

Quorum

37. No business shall be transacted at a meeting of the Standards and Ethics Committee unless a quorum is present. A quorum will be at least 3 members of the Standards and Ethics Committee, one of whom must be the President or the External Trustee.

Functions

38. The functions of the Standards and Ethics Committee shall include:
- 38.1 establishing and enforcing procedures and practices designed to ensure the Union officers and Trustees maintain high standards in their duties. This should include a Union officer code of conduct, a set of performance standards for Trustees and elected officers and effective systems for monitoring performance against the code and standards;
 - 38.2 monitoring and reviewing the effectiveness of procedures regulating the conduct and behaviour of officers, dealing with complaints and make recommendations to the Board of Trustees regarding any changes it feels necessary to uphold standards;
 - 38.3 resolving and ruling on any disagreement or uncertainty regarding the conduct of officers and regarding disputes between officers;
 - 38.4 receiving regular reports on the performance of officers including absence from work or key meetings, timekeeping expenses claimed and hospitality received; and

38.5 setting rules for the SSAC officers and hearing complaints regarding the SSACs.

39. The Standards and Ethics Committee shall form a disciplinary panel as necessary to hear officer disciplinary cases as described below.

Duties

40. The duties of the Standards and Ethics Committee shall include:

- 40.1 considering and dealing with complaints from full Members about the conduct or capability of Union elected officers or representatives of the Union.
- 40.2 reviewing reports on and reviewing the handling of all Members' complaints by Union;
- 40.3 providing a written report on the outcome of any investigations and to make such recommendations as deemed appropriate to the Board of Trustees;
- 40.4 reviewing and making recommendations to the Board of Trustees on any changes or amendments that may be required to the Code of Conduct for Elected Officers;
- 40.5 considering any requests from elected officers or representatives of the Union for advice or guidance on any matters relating to their conduct or in relation to the Code of Conduct for Elected Officers;
- 40.6 investigating any breaches of the Code of Conduct for Elected Officers that may be reported to it;
- 40.7 monitoring the attendance and performance of sabbatical officers and making a report for on-line publication; and
- 40.8 making proposals and recommendations, including changes to the Articles of Association, to the Board of Trustees as it deems necessary and appropriate.

Meetings and Reporting

- 41. The Standards and Ethics Committee shall meet as and when required and at least once per term to receive data and reports in regard to sabbatical attendance and to prepare its reports and any proposals for the Board of Trustees relating to improving or clarifying conduct or performance.
- 42. The Standards and Ethics Committee will report to the Board of Trustees regarding decisions made after every meeting.

Standards and Ethics Disciplinary Panel

43. The purpose of the Standard and Ethics Disciplinary Panel will be to hear disciplinary cases relating to the behaviour of officers, Trustees and representatives of the Union.

Composition

44. The composition of the Standards and Ethics Disciplinary Panel shall be as follows:

- 44.1 all of the members of the Standards and Ethics Committee;
- 44.2 the NUS Regional officer or their nominee (non-voting); and
- 44.3 a nominee of the University of Westminster HR department.

45. Where a member of the Standards and Ethics Disciplinary Panel has an interest in an item for consideration before the Standards and Ethics Disciplinary Panel, they shall declare that interest and they shall be substituted for another member.

Quorum

46. No business shall be transacted at a meeting of the Standards and Ethics Disciplinary Panel unless a quorum is present. A quorum will be at least 3 members of the Standards and Ethics Disciplinary Panel, one of whom must be the President or the External Trustee.

Functions

47. The functions of the Standards and Ethics Disciplinary Panel shall include:
- 47.1 hearing appeals relating to verbal warnings issued to a sabbatical officer;
 - 47.2 having the power to issue directly to a sabbatical officer a written warning in respect of their conduct or capability;
 - 47.3 having the power to recommend that a sabbatical officer shall have their responsibilities removed;
 - 47.4 where gross misconduct or persistent poor performance warrants it:
 - (a) recommending to the Board of Trustees that a sabbatical officer is removed from office as a Trustee of the Union in accordance with Article 38 of the Articles of Association; and/or
 - 47.5 dismissing the sabbatical officer as an employee of the Union.
 - 47.6 ensuring that any action taken is in accordance with employment law and University of Westminster employment policies based upon the advice supplied by the University of Westminster's personnel department.

Bye-Law (6): Officers of the Union

Officer Trustees

1. There shall be the following Officer Trustees:
 - a. the President;
 - b. the Vice-President Activities;
 - c. the Vice-President Undergraduate Education;
 - d. the Vice-President Postgraduate Education; and
 - e. the Vice-President Welfare.

Conditions

2. Officer Trustees shall remain in office as specified in the Articles of Association.
3. Officer Trustees shall be granted all the privileges of membership of the Union.

Collective Duties of Officer Trustees

4. The collective duties of Officer Trustees shall be to:
 - a. be Trustees of the Union;
 - b. promote and defend the rights of the Members;
 - c. work in accordance with and in furtherance of, the Policy of the Union; and
 - d. liaise with external organisations as required and as appropriate to their individual roles.
5. Duties of Officer Trustees may be reallocated by the Board of Trustees.

Duties of the President

6. The President is the figurehead of the Union. They are the key representative to the University of Westminster and to external organisations. They will chair the Board of Trustees to ensure the development of the Union to meet its aims and objectives including:
 - a. being the principle spokesperson and figurehead of the Union;
 - b. being a full and active member of the University Committee structure;
 - c. liaising closely with the University Management Team and senior University of Westminster staff;
 - d. interpreting the Union's Articles of Association and Bye-laws;
 - e. co-ordinating the activities of the Union Chief Executive and through the CEO the permanent Union staff;
 - f. co-ordinating the work of the Officer Trustees;
 - g. liaising with the National Union of Students; and
 - h. leading on the Union's long-term planning.

Union Wide Responsibilities

7. Each Vice-President shall have the following responsibilities:
 - a. to serve as a member of the Board of Trustees;
 - b. to raise issues of student concerns with the rest of the Board of Trustees and develop appropriate responses acting always in the interest of the entire student population and the Union and not just for the interest of the portfolios that they represent;
 - c. to attend student forums and other internal UWSU meetings; and
 - d. to represent students on University Committees and to work with the Union staff members to deliver effective student representation and to co-ordinate the Union's representation of students to the University of Westminster through meetings, one-to-one advice, lobbying, and campaigning.

Specific Responsibilities

8. The Vice President Activities shall ensure the:
 - a. Representing the student body on matters relating to sports, societies, volunteering, and employability;
 - b. Ensuring the effective implementation of representation networks and student voice gathering for sports, societies, volunteering, and employability;
 - c. Co-ordinating activity and campaigns relating to sports, societies, volunteering, and employability;
 - d. Informing policy within the University and Students' Union on matters relating to sports, societies, volunteering, and employability.
9. The Vice President Undergraduate Education shall ensure the:
 - a. Representing the student body on matters relating to undergraduate academic affairs and widening participation;
 - b. Joint responsibility with the Vice President Postgraduate Education for academic representation system;
 - c. Co-ordinating activity, the student voice, and campaigns relating to undergraduate academic affairs;
 - d. Informing policy within the University and Students' Union on matters relating to undergraduate academic affairs.
10. The Vice President Postgraduate Education shall ensure the:
 - a. Representing the student body on matters relating to postgraduate academic affairs and widening participation;
 - b. Joint responsibility with the Vice President Undergraduate Education for academic representation system;

- c. Co-ordinating activity, the student voice, and campaigns relating to postgraduate academic affairs;
- d. Informing policy within the University and Students' Union on matters relating to postgraduate academic affairs.

11. The Vice President Welfare shall ensure the:

- a. Representing the student body on matters relating to wellbeing, including student support, welfare, equality, and diversity;
- b. Ensuring the effective implementation of representation networks including part-time officers for student wellbeing, equality and diversity matters;
- c. Co-ordinating activity and campaigns relating to student wellbeing, equality, and diversity matters.
- d. Informing policy within the University and Students' Union on matters relating to student wellbeing, welfare, equality, and diversity.

Deputy President

12. A Deputy President shall be appointed by the Board of Trustees to take over the duties of the President in the absence of the President, either when authorised by the President, or in the event of the President being absent for more than three consecutive working days or in the event of a President not being elected.

13. The Deputy President shall be one of the Vice-Presidents.

Removal of Officer Trustees

14. Officer Trustees can only be removed in accordance with the Articles of Association.

Officer Trustees on University Committees

15. University of Westminster Court of Governors:

- a. The President shall be ex-officio a Governor on the University Court of Governors; and
- b. If the President can no longer carry out their duty as a Governor, the Trustee Board shall recommend another Officer Trustee as a replacement.

16. Other University Committees:

- a. Attendance at other University committees will be decided on an annual basis based on the relevance to specific officer portfolios, interests, and expertise.

Union Representatives at NUS National and Extraordinary Conferences:

17. The President shall be an ex-officio delegate and shall also act as delegation leader. If they are unable to attend, the President will nominate another officer trustee or officer

trustee elect to attend in their place. The delegates will then elect a Delegation Leader by a simple majority vote.

18. The remainder of the allocated delegation should be opened to all Members and shall be decided by cross campus ballot. These shall be known as ordinary delegates.
19. NUS may specify the composition of the delegates to ensure the representation of protected diversity types. If they have the policy to do so then the counting of the ballot shall ensure that we reach the required quota first before counting the remainder of the ballots.
20. All delegates must vote in line with Union Policy.
21. Following NUS National Conference, the Delegation Leader will provide a report to the Board of Trustees.
22. Should there be a delegate vacancy at the point of registering for NUS conferences, delegates may be co-opted at the discretion of the Board of Trustees.

Part Time Representational Officers

23. The Student Council shall approve representational officers to lead on specific representational issues on an annual basis. This shall normally be done before the end of the first academic term for the following academic year.

Election to the role

24. The nominee must self-define as being part of the group that is represented.
25. The election should be designed in a way that officers are only voted for by students who self-define as being part of the group being represented.
26. All other election regulations, as set out in the bye-laws, apply to these elections.
27. Before each election period, a clear opportunity profile shall be developed and communicated to the membership.
28. The term of office is 12-months from August to July and members can only stand for one position during each election period.

Bye-Law (7): Policy of the Union

1. Policy of the Union will be defined under four categories. Each category has its own approval process as listed below. For the purpose of clarification, should there be any dispute as to what category a policy sits in this should be determined by the Trustee Board.
2. Unless explicitly stated, no policy of the union shall stand for longer than three years without it being reviewed. If a policy is not reviewed and renewed in that time period it shall automatically be deemed lapsed.

Internal Management policies

3. Internal management policies are policies that govern the day-to-day management of the organisation or are directed at HR issues. These policies include (this is not an extensive list):
 - a. Equal opportunities policy;
 - b. Policy statement on harassment at work;
 - c. Alcohol and drug abuse;
 - d. Whistle blowing policy;
 - e. Health and Safety policy
 - f. UWSU searches;
 - g. Finance Policy Summary;
 - h. Redundancy Process;
 - i. Data protection policy; and
 - j. IT & Monitoring policy.
4. These policies should be operational in their nature and should address legal requirements as an employer or address organisational risks.
5. These policies can be set by the Senior Management Team.
6. The Union may seek external HR advice and should ensure the policies are in line with the University policies.
7. Copies of all should be available to the trustees and they should be reviewed annually.

Governance and statements of organisational process

8. These are policies which form the values and principles on which we base how we are governed and run. They include (this is not an exhaustive list):
 - a. Staff student protocol;
 - b. Guidance to election candidates; and
 - c. Statement on diversity and inclusivity.
9. These should be agreed at Trustee Board level and reviewed on an annual basis. The scrutiny panel can recommend governance policy to be discussed at Trustee Board.

Campaigns on the student experience

10. Campaigns are specific to making change to the Westminster student experience. They are different to general policy in that they have a clear stated outcome and are about how students are directly affected. They could include (this is not an exhaustive list):
 - a. Housing and accommodation strategy;
 - b. 24-hour studio access;
 - c. Anonymous marking;
 - d. Aramark price increases/card transaction limits; and
 - e. Policy on HE staff strike action and impact on students.
11. These campaigns would be agreed by the Trustee Board or by vote of simple majority by the recognised student forums.
12. A list of the current campaigns will be published on the website and reported to the Trustee Board and Annual Student Conference. The impact of these campaigns would be reported on in our annual impact report.
13. Students would be invited to suggest and comment online on the campaigns.
14. The campaigns will be reviewed at the first meeting of the academic year by each student forum.
15. The campaigns will remain valid until either the needs have been satisfied or lapsed at an Annual Student Conference.

Statements of belief on wider issues

16. These are our public responses to more global issues (of direct relevance to our students). They are by their nature probably more contentious than those covered above. This area could be viewed as “traditional SU policy”. They could include:
 - a. Policy on prevent;
 - b. Policy on HE funding and student fees; and
 - c. Policy on our belief on the events in Syria.
17. UWSU can have statements of belief on these issues which they are not allowed to campaign or commit resource to.
18. The statements should be structured in such a way so that it is very clear that these beliefs have relevance to our students. The statement should include:
 - a. Background on the issue;
 - b. How our students are affected by this issue;
 - c. What the statement of belief is for UWSU;
 - d. Any actions that UWSU are allowed to take; and
 - e. The impact on our students.
19. These statements can be approved as UWSU’s official position through the following mechanisms:
 - a. Through a valid referendum;
 - b. Through a quorate Annual Student Conference;
 - c. Through a quorate General Meeting; or
 - d. Through the online process set out below.

20. Online process for approving statements of belief:

- a. The Trustee Board will agree the statements that go online. Anyone can suggest a policy to go to the Trustees and the Union will set out a process for that on their website. The Trustees can only object to a statement on the basis of the statement committing the Charity to a position that would be inciting hatred on the basis of publishing the statement, contravene its charitable objects, or pose significant risks to the reputation of charity.
- b. There shall be a secure voting mechanism by which students will be asked to “vote” yes or no to agree or disagree with the statement.
- c. Should there be amendments to the statement other than to correct the grammar or to add clarity then the vote shall be cleared and voting opens to the new statement.
- d. When we reach 250 people voting then we take a “reading” and based on a simple majority it is decided whether the statement is adopted based on the result of the vote.
- e. The statement will be valid for 24 months from the date of approval or will be removed if 250 votes have not been achieved within 3 months of it going online.
- f. A statement can be revoked by another statement.

Bye-Law (8): Member Disciplinary Procedure

Scope

48. This disciplinary process covers:
 - 48.1 All members of the SU
 - 48.2 A member of the SU where a bona fide guest of that member has committed an offence where charges can be brought
49. This process is not intended for use with members of permanent UWSU staff.
50. Where a member of UWSU student staff has committed an offence whilst in employment it is normally the employment processes as set out in the handbook that should be followed. The employment process may include a recommendation that the member of student staff be dealt with by this member disciplinary process
51. This bye law covers any actions by a student:
 - 51.1 Whilst attending a SU organised event, sports fixture, trip or meeting. This covers events on and off of the University premises.
 - 51.2 In an online forum, feed or social media application that is linked to UWSU
 - 51.3 In a situation where they can be identified as representing UWSU, for example as part of a party on an official UWSU trip, identifying them as a UWSU representative on social media or wearing a UWSU uniform even if off duty
52. Where a case is being heard by the University process and reported to UWSU we can issue bans pending the outcome of that disciplinary process.
 - 52.1 For this to happen it will have to be discussed and agreed by the disciplinary committee in line with the process set out in these bye laws.
 - 52.2 Once the university disciplinary is held and we know the outcome the case will be reconsidered by the disciplinary committee.

Charges

53. Charges may be brought for any breach of good order. It is the duty of the Disciplinary Committee to assess the validity of the charge at the time of their hearing.
54. Any Member or recognised official of the union may bring charges against a Member of the Union. The President may bring charges on behalf of a third party.
55. Charges must be submitted in writing to the secretary of the disciplinary committee and include details of the charge and the names of all supporting witnesses.
56. The process for bringing such charges shall be clearly indicated on the UWSU website and any relevant documentation should be available at that same place.

Temporary Sanctions and offences not requiring the Disciplinary Committee

57. The secretary of the disciplinary committee may temporarily suspend the defendant's membership of the Union for a maximum of 14 days pending a hearing.
58. This temporary suspension may be the sole sanction applied if so agreed by the Vice- President, complainant and defendant. In such a case no further hearing is required.
59. Should a defendant refuse to identify themselves at the time of the alleged offence, then their membership will be automatically suspended until they do so and for up to 14 days thereafter.
60. Suspension of a defendant's membership shall not exclude that member from being able to seek advice from the advice service, but only about the charges being brought.
61. Offences in the bar or at UWSU events can be dealt with by a member of UWSU staff nominated by the CEO and sanctions imposed without the need for the Disciplinary Committee to sit.
 - 61.1 Those offences which the member of staff can deal with shall be clearly identified in the schedule of offences, which is attached as an appendix
 - 61.2 The secretary of the Disciplinary Committee shall be notified in each case where action has been taken and the Committee shall reserve the right to review that decision
 - 61.3 In all cases where a member of staff makes a decision the Disciplinary Committee shall act as the Appeal Committee

Disciplinary Committee

62. The Disciplinary Committee will consist of:
 - 62.1 2 elected officers who have no link to the case being dealt with
 - 62.2 The secretary – which shall be the CEO or a member of staff nominated by the CEO with a suitable level of experience in disciplinary cases/HR issues
 - 62.3 A member of the Research, Representation and Welfare team who is not involved in the case
63. A chair shall be selected from the meeting
64. The secretary of the meeting will arrange hearings of the Disciplinary Committee, giving at least three working days' notice to those involved. The hearing will take place within 14 days of the notification of the identity of the accused. The defendant must agree to at least one day in that period.
65. The defendant will be informed by the secretary of the following:
 - 65.1 The details of the charge.
 - 65.2 The time and place of the hearing.
 - 65.3 The disciplinary procedure.
 - 65.4 The people who will sit on the committee.
66. The defendant may object to the secretary concerning the composition of the committee at least 24 hours prior to the hearing. If the objection is upheld, then the people in question will be replaced by other people with a similar role. The defendant may not object to all of the Union Officers or other members of the committee;

67. Should the defendant fail to attend the hearing they may be judged in absentia. Should the complainant or other witness fail to attend the hearing, then only evidence they have given formally and in writing will be considered. The defendant, or any other person involved, will have the right to be represented by a friend/colleague at the hearing, the friend/colleague shall be a Member of the Union, or a member of Union staff from the Advice Team.
68. Any expenditure incurred by the defendant in his/her representation shall not be incurred by the Union.
69. The hearing will be minuted and conducted as follows:
 - 69.1 Introduction of the Committee
 - 69.2 Explanation of the procedure
 - 69.3 Statement of charge
 - 69.4 Evidence from the complainant and witnesses
 - 69.5 Evidence from the defendant and witnesses
70. The members of the Disciplinary Committee may ask questions at any point.
71. The Chair of the Disciplinary Committee may temporarily suspend the formal hearing at any point in favour of an informal discursive approach if they believe that this may be beneficial to achieving resolution of the matter. These discussions need not be minuted.
72. The Disciplinary Committee will consider its verdict and sanctions in private. If necessary a majority vote will suffice.
73. The level of proof required will be dependent on the case and agreed upon by the Disciplinary Committee on a case by case basis
74. The Chair will notify the defendant verbally of the result. This will be reinforced in writing, in which details of the services which the guilty party may or may not continue to use will be given and the appeals procedure will be explained if appropriate.

Sanctions

75. The following sanctions (which are a non-exhaustive list) may be applied by the Disciplinary Committee:
 - 75.1 a reprimand or caution;
 - 75.2 a formal and recorded written warning indicating the action which may be taken if there is further misconduct. A copy of any written warning shall be given to the Member, and a copy placed on the Disciplinary File kept by the secretary of the committee;
 - 75.3 financial restitution in full or in part of the cost of making good any damage or loss suffered by the Union or other members or persons;
 - 75.4 exclusion from Union occupied premises or withdrawal of rights to participate in or benefit from specified Union services, facilities or activities for a specified period. (Exclusion or withdrawal of rights may be imposed pending a hearing or pending further investigation of an alleged offence where the nature and/or severity of the alleged offence warranted it);
 - 75.5 a recommendation to the Board of Trustees that the Member be removed from membership; or
 - 75.6 any combination of the above penalties.

76. A more detailed schedule of sanctions for specific types of offences shall be attached as an appendix to these bye laws but these shall be a guide for the committee only
77. The Disciplinary Committee does not have the power to expel a Member from membership. A Member can only be removed from membership by the Board of Trustees in accordance with Article 11.4 of the Articles of Association.

Appeals

78. A member has a right to appeal for their case to be re-heard by the Disciplinary Committee under the following circumstances
 - 78.1 Significant new evidence has emerged such as (but not exclusively): additional CCTV, additional witnesses, new posts on social media
 - 78.2 There has been an outcome in another disciplinary process such as a University disciplinary process or police investigation
 - 78.3 There are reasonable grounds to believe that the original hearing was flawed in some way
79. In order to request an appeal the member should put this in writing to the CEO within 5 working days of the date of the original hearing or action.
80. The appeal shall be to the Disciplinary Committee where at least one member of the committee shall not have heard the original hearing.
81. There is a final route of appeal to the UWSU Standards and Ethics Committee. A member can appeal by putting their case in writing within 5 working days of the outcome of a normal appeal to the CEO.
 - 81.1 The CEO and Chair of the Standards and Ethics Committee shall decide how conduct the appeal on a case by case basis.

Bye-Law (9): Grievance and Complaints Procedure

1. Every effort should be made to resolve complaints and grievances informally at the time that they occur.
2. Complaints may be dealt with informally by the Union's Chief Executive or Officer Trustees as appropriate.
3. Formal complaints must be made in writing to either the President or a Vice-President as appropriate.
4. The Board of Trustees will be kept informed of all formal complaints concerning Officers, staff or the organisation via a report from the President at each Board meeting. To this end the President will maintain a log of all such complaints; this will be available for inspection on request by the Board of Trustees at any time.

Procedures concerning complaints against Union staff

5. The complaint will be referred to the Union's Chief Executive for investigation and action. In the case of the complaint being against that person, it will be referred to the President.
6. Any action taken must be in compliance with the employee's contract, Union's staff handbook and any relevant legislation.
7. The Union's Chief Executive will inform the complainant of the outcome of the investigation as soon as practicably possible. Should this period be longer than seven days, then they will inform the complainant of the reasons for the delay.
8. Should the complainant not be satisfied, they may appeal within 14 days to the President or another Officer Trustee. The Officer will then re-investigate and they will decide whether to refer the complaint back to the Union's Chief Executive or Officer Trustees for further action. This decision will be final.

Procedures concerning complaints against Union Members

9. The complaint will be dealt with through the disciplinary procedures.

Procedures concerning complaints against the Union

10. Complaints must be directed to the President in writing. The President will refer the complaint to the Officer Trustees for investigation and action.
11. The President will inform the complainant of the outcome of the investigation as soon as practically possible. Should this period be longer than seven days, then the President will inform the complainant of the reasons for the delay.
12. Should the complainant not be satisfied, they may appeal to an independent arbitrator appointed by the University of Westminster within 14 days. This person will then re-investigate and decide on the need for further action. This decision will be final.

Bye-Law (10): Financial Procedure

- I. The full Finance Procedures will be set out in the Financial Procedures Manual.