

## University of East London Students' Union

### Bye-laws

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### **Bye-law 1: Membership**

1. Associate membership of the Students' Union may be granted to students of partner or collaborative institutions in a manner determined by the Board of Trustees.
2. A Student Member may opt out of membership by submitting an opt out form to the Chief Executive.
3. An opt out shall be valid until the end of the Academic Year. If a student wishes to continue to exercise their right to opt out in a subsequent Academic Year, they must submit a new opt out form to the Chief Executive.

## **Bye-law 2: Student Leadership Committee**

1. The responsibilities of the committee are to:
  - 1.1. Discuss and campaign on matters affecting the Student Members;
  - 1.2. Extend and promote the rights of Student Members;
  - 1.3. Progress, develop and report on work related to the above;
  - 1.4. Scrutinise the work of other members of the committee;
  - 1.5. Allocate portfolios to the Student Officers;
  - 1.6. Nominate Student Officers to become trustees or governors.
2. The members of the Executive Committee shall be:
  - 2.1. the Student Officers; and
  - 2.2. the School Representatives.
3. The chair shall be elected by the committee from among the Student Officers.
4. The committee shall meet at least once every two weeks during terms one and two.
5. The quorum for a meeting of the committee is five members.
6. The allocation of portfolios to Student Officers shall be subject to approval by the Board of Trustees.
7. If the committee cannot agree, the Board of Trustees shall allocate the portfolios.

### **Bye-law 3: Executive officer trustees (student officers)**

1. The Executive Officers shall be known as Student Officers.
2. There shall be five portfolios which shall be allocated to the five Student Officers:
  - 2.1. Activities Officer
  - 2.2. Communities Officer
  - 2.3. Education Officer
  - 2.4. Inclusion Officer
  - 2.5. Wellbeing Officer
3. Student Officers shall hold office from 1st July to 30th June of the following year.
4. The Student Officers must include at least two men and at least two women.

#### **Duties and responsibilities**

5. Student Officers must fulfil the following duties and responsibilities in addition to their principal duties:
  - 5.1. Extend and promote the rights of Students' Union members;
  - 5.2. Progress and develop work related to Students' Union policy;
  - 5.3. Present updates on their work to Students' Union committees as required;
  - 5.4. Be a member of and participate in Students' Union and University of East London committees as required;
  - 5.5. Participate in relevant local, regional and national events;
  - 5.6. Support student representatives in the fulfilment of their roles;
  - 5.7. Act as an ambassador of the Students' Union;
  - 5.8. Liaise with external organisations appropriate to their respective portfolios;
  - 5.9. Work as a team with other Student Officers, School Representatives and staff members to achieve the Students' Union's aims and objectives;
  - 5.10. Work and act within the requirements of the Articles, bye-laws and other regulations;
  - 5.11. Liaise with University staff to achieve positive change for students;
  - 5.12. Attend training and development as required.
6. The principal duties of the Activities Officer are to:
  - 6.1. Represent students and student groups on issues relating to activities and student development;
  - 6.2. Develop and support student groups including student media.
7. The principal duties of the Communities Officer are to:
  - 7.1. Develop and support relationships with members from partner institutions;
  - 7.2. Develop and support relationships with local councils and other statutory organisations.
8. The principal duties of the Education Officer are to:
  - 8.1. Represent students on issues relating to teaching, learning and assessment, academic policy and regulations, learning resources, and fees and funding;
  - 8.2. Support and enhance the course representative and research postgraduate representation systems;
  - 8.3. Lead the delegation to National Union of Students National Conference.
9. The principal duties of the Inclusion Officer are to:
  - 9.1. Represent students on issues relating to equity, diversity and inclusion;
  - 9.2. Support and enhance the community group system.
10. The principal duties of the Wellbeing Officer are to:
  - 10.1. Represent students on issues relating to wellbeing and sustainability;
  - 10.2. Support campaign groups on matters relating to wellbeing and sustainability;
  - 10.3. Support and enhance the accommodation representatives system.
11. Three Student Officers shall be nominated by the Student Leadership Committee for appointment to the Board of Trustees ("Executive Officer Trustees").

12. The other two Student Officers shall be nominated by the Student Leadership Committee for appointment to the University's Board of Governors.

**Employment**

13. Student Officers will be employed by the Students' Union on a full-time basis during their term of office.
14. The terms and conditions of employment, including working hours and rate of pay, will be agreed by the Board of Trustees on an annual basis.

#### **Bye-law 4: School representatives**

1. There shall be one School Representative per school.
2. School Representatives shall be elected by and from the Student Members in the respective schools.
3. School Representatives shall hold office from 1st July to 30th June of the following year.

#### **Duties and responsibilities**

4. The principal duties of School Representatives are to:
  - 4.1. Work to improve the student experience by representing students' views at school level and reporting outcomes to the education officer, course representatives and Students' Union staff;
  - 4.2. Collate and review information from course committee meetings or provided by the Students' Union to inform representations to the school;
  - 4.3. Promote Students' Union campaigns and activities and encourage student engagement and participation;
  - 4.4. Support the operation of the course representative system;
  - 4.5. Support the operation of the academic student groups system;
  - 4.6. Be an active member of the Student Leadership Committee and relevant working groups and committees.
5. School Representatives must fulfil the following duties and responsibilities in addition to their principal duties:
  - 5.1. Extend and promote the rights of Students' Union members;
  - 5.2. Progress and develop work related to Students' Union policy;
  - 5.3. Present updates on their work to Students' Union committees as required;
  - 5.4. Be a member of and participate in Students' Union and University of East London committees as required;
  - 5.5. Participate in relevant local, regional and national events;
  - 5.6. Support student representatives in the fulfilment of their roles;
  - 5.7. Act as an ambassador of the Students' Union;
  - 5.8. Work as a team with other student representatives and staff members to achieve the Students' Union's aims and objectives;
  - 5.9. Work and act within the requirements of the Articles, bye-laws and other regulations;
  - 5.10. Liaise with University staff to achieve positive change for students;
  - 5.11. Attend training and development as required.

#### **Employment**

6. School Representatives will be employed by the Students' Union on a part-time basis during term-time and for up to four weeks outside of term-time.
7. The terms and conditions of employment, including working weeks and rate of pay, will be agreed by the Board of Trustees on an annual basis.
8. School Representatives must be a Student Member for the entire term of office.
9. School Representatives must not hold any other representative position in the Students' Union or the University.
10. During their specified working weeks, School Representatives must prioritise their work as a School Representative ahead of work for other organisations.
11. School Representatives shall be deemed to have resigned as a School Representative with immediate effect if they breach any of clauses above.
12. If a school ceases to exist or if two or more schools merge, the associated School Representative positions shall cease to exist at the same time.

13. In the case of a merger, the Board of Trustees shall appoint one of the School Representatives from the affected schools to be School Representative for the newly merged school for a transitional period of up to one year.

## **Bye-law 5: Committees of the Board of Trustees**

1. The following committees shall be sub-committees of the Board of Trustees:
  - 1.1. Student Leadership Committee
  - 1.2. Appointments committee
  - 1.3. Audit, finance and risk committee
  - 1.4. Human resources committee
2. The Student Leadership Committee terms of reference are defined elsewhere and this bye-law does not apply.
3. Committees may seek independent advice on matters in relation to its terms of reference.
4. The quorum for a meeting of any committee is three members.
5. Except where stated otherwise below, the chair of each committee shall be determined by the Board of Trustees.
6. The Chief Executive shall normally attend committee meetings.
7. Committees will be serviced by a person nominated by the Chief Executive and approved by the Board of Trustees.
8. Where appropriate to do so, committees may make minutes of a meeting, or part thereof, confidential.
9. The chair of each committee shall have discretion to vary the dates and times of meetings and to call additional meetings.
10. The membership of committees shall be reviewed annually by the Board of Trustees.
11. Members of any committee may be removed from a committee if:
  - 11.1. They fail to attend two consecutive meetings without sending apologies, and the committee resolves there is no good reason for their absence;
  - 11.2. The Board of Trustees votes by a simple majority to remove them; or
  - 11.3. In the case of a Trustee, they cease to be a Trustee.

### **Appointments committee**

12. The responsibilities of the committee are to:
  - 12.1. Oversee the appointment process and confirm the appointments of External and Student Trustees, subject to the approval of the appointment by the Student Leadership Committee;
  - 12.2. Oversee the appointment process and confirm the appointments of the University-nominated Trustee, subject to the approval of the appointment by the Vice-Chancellor.
13. The membership the committee shall be:
  - 13.1. Two External Trustees, including the chair of the Board of Trustees
  - 13.2. One Student Officer
  - 13.3. An employee of the University, who shall not be the University-nominated trustee, nominated by the University Secretary
  - 13.4. One student nominated by the Board of Trustees who is not a Trustee and not a member of the Student Leadership Committee
14. The chair of the Board of Trustees shall chair the committee.
15. The committees shall meet when required.

### **Audit, finance and risk committee**

16. The responsibilities of the committee are to:
  - 16.1. Consider and advise the Board on all aspects of the Union's finances, financial policies, procedures, controls and strategy and review these periodically
  - 16.2. Devise, and recommend to the Board, the annual budget for revenue income and expenditure and any associated capital expenditure



- 16.3. Review the monthly management accounts of the Union and recommend to the Board any in-year budget adjustments
- 16.4. Monitor the cash flow position of the Union and ensure that action is taken to maintain this at an acceptable level
- 16.5. Review the arrangements for insurance periodically
- 16.6. Review and approve the Union's investments, borrowing and banking arrangements periodically
- 16.7. Monitor the planning, implementation and progress of capital expenditure
- 16.8. Consider and approve orders, contracts and financial commitments within the limits set by the Board of Trustees.
- 16.9. Advise the Board of Trustees on the appointment or removal of the external auditors, and on an annual basis recommend whether to re-appoint the external auditors;
- 16.10. Monitor the performance and effectiveness of the external auditors to ensure the audit is of sufficiently high standard and represents value for money;
- 16.11. Discuss with the external auditors problems and reservations arising from all audits, including a review of the management letter incorporating management response and any other matters the external auditors may wish to discuss;
- 16.12. Consider the annual report and financial statements with the external auditors, and to submit them to the Board of Trustees for approval;
- 16.13. Advise the Trustees on and regularly review arrangements for internal audit or other specialist advice;
- 16.14. Monitor the implementation of all actions arising from audit recommendations.
- 16.15. Review operational risks and consider particular risks that are especially high risk, including contracts of a significant nature;
- 16.16. Oversee the management of all matters relating to health and safety;
- 16.17. Satisfy itself that all systems of internal controls and risk management are operating effectively;
- 16.18. Receive reports on any major incidents occurring within the Union, and in light of these look at the effectiveness of existing policies or other measures;
- 16.19. Investigate or scrutinise any other matters at the request of the Board which are of an important strategic nature or are viewed to pose a significant risk.
17. The membership of the committee shall be:
  - 17.1. Two External Trustees, including the vice-chair of the Board of Trustees
  - 17.2. Two Student Officers
  - 17.3. One Student Trustee
  - 17.4. An employee of the University with experience in accounting, who shall not be the University-nominated trustee, nominated by the University's Chief Finance Officer
18. The committee shall normally meet five times per Academic Year.

#### **Human resources committee**

19. The responsibilities of the committee are to:
  - 19.1. Review the remuneration of members of the Student Leadership Committee;
  - 19.2. Review and, on occasions where appropriate, make recommendations to the University of on the appointment of and remuneration package for the Chef Executive;
  - 19.3. Promote equality, diversity and inclusion throughout the organisation;
  - 19.4. Monitor the Union's compliance with employment legislation;
  - 19.5. Monitor staff satisfaction;
  - 19.6. Monitor employment-related statistics;
  - 19.7. Review all changes to employment-related policies.
20. The membership the committee shall be:
  - 20.1. Two External Trustees, including the chair of the Board of Trustees

- 20.2. One Student Officer
- 20.3. One Student Trustee
- 20.4. The University-nominated trustee
- 21. The External Trustee who is not chair of the Board of Trustees shall chair the committee.
- 22. The committee shall normally meet three times per Academic Year.

### **Bye-law 6: Student Members' meetings**

1. The Board of Trustees shall call the annual Student Members' meeting in accordance with article 16.
2. Apart from the annual Student Members' meeting, the Board of Trustees shall call a Student Members' meeting on receipt of:
  - 2.1. a Secure Petition signed or agreed to by at least 100 Student Members;
  - 2.2. a motion passed by a 75% majority of the Student Leadership Committee.
3. Meetings may be held in person, electronically/online or through a combination of both at one or more physical locations provided suitable arrangements are in place to ensure Student Members can participate fully in the meeting regardless of their location.
4. Notice of a Student Members' meeting shall be given no fewer than fourteen clear days before the meeting.
5. This notice shall include the date, time, motions to be discussed, and arrangements for joining the meeting in person or electronically.
6. Only business included on the notice of the meeting can be discussed at the meeting.

#### **Quorum**

7. The quorum for a Student Members' meeting is 100 Student Members.
8. If the quorum is not achieved with 15 minutes of the scheduled start time, the meeting will be rescheduled to a date and time agreed by the Board of Trustees but which must be at least six clear days from the date of the original meeting.

#### **Attendance and voting**

9. Trustees and the Chief Executive shall attend Student Members' meetings.
10. Staff may attend Student Members' meetings but cannot speak unless invited to do so by the chair.
11. Only Student Members are entitled to vote.
12. Motions shall be passed by a simple majority.
13. The vice-chair of the Board of Trustees shall act as chair.
14. If the vice-chair of the Board of Trustees is not available, the Student Members present shall appoint by simple majority vote a chair from among those present.
15. The chair reserves the right to call a secret ballot carried out at the meeting at their discretion.
16. The chair shall not vote in any circumstances. If a vote is tied, it will be deemed to be not passed.

### **Bye-law 7: Panel of 100 students**

1. The primary responsibility of members of the panel is to undertake regular feedback exercises on areas relating to the Union's work to improve the student experience.
2. Members of the panel are expected to provide honest and constructive opinions and feedback.
3. The panel shall be incentivised to participate. The Board of Trustees shall determine the incentives.

#### **Membership**

4. The Board of Trustees will review and agree the demographic makeup of the panel at least once every two years which will reflect the demographic makeup of the Student Members.
5. Student Members will be randomly selected based on the demographic requirements and invited to participate as a member of the panel.
  - 5.1. If no response is received or the invitation is declined, another Student Member matching the demographics will be randomly selected instead. This process will be completed until the panel is filled.
6. Membership of the panel will expire at the end of the Academic Year.
7. The Board of Trustees may remove members of the panel if they do not participate in two successive exercises.

## **Bye-law 8: Student groups**

### **Definitions**

1. Student groups bring together students with shared interests or common demographics.
2. Community groups are student groups which have additional representational functions within the Students' Union.

### **Structure and recognition**

3. Student groups are subsidiary parts of the Students' Union, do not have a separate legal identity, and cannot enter into contracts in their own right.
4. Students groups are bound by the Governing Documents and all other regulations.
5. The Student Leadership Committee shall approve a model governing document for student groups.
6. The Student Leadership Committee shall approve a process for the recognition of student groups.
7. New student groups must adopt the model governing document and apply for recognition.
8. Existing student groups must adopt any changes to the model governing document and must apply for recognition on an annual basis.
9. Changes to a student group's governing document must be approved by the Student Leadership Committee.
10. The model governing document will include:
  - 10.1. The full name of the group;
  - 10.2. The purpose of the group, which will normally be unique within the Students' Union;
  - 10.3. The committee structure, which must include at least three positions which will be approved by the Student Leadership Committee from time to time;
  - 10.4. The means by which the group will be governed including the operation of general meetings, the rights and responsibilities of the committee, the election of the committee, and reporting by the committee to the members.
11. Student Groups may appoint up to four additional committee members subject to that being included in their governing document.

### **Membership**

12. Groups shall have two categories of membership:
  - 12.1. Full membership shall be open to all Student Members;
  - 12.2. Associate membership shall be open to all staff of the Students' Union and the University.
13. Full members may participate in all events and activities including governance and democracy.
14. Associate members may participate in all events and activities except governance and democracy. They may attend and observe general meetings, but they cannot vote or become a member of a committee.

### **Committee**

15. The committee shall be responsible for the good running of the student group.
16. The Students' Union will organise elections for committee positions in all student groups in spring during an election period agreed by the Student Leadership Committee.
17. The Students' Union will organise a bye-election to fill any vacancies in autumn agreed by the Student Leadership Committee.
18. The term of office for committee members shall normally run from the end of the election period until the election of successor committee members in the following spring.
19. If a committee cannot be formed or maintained, the Student Leadership Committee may suspend a group.

20. In the case of a new student group or a student group which has fallen into abeyance seeking recognition, the Student Leadership Committee may waive the requirement to elect a committee for a period of no more than one academic year.

**General meetings**

21. Each student group shall hold a general meeting of all members each spring before the election of a new committee.
22. The committee shall present a report on the activities and finances of the student group since the previous general meeting.
23. The meeting must be held during term time during the general meeting period agreed by the Student Leadership Committee.
24. The committee shall give at least seven clear days' notice to the members of the general meeting.
25. The committee shall call an extraordinary general meeting for a specific purpose if a simple majority of the committee agrees or if the higher of ten members or 10% of the members request such a meeting.

## **Bye-law 9: Elections**

1. This bye-law shall apply to the election of members of the Student leadership Committee and delegates for a National Union of Students event or position.
2. Elections shall be conducted in a manner and at times which are intended to maximise the engagement of Student Members in elections.
3. The Student Officers shall be elected in a single cross-campus ballot.
4. Voting shall be conducted by secret ballot and in accordance with the most recently published edition of the rules set by the Electoral Reform Society for the operation of the Alternative Vote for single-seat constituencies and Single Transferable Vote for multi-seat constituencies.

### **Returning Officer**

5. The returning officer shall be responsible for the conduct and administration of all elections and shall be solely responsible for the interpretation of the election regulations.
6. The returning officer shall be appointed by the Board of Trustees, subject to the approval of the University Secretary.
7. The returning officer may appoint a deputy returning officer to support them in their duties.
8. The returning officer shall not be Student Members or Company Law Members.
9. The returning officer shall approve the candidate handbook.
10. The returning officer may apply any sanction they believe to be reasonable.

### **Scheduling**

11. The Board of Trustees shall publish an election schedule which shall contain the dates of times of the nomination period, campaigning period, voting period, training sessions, rules briefings and other relevant events.
12. The nomination period shall be open for at least seven days.
13. The nomination period shall close no fewer than five clear days before the start of voting.

### **Eligibility**

14. Only Student Members may participate in elections.
15. To be eligible to become a candidate, Student Members must attend all election training sessions and, in the case of candidates for Student Officer, pass the presentation assessment.
16. All candidates must be in good standing with the Union and the University. This means maintaining an up-to-date payment plan for tuition fees and other payments due to the University or Union; not being suspended or excluded; and not being subject to any ongoing or unspent disciplinary sanction under the Union's rules or the University's manual of general regulations.
17. A Student Member may be a candidate for only one position in the same set of elections, except when an election for delegates for a National Union of Students event or position takes place alongside another election.

### *Candidates who become ineligible*

18. If a candidate becomes ineligible at any point before the count is completed, they shall be disqualified from the election.
19. If a successful candidate becomes ineligible after the count is completed but before they take office, they shall be deemed to have been disqualified. The position will be offered to the next eligible and willing candidate (without re-running the count).
20. If a successful candidate for the position of Student Officer or School Representative becomes ineligible within one month of taking office, they will be deemed to have resigned immediately. The Board of Trustees may at its discretion offer the position to the next eligible and willing candidate (without re-running the count).

### *Student Officers*

21. For an undergraduate student to be eligible to become a candidate for a Student Officer position, they must:
  - 21.1. be on target to complete level six (achieving a total of 360 credits) before taking office; or
  - 21.2. have passed all term one assessments at level five (typically 60 credits), and be on target to complete level five (achieving at least 240 credits) before taking office.
22. For a postgraduate student to be eligible to become a candidate for a Student Officer position, they must:
  - 22.1. be on target to complete level seven (achieving at least 180 credits) before taking office; or
  - 22.2. have achieved at least 60 credits at level seven, and not have any outstanding failed modules, and be on target to achieve a further 60 credits before taking office.
23. For students on non-standard academic calendars, the closest equivalent term dates and requirements shall apply at the discretion of the returning officer.

### *School Representatives*

24. To be eligible to become a candidate for a School Representative position, candidates must:
  - 24.1. have completed at least one academic year, or the majority thereof, as a Course Representative at level four or above, or be on target to do so, before taking office; and
    - 24.1.1. have completed level four (achieving a total of at least 120 credits) before taking office; or
    - 24.1.2. have passed all term one assessments for level four (typically 60 credits), and be on target to complete level four (achieving a total of at least 120 credits) before taking office.

### **Candidate question and answer sessions**

25. Candidate question and answer sessions (hustings) shall be held for Student Leadership Committee positions.
26. Attendance is mandatory for candidates. Non-attendance will result in disqualification.
27. Disqualification for non-attendance will not apply where a candidate is unable to attend for serious and unforeseeable reasons outside their control and the Returning Officer decides at their sole discretion that a candidate may instead submit a statement to be presented to the session on their behalf.
28. The Board of Trustees will appoint a person or persons with suitable experience to chair the sessions.

### **Re-open nominations**

29. Re-open nominations shall be treated as a candidate in all elections.
30. Should re-open nominations be the elected candidate in a single-seat election, the post in question shall remain vacant until a bye-election is held.
31. Should re-open nominations be an elected candidate in a multi-seat election, its surplus votes shall be transferred to a new re-open nominations candidate.

### **Names of candidates**

32. Candidates must use their legal name or a name by which they are commonly known.
33. The names of candidates for each elected position shall be placed in random order on the ballot.



### **Publicity**

34. All campaigning publicity must meet the requirements of the candidate handbook.
35. The returning officer reserves the right to reject any publicity on the grounds of taste and decency.
36. Candidate shall publish or display publicity only on Union and University premises or online.
37. Candidates shall not publish or display any publicity before the start of the campaigning period.

### **Candidate statements**

38. Candidate statements (manifestos) must be formatted as required by the candidate handbook.
39. Candidate statements will be published by the Union online and on campus.

### **Conduct**

40. Candidates are responsible for the conduct of their campaign teams. A breach by a candidate's campaign team member shall be regarded as a breach by the candidate.
41. Candidates and their campaign teams must adhere to all Union and University regulations and policies.
42. Candidates and their campaign teams should not undertake campaigning activity which others could not also reasonably do.
43. Candidates must take reasonable steps to ensure that their campaign teams' actions always comply with the rules and must be able to demonstrate this in the event of a complaint against them.
44. Candidates may only alter, move or remove their own campaign materials.
45. Campaigners may only use mailing lists where lawful to do so.
46. Candidates and their campaign teams must allow voters to cast votes freely and must not communicate with voters in any way once they have begun to complete the ballot.
47. Candidates and their campaign teams must not provide a device to a voter on which they can vote and must not take a voter's device from them, even with the voter's permission.

### **Budget**

48. All candidates shall receive a publicity budget up to a level set by the Board of Trustees.
49. If a candidate exceeds their budget limit, they will be disqualified automatically.
50. All candidates must submit a written list of all campaign costs with corresponding receipts no later than the close of voting. If candidates do not spend any money during their campaign, this must be made clear on the submission.
51. Items freely and readily available to all campaigners can be used without itemisation.

### **Complaints**

52. Complaints relating to the conduct of candidates and the campaign teams must be submitted no later than the close of voting.
53. Complaint relating to the conduct of the count must be lodged within one hour of the declaration of the election result.
54. 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 regulations.
55. If the matter relates to a breach of Union or University policy or regulations, the returning officer may also refer the complaint to the appropriate Union or University team for further consideration. This will be in addition to any sanction applied in the election.

**Appeals**

56. A candidate who is unhappy with a decision about them made by the returning officer may appeal to the University by writing to the University Secretary.
57. Such appeals will only be considered on the following grounds:
  - 57.1. Procedural irregularity in the conduct of the original investigation
  - 57.2. The sanction imposed was unreasonable; or
  - 57.3. New information has come to light which was not available during the original investigation period that would have materially impacted upon the outcome.
58. If a candidate/nominee wishes to complain against any decision of the Returning Officer, they must do so using the University complaints procedure.

**Counting the votes**

59. The count will commence after the returning officer is satisfied that all complaints relating to the conduct and administration of the election have been resolved.
60. The count will be conducted in a manner which takes account of any quotas required in the election.
61. Each candidate or an appointed representative may, if they so wish, attend the counting of the votes, as observers only.
62. The returning officer may nominate people to assist in the count.
63. Results shall be declared by the returning officer after the counts for all elections running simultaneously have been completed.
64. The results will be published on the Union's website within one day of the declaration of results.

## **Bye-law 10: Referendums**

1. This bye-law shall apply to referendums for purposes permitted under the articles of association.
2. Only Student Members are eligible to participate in referendums.
3. Referendums shall be conducted in a manner and at times which are intended to maximise the number voters engaged in referendums.

### **Returning Officer**

4. The returning officer shall be responsible for the conduct and administration of all referendums and shall be solely responsible for the interpretation of referendum rules.
5. The returning officer shall be appointed in accordance with the process in the elections bye-law.
6. The returning officer shall have the powers contained in the elections bye-law.

### **Scheduling**

7. The Board of Trustees shall publish a schedule which shall contain the dates of times of the campaigning period, voting period, training sessions, rules briefings and other relevant events.
8. Notice of a referendum shall be given no fewer than twenty-one clear days before the start of voting.

### **Amendments to the Proposal**

9. For the purposes of article 7.2.2, Student Members may submit amendments within seven days of the circulation of the Proposal. This period is included within the referendum notice period.

### **Setting policy**

10. Policy can be set through the passing of a motion by a simple majority of the Student Members voting in a referendum, provided that at least 10% of Student Members cast a vote in a referendum.
11. Such a motion shall be triggered by:
  - 11.1. a Secure Petition signed or agreed to by at least 5% of the Student Members;
  - 11.2. a motion passed by a simple majority of the Student Members at a Student Members' Meeting; or
  - 11.3. a motion passed by a 75% majority of the Student Leadership Committee.

### **Lead campaigners**

12. Each option in a referendum shall have a lead campaigner who must be a Student Member. The returning officer shall seek volunteers to act as lead campaigners.
13. In a referendum to amend the articles of association, the Board of Trustees shall appoint the lead campaigners.
14. In other referendums, the returning officer shall appoint the lead campaigners.
15. The lead campaigner for each option shall be treated as a candidate for the purposes of the rules.

### **Other rules**

16. Clauses 16-19 (question and answer sessions) and 25-55 (publicity, statements, conduct, budget, complaints, appeals, counting the votes) in the elections bye-law shall apply as if the referendum was conducted as an election.

## **Bye-law 11: Member complaints procedure**

### **Scope**

1. This procedure applies to all Students' Union staff, representatives, services, facilities and activities except elections and referendums.
2. Matters which have been considered under other Students' Union policies or procedures will not be re-considered through this procedure.

### **Deadlines**

3. Complaints must be received within seven working days of the incident taking place.
4. If a series of events leads to a complaint being submitted, the complaint must be submitted within seven working days of the last event occurring.
5. Complaints must be submitted either:
  - 5.1. verbally to the appropriate member of staff;
  - 5.2. using the complaint form on the Students' Union's website;
  - 5.3. by email to [students.union@uel.ac.uk](mailto:students.union@uel.ac.uk) ; or
  - 5.4. in writing to the Chief Executive, UEL Students' Union, North Building, 4-6 University Way, London, E16 2RD.

### **Personal details**

6. Complainants are required to:
  - 6.1. provide their full name and contact details;
  - 6.2. explain what happened to lead to the complaint;
  - 6.3. explain what, if anything, they have done to attempt to resolve the matter; and
  - 6.4. explain what resolution they would like.
7. If the complaint is from a group, the names and contact details of all the complainants must be supplied.
8. Anonymous complaints will not be considered.
9. Complaints will be handled with an appropriate level of confidentiality, subject to Students' Union policies and legal or professional obligations.
10. All documentation relating to complaints will be recorded and kept on file in accordance with the retention policy.

### **Other organisations**

11. If the matter is about a possible criminal offence, the Chief Executive shall inform the appropriate law enforcement agency and the University Secretary.
12. If the matter is about a possible breach of the University's code of conduct or regulations, the Chief Executive shall notify the University Secretary.
13. An investigation of a complaint may be placed on hold for an indefinite period while a law enforcement agency or the University investigates.

### **Informal stage**

14. Complainants should seek to resolve the matter informally in the first instance by raising the matter with the person involved or, in the case of a service, with the manager or supervisor of that service.
15. If the matter relates to a person and cannot be raised informally with that person, the complainant should raise the matter with that person's line manager.
  - 15.1. If that person is a member of the Student Leadership Committee, the matter should be raised with the Chief Executive.
  - 15.2. If that person is the Chief Executive, the matter should be raised with the Chair of the Board of Trustees.

16. The person who receives the complaint will be the complaint handler.
17. The complaint handler will attempt to resolve the matter immediately. If they cannot do so, they will arrange an informal meeting as soon as practicable to discuss the matter and seek a resolution.
18. The complaint handler may, where appropriate, refer the matter to their line manager who will then become the complaint handler.
19. Within three working days of the informal meeting, the complaint handler as appropriate will send to the complainant a summary of the informal discussion, the proposed resolution, and the next steps available to the complainant.
20. If the complainant takes no further action within five working days of the summary of the informal discussion being issued, the matter will be deemed to be resolved and the complaint will be closed.

### **Formal stage**

65. If a complainant is unhappy with the outcome of the informal stage, they may request a formal investigation.
66. Such a request must be submitted in writing to the complaint handler within five working days of the summary of the informal discussion being issued.
67. The complaint handler will begin a formal investigation and may contact all parties concerned to obtain formal statements and additional evidence.
68. The investigation shall normally be completed and the complainant notified of the outcome within ten working days of receipt of the request for a formal investigation.
69. If it is necessary to extend the period to complete the investigation, the complaint handler shall notify the complainant and the Chief Executive of the delay and the reason for the delay.
70. The complaint handler's report shall include either:
  - 70.1. details of the proposed resolution; or
  - 70.2. an explanation why it not possible for a resolution to be proposed.
71. The report may also include recommendations to the Chief Executive or Board of Trustees as appropriate to:
  - 71.1. consider some or all parts of the matter under the appropriate disciplinary policy or another policy; and/or
  - 71.2. refer the matter to a law enforcement agency and/or the University Secretary.
72. If the complainant takes no further action within five working days of the investigation report being issued, the matter will be deemed to be resolved and the complaint will be closed.

### **Appeal**

73. If a complainant is unhappy with the outcome of the formal stage, they may appeal to the Board of Trustees.
74. Appeals will only be considered on the following grounds:
  - 74.1. procedural irregularity in the conduct of the original investigation;
  - 74.2. the sanction imposed was unreasonable; or
  - 74.3. new information has come to light which was not available during the original investigation period that would have materially impacted upon the outcome.
75. Appeals will not be considered where a complaint has resulted in a disciplinary investigation against a Student Member or staff member.
76. Appeals must be submitted in writing to the Chair of the Board of Trustees within five working days of the outcome of the formal stage being issued.
77. Appeals must state the grounds for appeal and provide any relevant new evidence.
78. The Chair of the Board of Trustees shall nominate a person ("the reviewer") to review the complaint and the investigation.

79. The reviewer shall normally be the Chief Executive, provided they have not been involved in the matter which led to the complaint or the investigation of the complaint.
80. The reviewer must:
  - 80.1. confirm that the resolution in the formal stage was reasonable and practicable and should stand; or
  - 80.2. offer an alternative resolution based on the evidence considered in the review.
81. The review shall normally be completed and the complainant notified of the outcome within ten working days of receipt of the appeal.
82. If it is necessary to extend the period to complete the review, the reviewer shall notify the complainant and the Chair of the Board of Trustees of the delay and the reason for the delay.
83. The reviewer's decision shall be final and the matter will be deemed closed.

**University complaints procedure**

84. If the complainant remains dissatisfied when the appeal process has been concluded, they may submit a complaint to the University using its complaints procedure.

## **Bye-law 12: Code of conduct**

1. This code of conduct applies to Student Members who are:
  - 1.1. on Students' Union premises; or
  - 1.2. engaging with the Students' Union; or
  - 1.3. attending an event organised by the Students' Union or a subsidiary part of it; or
  - 1.4. acting as a representative of the Students' Union or a subsidiary part of it.
2. Student Members must not act or behave in a way which is deemed to be misconduct under this code.
3. The following actions or behaviours, or similar actions and behaviours, may be described as misconduct:
  - 3.1. conduct or actions that is or could be detrimental to the good order of the Students' Union;
  - 3.2. abuse or harassment of another person;
  - 3.3. negligent damage to, loss of, or unauthorised removal of/or use of, Students' Union property, assets, licences or such items under its control;
  - 3.4. failing to declare a conflict of interest;
  - 3.5. in the case of a Student Member who holds an elected or appointed position within the Students' Union, a breach of the Governing Documents or regulations.
4. Where a Student Member is employed by the Students' Union, the disciplinary process for employees will take precedence if the alleged breach relates to or is likely to impact upon the Student Member's employment.
  - 4.1. This includes members of the Student Leadership Committee.
5. Where an allegation relates to elections, it shall be dealt with in the first instance under the elections bye-law.
6. Student Member shall include the plural where an allegation is made against more than one Student Member.

### **Deadlines**

7. An allegation against a Student Member should normally be received within fourteen working days of the incident taking place.
8. If a series of events leads to an allegation being made, the allegation should normally be submitted within fourteen working days of the last event occurring.
9. Allegations must be submitted either:
  - 9.1. by email to [students.union@uel.ac.uk](mailto:students.union@uel.ac.uk) ; or
  - 9.2. in writing to the Chief Executive, UEL Students' Union, North Building, 4-6 University Way, London, E16 2RD.

### **Personal details**

10. An allegation must include:
  - 10.1. the full name(s) and contact details of the person(s) making the allegation;
  - 10.2. the full name and contact details (if known) of the Student Member against whom the allegation is being made;
  - 10.3. details of what happened to lead to the allegation;
  - 10.4. details of what, if anything, has been done to attempt to resolve the matter informally.
11. Anonymous complaints will not be considered.
12. Allegations under this code will be handled with an appropriate level of confidentiality, subject to Students' Union policies and legal or professional obligations.
13. All documentation relating to an allegation under this code will be recorded and kept on file in accordance with the retention policy.

### **Other organisations**

14. If the matter is about a possible criminal offence, the Chief Executive shall inform the appropriate law enforcement agency and the University Secretary.
15. If the matter is about a possible breach of the University's code of conduct or regulations, the Chief Executive shall notify the University Secretary.
16. An investigation of an allegation under this code may be placed on hold for an indefinite period while a law enforcement agency or the University investigates.

### **Suspension**

17. If they deem it necessary in the interests of safety or good order, the Chief Executive may suspend a Student Member against whom an allegation has been made from participating in any or all Students' Union activities until the panel notified the Student Member of its decision or, where appropriate, until the end of the appeal period.

### **Investigation**

18. The Chief Executive will appoint a person to investigate the allegations.
19. Where allegations are made against multiple Student Members, one investigator may investigate all related allegations.
20. The investigator shall contact all parties concerned to obtain formal statements and any other evidence.
21. The investigator may collect evidence from other parties where appropriate.
22. The investigation shall normally be completed within ten working days of receipt of the allegation.
23. If it is necessary to extend the period to complete the investigation, the investigator shall notify the parties involved and the Chief Executive of the delay and the reason for the delay.
24. The investigator shall present their report to the Chief Executive.

### **Disciplinary panel**

25. The Chief Executive and the Chair of the Board of Trustees shall consider if there is a prima facie case to be considered by the panel.
  - 25.1. If they deem there is a case to be considered, the Chair of the Board of Trustees shall convene a disciplinary panel to consider the allegations.
  - 25.2. If they deem there is no case to be considered, the process will be terminated and the parties involved will be notified of the outcome.
26. The panel shall include a member of the Student Leadership Committee, an external trustee (who shall chair the panel), and a nominee of the University Secretary.
  - 26.1. Where a conflict of interest means it is not possible to form the panel in this manner, the Chair of the Board of Trustees shall use their discretion to appoint a panel which is similar to the above.
27. The Chief Executive or their nominee shall service the panel ("the secretary").
28. The secretary will give at least seven working days' written notice of the hearing to all parties involved. This notice will include the details of the allegation, the investigator's report, and any supporting evidence.
29. The Student Member may submit a written statement to the secretary at least two working days before the hearing. The secretary will circulate any such statement to the panel members and the investigator at least one working day before the hearing.
30. The Student Member is entitled to be accompanied by a colleague in a supporting capacity. This colleague must not be or act as a legal representative.
31. The panel shall consider the investigator's report, statements from interested parties, and any supporting evidence.
32. The panel may question the parties involved.



33. The panel may consider multiple cases as a group.
34. The panel shall find the Student Member guilty or not guilty of misconduct.
35. If the panel finds the Student Member guilty of misconduct, they shall have discretion to apply any reasonable sanction.
36. The secretary shall notify the Student Member of the panel's findings and any sanction within five working days of the hearing.

### **Appeal**

37. If the Student Member is unhappy with the outcome of the disciplinary hearing, they may appeal to the Chair of the Board of Trustees.
38. Appeals will only be considered on the following grounds:
  - 38.1. procedural irregularity in the conduct of the original investigation and/or hearing;
  - 38.2. the sanction imposed was unreasonable; or
  - 38.3. new information has come to light which was not available during the original investigation period that would have materially impacted upon the outcome.
39. The Chair of the Board of Trustees shall convene an appeal panel to consider the allegations.
40. The panel shall include a member of the Student Leadership Committee who was not involved in the disciplinary hearing, the Chair of the Board of Trustees (who shall chair the panel), and a nominee of the University Secretary who was not involved in the disciplinary hearing.
  - 40.1. Where a conflict of interest means it is not possible to form the panel in this manner, the Chair of the Board of Trustees shall use their discretion to appoint a panel which is similar to the above.
41. The Chief Executive or their nominee shall service the panel ("the secretary"). This person must not be the person who serviced the disciplinary panel.
42. The secretary will give at least five working days' written notice of the hearing to all parties involved, including the chair of the disciplinary panel. This notice will include the details of the appeal and any supporting evidence.
43. The Student Member is entitled to be accompanied by a colleague in a supporting capacity. This colleague must not be or act as a legal representative.
44. The panel shall consider the details of the appeal and any supporting evidence.
45. The panel may question the parties involved.
46. The panel may consider multiple appeals as a group.
47. The panel must:
  - 47.1. Uphold in full the decision of the disciplinary panel; or
  - 47.2. Uphold in part the decision of the disciplinary panel and issue a new sanction which must not be greater than the original sanction; or
  - 47.3. Overturn the decision of the disciplinary panel and direct that the process be re-started with a new disciplinary panel and a new investigator; or
  - 47.4. Overturn the decision of the disciplinary panel and dismiss the allegation.
48. The secretary shall notify the Student Member of the panel's findings within five working days of the hearing.
49. The panel's decision shall be final and the matter will be deemed closed.

### **University complaints procedure**

50. If the Student Member is dissatisfied with the outcome, they may avail of the University's complaints procedure.