



# BYE-LAWS

CHESTER STUDENTS' UNION

AGM FOR APPROVAL – FEBRUARY 2024

## Table of Contents

Introduction .....	3
Byelaw 1: Members of the Union .....	4
Byelaw 2: Members' Meetings.....	7
Byelaw 3: Executive Committee .....	8
Byelaw 4: Student Council .....	9
Byelaw 5: Student Commissions .....	11
Byelaw 6: Policy.....	12
Byelaw 7: Officers.....	13
Byelaw 8: Referenda .....	18
Byelaw 9: Elections.....	19
Byelaw 10: Student Groups.....	21
Byelaw 11: Complaints and Appeals .....	24

## Introduction

These byelaws aim to explain how members can make change and operate within their organisation. These byelaws are not exhaustive and therefore it may be that the policy making bodies of the Students' Union defined in byelaw 6 may need to be consulted.

Interpretation of these byelaws will be the responsibility of the Executive Committee.

To make a change to these byelaws it must be made through either:

- Referenda,
- General Meeting, or
- Student Council.

Changes must be approved by the Trustee Board and notified to University Council.

## Byelaw 1: Members of the Union

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1. Membership of the Union is defined in the Articles of Association. Articles 8-14.
2. Membership of the Union is divided into the following classes:
  - 2.1 Company Law Members, referred to in the Articles of Association.
  - 2.2 Student Members
  - 2.3 Associate Members
3. Where payment for activities and services is due, the Union may award different rates of entry for Student Members, Company Law Members and Associate Members.
4. The Board shall consider the rates of entry for membership on an annual basis.
5. Members Code of Conduct
  - 5.1 The Trustee Board will be responsible for a member's code of conduct and will review this on an annual basis.
6. Student Member access
  - 6.1 All Student Members are eligible for access to the Union's full portfolio of activities and services including membership of Union-affiliated student groups as defined in Byelaw 10, in addition to any other service or event that the Union may offer.
  - 6.2 When a student's studies have been temporarily suspended, the student will be entitled to all the rights of a Student Member except that they will not be eligible to vote in any elections under Byelaw 9 and will only be eligible to stand for election to any Byelaw 7 role where the term of office will commence after their period of suspension and will not be able to take up any such role until such time as their suspension of studies ends.
7. Student Members are the only classification of Member eligible to:
  - 7.1 Vote at Members' Meetings and in referenda and elections,
  - 7.2 Stand for Union Officer positions as defined in Byelaw 7,
  - 7.3 Be elected to or sent as representatives of the Union to conferences,
  - 7.4 Hold a committee position within affiliated student groups.
8. Associate Members
  - 8.1 Further defined in six categories described below, part 7.4.
  - 8.2 All Associate Members are eligible for access to membership of Union-affiliated student groups as defined in Byelaw 10 and any other service or event that the Union may offer except those which are specifically for students only, such as student advice.
  - 8.3 As described in Byelaw 10, student groups must reject access to membership if the total number of Student Members of the group falls below two-thirds of the total membership of that group.

8.4 The six categories of Associate Members are:

8.4.1 Honorary Members:

8.4.1.1 Membership may be awarded to any persons under a contract of employment with the Union or to Trustees who are not already Student Members.

8.4.2 Student Members:

8.4.2.1 Students registered on programmes that are offered in partnership with the University. These memberships will be available at an annual subscription rate determined by the Board of Trustees or its delegated authority.

8.4.3 Staff Members:

8.4.3.1 University staff may be admitted to Associate Membership at an annual subscription rate determined by the Board of Trustees or its delegated authority.

8.4.3.2 This membership shall expire upon termination of their employment with the University.

8.4.4 Alumni Members:

8.4.4.1 Any persons who have been a Student Member of the Union may be admitted to Associate Alumni Membership upon payment of a subscription determined by the Board of Trustees or its delegated authority.

8.4.4.2 The period of membership shall be a minimum of 1 year and no more than 3 years.

8.4.5 Honorary Life Members:

8.4.5.1 Membership may be awarded by the Board of Trustees for any person (Member or non-Member) in recognition of outstanding service to the Union or its Members.

8.4.5.2 Nominations for this award will be invited from the Student Members on an annual basis, but persons may also be nominated at any other time.

8.4.6 Associate Reciprocal Members:

8.4.6.1 Membership awarded to any student of another establishment within the United Kingdom who is also a member of the National Union of Students.

8.4.6.2 Reciprocal Membership for students at other institutions may be awarded by Student Council.

8.4.6.3 Privileges include access to the Union's activities and services enabling participation within the student community within the period of time that they are present in Chester, Shrewsbury, Birkenhead or Warrington.

9. Opting out of Membership
  - 9.1 Student Members have the right to opt out of membership of the Union in accordance with Section 22 of the Education Act 1994. Any Student Member wishing to do so should write to the Chief Executive. Opting out of membership is confined to that Academic Year.
  - 9.2 Students who have opted out of Student membership and wish to access Union facilities, services or other activities may become Associate Members.
10. Removal of Membership
  - 10.1 Membership can be removed from any Member following the process set out in Byelaw 11 and any subsequent Complaints and Disciplinary established by the Board of Trustees.

## Byelaw 2: Members' Meetings

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1. Members' Meetings are primarily responsible for creating Policy and holding Union officers to account.
2. The Chair of Student Council chairs Members' Meetings.
3. Any Student Member may propose policy, attend, and vote at a Members' Meeting.
4. Requests for additional attendees should be made to the Executive Committee.
5. Attendees who are not Student Members may not vote and may only speak with the permission of the Chair.
6. The quorum of a Members' Meeting is 25 of the Student Members.
7. Timetable
  - 7.1 The exact date and time of the Annual Members' Meeting (or an Extraordinary Members meeting) should be agreed by the Executive Committee and communicated to the University.
8. Extraordinary Members' Meetings may be called by:
  - 8.1.1 a petition to the President, the petition must include the names, University student numbers and signatures of 250 of the Student Members
  - 8.1.2 a simple majority of the Student Council.
  - 8.2 The reason for the meeting, relevant proposals, motions, or other papers.
9. No further business may be transacted at Extraordinary Members' Meetings unless approved by the Executive Committee.
10. Agenda
  - 10.1 The normal agenda of business for the Annual Members' Meeting includes:
    - 10.1.1 ratification of minutes of the previous annual Student Members' meeting.
    - 10.1.2 receiving the report of the Trustees on the Union's activities since the previous annual Student Members' meeting.
    - 10.1.3 formally presenting the accounts of the Union to the Student Members.
    - 10.1.4 approving the list of affiliations of the Union.
    - 10.1.5 open questions to the Trustees by the Student Members.
    - 10.1.6 Elected Officer reports and opportunity for questions from Members.
    - 10.1.7 Motions for debate submitted prior to the meeting.
    - 10.1.8 Review of lapsed policy, and
    - 10.1.9 If applicable, a decision on what to do with motions not discussed (i.e. extend the meeting, hold a new meeting, refer to another body).
  - 10.2 The Executive Committee will set the agenda for the Annual Members' Meeting and may use their discretion to refer proposals directly to Student Council or other groups if proposals sit within their standing mandates.
11. Inquorate Meetings
  - 11.1 The decisions of the Members Meeting if not quorate will be subject to ratification by the next quorate Student Council.

## Byelaw 3: Executive Committee

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1. Membership
  - 1.1 The Executive Committee is formed of the following members:
    - 1.1.1 The Sabbatical Officers
  - 1.2 The Executive Committee shall meet at least monthly.
  - 1.3 The Quorum, shall be 50%, rounded up to the next whole number.
  - 1.4 The Chair will be the President, or nominee.
2. The Executive Committee is supported by the following staff:
  - 2.1 Chief Executive Officer
  - 2.2 Other members of the Senior Management Team, nominated by the Chief Executive Officer.
3. Other persons who in the view of the committee would bring relevant experience and advice, may be invited to attend by the Chair.
4. The Executive Committee is responsible for:
  - 4.1 the representation and campaigning work of the Students' Union
  - 4.2 implementation of Union Policy, and
  - 4.3 administering the democratic functions of the Students' Union, namely:
    - 4.3.1 Members' Meetings,
    - 4.3.2 Student Council, and
    - 4.3.3 Student Commissions
5. Members shall also:
  - 5.1 Hold each other, both collectively and individually, responsible for their work.
  - 5.2 Undertake research and listening activities to ensure that the student voice is heard.
  - 5.3 Ensure the Student Council and Members Meetings are kept up to date on the work of the Executive Committee.
6. An action register for each meeting of the Executive shall be held.



## Byelaw 4: Student Council

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1. Student Council undertakes the following roles:
  - 1.1 Scrutinises the work of the Union Officers as defined in byelaw 7.
  - 1.2 Creates, amends, renews, and disposes of any policy or mandate of the Union, except where such policy has been set by a referendum, as defined in byelaw 8.
  - 1.3 Considers informal proposals from Student Members, which it can:
    - 1.3.1 Enact by directing a Union Elected Officer to take certain actions and report back to the following meeting.
    - 1.3.2 Create a commission, as detailed in Byelaw 5
    - 1.3.3 Refer to the Executive Committee, as detailed in Byelaw 3
    - 1.3.4 Turn into a referendum, as detailed in Byelaw 8
    - 1.3.5 Dismiss.
  - 1.4 Creates working groups as deemed relevant by the Members of Student Council and agrees their terms of reference.
  - 1.5 The approval of revisions to the Byelaws and Articles of Association
2. The quorum of Student Council is 50% of voting Student Members.
3. Attendees
  - 3.1 The following attend Student Council as mandatory members (“Mandatory Members”) meaning that they must attend every Student Council or communicate to the Chair beforehand the reason for their absence:
    - 3.1.1 The Sabbatical Officers, as defined in Byelaw 7
    - 3.1.2 The Student Council Officers, as defined in Byelaw 7
    - 3.1.3 Elected Delegates to the National Union of Students (NUS) Annual Conference, as defined in Byelaw 7.
  - 3.2 In addition to the Mandatory Members, the following attend Student Council as Voting Members:
    - 3.2.1 SVRs, as recognised by the University.
    - 3.2.2 The President, Chair or Club Captain of affiliated student groups as defined in Byelaw 10, or their nominee.
4. Mandatory Members may be deemed to have resigned their position if they fail to attend meetings without prior notice.
5. Non-voting Student Members who have submitted proposals or motions are entitled to attend the meeting and speak to their proposal or motion.
6. Any Student Member may attend the meeting to observe and speak with the Chair’s approval.
7. Student Council may, on an ad hoc basis, invite anyone to attend whom the voting Members feel appropriate.
8. Timetable
  - 8.1 There shall be a minimum of 5 Student Council meetings in the academic year.
  - 8.2 Student Council meetings may be in-person, held online or a hybrid.
  - 8.3 Additional meetings may be called by the Executive Committee.

9. Agenda
  - 9.1 The Executive Committee will set the agenda of Student Council and may choose to refer items directly to other bodies.
  - 9.2 The agenda for Student Council may include:
    - 9.2.1 Minutes of the last meeting and matters arising from those minutes.
    - 9.2.2 Reports from and questions to the Elected Officers
    - 9.2.3 Consideration of motions and proposals submitted prior to the meeting.
    - 9.2.4 Discussion of proposal and topics raised by Members of Student Council during the meeting.
    - 9.2.5 Reports from other student groups, previously agreed by the Executive Committee.
    - 9.2.6 Any other business deemed relevant by the Chair.
10. Committees
  - 10.1 Student Council may elect or convene committees to address particular issues, oversee particular projects or serve other specific purposes, as it deems necessary.
11. Student Council reports to the Board of Trustees.
12. All reports and minutes of Student Council must be published and accessible to all Student Members within seven working days of each meeting.

## Byelaw 5: Student Commissions

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1. Student Commissions are a process to ensure that complex issues pertaining to the student experience at the University of Chester can be thoroughly investigated and involve the appropriate expertise to identify potential solutions and a collaborative approach to solving the problems.
2. Student Commissions can be established by a resolution of the Executive Committee.
3. Student Commissions involve 4 stages:
  - 3.1 Stage 1: Exploring the issues presented.
  - 3.2 Stage 2: Defining the problem.
  - 3.3 Stage 3: Exploring potential solutions.
  - 3.4 Stage 4: Defining actions.
4. Each commission should seek to establish a steering committee to drive the commission forward which should comprise of:
  - 4.1 Sabbatical Officer, to Chair and Lead the Commission.
  - 4.2 Representatives of Student Council.
  - 4.3 Representatives of students affected by the issues.
  - 4.4 Experts from the areas concerned within the University or wider community.
    - 4.4.1 The relevant sabbatical officer will be responsible for liaising with the appropriate bodies to invite these experts.
5. A timetable will be considered by the commission and communicated to Student Council and monitored by the Executive Committee.
6. The Executive Committee will be responsible for:
  - 6.1 ensuring the work of commissions is effectively considered within its agenda.
  - 6.2 ensuring the results of commissions are effectively communicated to the appropriate bodies.
  - 6.3 ensure reports are fed into appropriate decision-making bodies.
  - 6.4 considering the next steps and implementing any future policy recommendations into University or Students' Union policy making processes as detailed in byelaw 6.
7. The final Executive Committee of each academic year shall be responsible for ensuring that any active commissions are concluded or handed over to the incoming executive committee.

## Byelaw 6: Policy

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1. Policy is created by the following channels:
  - 1.1 Referenda
  - 1.2 Student Council
  - 1.3 Annual Members' Meeting
  - 1.4 Extraordinary Members' Meeting
  - 1.5 The Trustees
2. The Trustees have the power to override any decision made by Referenda, by the Student Council, at an Annual Members' Meeting or an Extraordinary Members' Meeting if in their absolute discretion they consider that any such decision has or may have any financial implications for the Union, or is or may be in breach of, contrary to or otherwise inconsistent with charity or education law or any other legal requirement (including ultra vires), or is not or may not be in the best interests of the Union (including its reputation) or all or any of its charitable objects, or will or may otherwise affect the discharge of any or all of the responsibilities conferred by the Union's Articles of Association on the Trustees.
3. Policy normally requires a simple majority of those entitled and choosing to participate in a vote to become valid. Abstentions will not count as part of the active vote.
4. Policy calling for a vote of no confidence in a Union Officer is subject to the provisions of the Articles of Association.
5. Policy remains active for three Academic Years; thereafter it lapses unless renewed by the Annual Members' Meeting.
6. Policy is assigned to the portfolio of the appropriate Sabbatical Officer, defined in Byelaw 7, which may not be the Officer specified in the original motion and may be carried out in conjunction with another body as approved by the Executive Committee.

## Byelaw 7: Officers

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1. There are the following categories of Union Officers:
  - 1.1 Sabbatical Officers
  - 1.2 Student Council Officers
  - 1.3 Elected Delegates to the National Union of Students (NUS) Annual Conference
2. All Union Officers, will be elected by cross-campus ballot.
3. The remits of the Sabbatical Officers should be reviewed every 4 years, including a review of the titles and role descriptions of the Sabbatical Officer positions and the working relationships between Sabbatical Officers and their constituent bodies.
4. In the situation that a Union Officer were to vacate their role, voluntarily or involuntarily, their roles and responsibilities are not to be left vacant once the procedure to terminate their contract is completed.
  - 4.1 Sabbatical Officers
    - 4.1.1 Once the procedure stated in the Articles of Association is followed the Board of Trustees shall consider the process to fulfil the duties.
    - 4.1.2 In the event of a by-election, process in Byelaw 9 to be followed.
    - 4.1.3 In the event of no by-election, the Board shall approve the method of replacement.
    - 4.1.4 For the purposes of the Education Act 1994, Sabbatical Officers are the only officers to be considered as major union office-holders.
  - 4.2 All Other Union Officers
    - 4.2.1 The Executive Committee shall seek to establish the basis for replacement and either:
      - 4.2.1.1 Ensure a by-election is held at a suitable time to ensure effective replacement of the role.
      - 4.2.1.2 If less than 5 months of the academic year remaining, may seek a co-option to the role, to be approved by Student Council.
5. Code of Conduct
  - 5.1 Union Officers are expected to act in accordance with the Union's Vision, Mission and Values and to promote the Objects of the Union and their office.
  - 5.2 Union Officers must also:
    - 5.2.1 Adhere to all legal obligations including the Memorandum and Articles of Union the Byelaws, Rules, and Policy, including but not limited to:
      - 5.2.1.1 Health and Safety
      - 5.2.1.2 Financial regulations and procedures
      - 5.2.1.3 Equality Policy
      - 5.2.1.4 Safeguarding Policy
      - 5.2.1.5 The Staff Protocol
    - 5.2.2 Use Union resources responsibly and honestly.
    - 5.2.3 Fully participate in all induction, training and development opportunities pertaining to the team within which they are a part or to the advancement of their portfolio.
    - 5.2.4 Not act dishonestly or with intent to commit fraud.

- 5.2.5 Adhere to and respect any confidentiality practices that may be in place to protect the reputation, services, activities and people of the Union.
  - 5.2.6 Not knowingly misrepresent the views of the Union.
  - 5.2.7 Carry out the duties and responsibilities of their elected role in good faith.
  - 5.2.8 Make every reasonable effort to be punctual and reliable.
  - 5.2.9 Comply with any relevant conflict of interest policies.
  - 5.2.10 Not behave recklessly in the discharge of their duties.
6. Accountability
- 6.1 All Union Officers are accountable to the following channels:
    - 6.1.1 Annual and Extraordinary Members' Meetings.
    - 6.1.2 Student Council.
    - 6.1.3 Disciplinary procedures, stated in Byelaw 11
7. All Union Officers will be expected to submit written reports to Student Council. Additional reports will be expected from time to time as directed either by Policy or by relevant Union and University bodies.
8. Sabbatical Officers
- 8.1 Responsibilities of the Sabbatical Officers include:
    - 8.1.1 Serving as Sabbatical Trustees, as defined in the Articles of Association, where specified below.
    - 8.1.2 Leading on a portfolio of policy as detailed in these Byelaws.
    - 8.1.3 Campaigning for students as directed by Student Members through referenda, Members' Meetings and Student Council.
    - 8.1.4 Leading the Union's campaigning activity on issues relevant to their role.
    - 8.1.5 Representing Student Members to the University, local and national bodies.
    - 8.1.6 Representing Student Members on relevant University committees and working through them to implement Union policy as appropriate.
    - 8.1.7 Ensuring consultation on relevant University policymaking.
    - 8.1.8 Supporting and developing relevant Networks, student groups and representatives.
    - 8.1.9 Acquiring and disseminating knowledge of relevant national Higher Education (HE) issues and policy development.
    - 8.1.10 Working with relevant NUS campaigns and ensuring wide circulation of information.
    - 8.1.11 Actively encourage participation in the democratic structure and processes of the Union championing and fully participating in the democratic processes of the Union.
    - 8.1.12 Champion the work of the elected officers and the Union strategic priorities.
    - 8.1.13 Attend student disciplinary and professional suitability panels.
9. Sabbatical Officer Role Descriptions
- 9.1 The role descriptions are not designed to be a full role description and further duties will be expected through agreement with the postholder, Trustee Board, Student Council or Executive Committee in addition to the Chief Executive Officer.
  - 9.2 At the commencement of each academic year the Executive Committee will be responsible for appointing Union Officers to relevant committees within the Students' Union and University.

### 9.3 President

- 9.3.1 Be the spokesperson of the Union both in discussions with the senior University staff and external organisations, including the media.
- 9.3.2 Represent the Union within the National Union of Students, including, but not exclusive to, being the delegate lead for NUS Conference and any emergency National Conferences.
- 9.3.3 Chair the Board of Trustees.
- 9.3.4 Alongside the Deputy Chair of the Board, line manage the Chief Executive Officer.
- 9.3.5 Articulate the voices of students to the University.
- 9.3.6 Attend and actively engage in university committees, including the Governors.
- 9.3.7 Maintain accountability to the Student Voice committee sharing termly reports with the committee and obtaining feedback on work undertaken.
- 9.3.8 Champion the work of the elected officers and the Union strategic priorities, working closely with the officer team to ensure the three post holders are acting as a cohesive team.
- 9.3.9 Regularly engage with students and seek their feedback from across the sites.

### 9.4 Vice President Education

- 9.4.1 Represent and champion the needs of University of Chester students across the different sites on all academic matters.
- 9.4.2 Primary point of contact for academic faculties/departments and work collaboratively to enhance the educational experience for students.
- 9.4.3 Champion the Student Voice Representation system working closely with representatives and Union staff to ensure the student voice around the academic experience is being heard and acted upon at a course and department level.
- 9.4.4 Work closely with Union colleagues on evidence-based campaigns and research that improves students' academic experience.
- 9.4.5 Attend and actively engage in university committees relating to students' academic experience.
- 9.4.6 Maintain close links with university professional services departments that directly support the academic experience.

### 9.5 Vice President Student Life

- 9.5.1 Represent and champion the needs of University of Chester students across the different sites on all matters relating to their wellbeing, welfare sustainability and social opportunities.
- 9.5.2 Primary point of contact for university student support services and extra-curricular services, including university AU Sports and commercial services to collaboratively enhance the student experience for students.
- 9.5.3 Champion Societies and their leaders working closely with committee members and Union staff to create thriving societies and activities that add value to the student experience.
- 9.5.4 Work closely with Union colleagues on evidence-based campaigns and research that improves students' wellbeing and extra-curricular student experience.
- 9.5.5 Attend and actively engage in university committees relating to students' wellbeing and extra-curricular experience.

- 9.5.6 Support students' collectivism and innovation, making positive change in their communities through charity events, student groups, campaigns and Union and University award recognition events.
  - 9.5.7 Be the officer lead on welcome, induction, and continued student orientation activity, ensuring both the Union and University are offering opportunities for students to form social connections and make the most of personal development opportunities.
10. Student Council Officers
- 10.1 General responsibilities of Student Council Officers include:
    - 10.1.1 Being a full member of the Student Council
    - 10.1.2 Providing a report and plan for the area of work they are responsible for.
    - 10.1.3 Joint responsibility with the relevant Sabbatical Officers for gaining and disseminating knowledge about relevant policy development locally and nationally and gaining student opinion and feedback on issues relating to their role.
    - 10.1.4 Undertake activities that gathers student views for their area or demographic and are reported to Student Council.
    - 10.1.5 Scrutinising the work of Sabbatical Officers.
  - 10.2 The Exact number and titles of Student Council Officers shall be decided on an annual basis by the Executive Committee.
  - 10.3 In consideration of the exact number and titles of Student Council Officers the Executive Committee shall, so far as reasonably practicable, ensure effective representation of University Learning Campuses and Centres, under-represented groups within the student community and those who are considered to be at a disadvantage as a student.
  - 10.4 The number and titles of Student Council Officers shall usually be considered prior to the election period as defined in byelaw 9.
  - 10.5 The numbers and titles of Student Council Officers shall be presented to the Student Voice and Experience Committee of the University, or equivalent to ensure consultation.
  - 10.6 The following role(s) is/are considered to be permanently required as officers of Student Council:
    - 10.6.1 Chair of Student Council
11. Faculty Representatives
- 11.1 There shall be one Faculty Voice Representative for each faculty of the University.
  - 11.2 These representatives shall be appointed in collaboration with the relevant faculty and overseen as part of the Student Voice Representative System.
  - 11.3 The term of office for Faculty Representatives is July to June of the following year unless otherwise specified.
  - 11.4 Their primary responsibilities, in addition to any defined by the University, are:
    - 11.4.1 To raise issues pertaining to the educational and wider university experience of students within their Faculty and Level of Study
    - 11.4.2 To canvas opinion from students within their Faculty and Level of Study
    - 11.4.3 To attend Student Council, the Annual Members' Meeting, and any relevant committees within their faculty.
  - 11.5 In the instance that a Faculty Representative is not a Student Member of the Union, they will not have the right to sit on Union councils and committees unless they become a Student



Member, but they are able to still attend University Committees and meetings within their faculty.

12. Delegates to the National Union of Students' Annual Conference
  - 12.1 The National Union of Students (NUS) will advise the Union annually of the number of elected delegates entitled to be sent to the Annual Conference.
  - 12.2 In accordance with Byelaw 3, the delegates are elected by cross campus ballot in the first term.
  - 12.3 In addition, the President is automatically elected as an ex-officio member and leader of the delegation, which comes from the annual delegation.
  - 12.4 The delegation is responsible for:
    - 12.4.1 Promoting the opportunity for Student Members to submit policy to NUS.
    - 12.4.2 Raising issues and reporting on those issues to Student Council.
    - 12.4.3 Reporting their voting record and actions to Student Council.
13. Additional Representatives
  - 13.1 From time to time there will a requirement for additional representatives of the student members to provide student views. These needs and requests will be considered by the Executive Committee on an ad-hoc basis. The Executive Committee shall track where this may need to become more official and feed into the review of Student Council Officers.
  - 13.2 These additional representatives will not be considered officers of the Union.
14. Course and Faculty Level Representation
  - 14.1 There will be a Student Voice Representative system across the University with a level of Faculty representation that shall be operated in partnership with the University.
  - 14.2 The Vice-President Education is the lead sabbatical officer for the programme.
  - 14.3 An annual review of the programme in collaboration with the nominated person from the University's Strategic Executive Committee shall meet the Vice-President Education and Chief Executive or nominee to agree the parameters of the programme on at least an annual basis.
  - 14.4 As part of the programme there may be an identified need to renumerate or recompense levels of representation.

## Byelaw 8: Referenda

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1. A referendum is a general vote by the Student Members on a single question that has been referred to them for a direct decision.
2. Referenda may be called where there is a clear choice on a specific policy, mandate, or position in the following ways:
  - 2.1 By a motion passed at an Annual or Extraordinary Members' Meeting.
  - 2.2 By a decision passed by Student Council or a Student Council committee
  - 2.3 By a written or online petition signed by at least 200 of the Student Members submitted to the President.
  - 2.4 By a resolution of the Union Board of Trustees.
3. The Returning Officer
  - 3.1 The Returning Officer or their nominee, as described in Byelaw 3, is responsible for the conduct of all matters regarding referenda procedures and certification of results.
4. Validity
  - 4.1 Ballots from at least 500 of the Student Members must be returned in a referendum to make its decision valid.
  - 4.2 The Board of Trustees may override any decision made by the Members in a referendum in accordance with Article 29.3 of the Articles of Association.
5. Regulations and Timetable
  - 5.1 The Returning Officer is responsible for the wording of the question, which should be agreed with the proposer and the Executive Committee.
  - 5.2 The question must offer clear choices for the outcome of the vote.
  - 5.3 The Returning Officer is responsible for producing referenda regulations prior to the commencement of the referenda process.
  - 5.4 The regulations should create an environment of fairness to voters and between campaigns and encourage positive, creative campaigning.
  - 5.5 The regulations should clearly state the ways in which campaigns can promote themselves, use any resources and appeal decisions (see Byelaw ##).
  - 5.6 A meeting must be held not more than twenty days after a referendum is called for and at least ten days prior to the vote to enable Student Members to choose leaders of groups campaigning on the vote. The leaders must be Student Members.
  - 5.7 Campaign leaders are responsible for the conduct of the respective campaigns and answerable to the Returning Officer.
  - 5.8 At least seven days' notice must be given for the vote.
  - 5.9 The Students' Union will host a public debate on the referenda question using a format agreed by the Returning Officer
6. Voting
  - 6.1 Voting must be by secret, secure ballot either through paper or electronic means.
  - 6.2 Validation of the voter's Membership status is required in order to vote.

## Byelaw 9: Elections

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1. The following elections are governed by the Byelaws:
  - 1.1 Sabbatical Officers: defined in the Articles and Byelaw 7, elected annually by cross campus ballot of the Student Members in the second term of the Academic Year.
  - 1.2 Student Council Officers: defined in Byelaw 7, elected annually by a ballot of the Student Members in either the first or second term of the Academic Year.
  - 1.3 Delegates to the National Union of Students (NUS) Conference: defined by the NUS constitution and in Byelaw 7, elected annually by cross campus ballot of the Student Members in the first term of the Academic Year.
2. Additional elections may be run or supported by the Union as required.
3. The Returning Officer
  - 3.1 The Returning Officer is appointed by the Trustee Board or designated sub-committee for the purpose of administering elections.
  - 3.2 The Returning Officer is the sole competent official to adjudicate on elections decisions except for appeals to their decisions.
  - 3.3 The Returning Officer must be independent and should not be a member of Union staff.
  - 3.4 The Returning Officer has the power to appoint deputies and other election officials from staff of the Union, Members, and appropriate external people. Any external appointments must be notified to the Board of Trustees. All staff appointments must be authorised by the Chief Executive.
4. Regulations and Timetable
  - 4.1 The Returning Officer is responsible for the conduct of all matters regarding the elections and the certification of results.
  - 4.2 The Returning Officer is responsible for producing the election or referendum regulations.
  - 4.3 The election or referendum regulations will be published prior to the elections to which they relate.
  - 4.4 The election regulations should create an environment of fairness to voters and between candidates and encourage positive, creative campaigning by candidates.
  - 4.5 The election regulations should clearly state the ways in which candidates can promote themselves, use any resources and appeal decisions (see Byelaw 11).
  - 4.6 Notice of elections must be given a minimum of seven days before nominations open.
  - 4.7 Nominations must open at least fourteen days before the opening of polling.
  - 4.8 Polling must be at least for one day and no more than ten days.
5. Nominations
  - 5.1 Only Student Members may be nominated for election with the exception of Faculty Representatives who may be non-Members as long as they are verified by the University of Chester as being a Student of the University.
  - 5.2 Validation of each nominee's Membership status is required before the nomination is confirmed.
  - 5.3 Candidates for Sabbatical Officer or Student Council Officer positions may not stand in other elections apart from Delegates to the NUS Conference.

- 5.4 If there are no candidates for a position the Returning Officer may re-open the nominations for that position or declare a new election be held for that position.
- 5.5 If a new election is held, it must be held at a time to maximise participation by Student Members.
- 6. Voting
  - 6.1 Voting must be by secret, secure ballot either through paper or electronic means.
  - 6.2 Single Transferable Vote (STV) as defined by the Electoral Reform Society of Great Britain and Northern Ireland must be used.
  - 6.3 Validation of the voter's Membership status is required in order to vote.
  - 6.4 All ballots must include the option to re-open nominations. Should re-open nominations be elected, the post will remain vacant until a by-election is held.
  - 6.5 If re-open nominations are elected in a multi-seat election, its surplus of votes and any other votes for re-open nominations will be transferred to a new re-open nominations option.
- 7. Disciplinary Powers
  - 7.1 As defined in Byelaw 11, the Returning Officer or nominee is the sole competent authority to issue sanction to candidates and their candidate teams. Any breach of the rules may be punished. Sanctions are to include but not limited to:
    - 7.1.1 An informal warning
    - 7.1.2 A formal warning
    - 7.1.3 A ban on campaigning for a defined period
    - 7.1.4 Total disqualification from running in the Election.

## Byelaw 10: Student Groups

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1. The Union is entitled to affiliate and support Student Groups, including but not limited to:
  - 1.1 Societies
  - 1.2 Sports Clubs not already affiliated to the UoC Athletics Union,
  - 1.3 RAG,
  - 1.4 Volunteering Projects, and
  - 1.5 Other Student Groups as defined by the Student Groups Policy.
2. Full members of the Union may apply to affiliate a Student Group, in accordance with these byelaws.
3. Full members of the Union will be entitled to become a member of any affiliated Student Group, subject to any membership requirements set out by the group in their approved constitution, and provided there are no Union sanctions against them doing so.
4. The interests of affiliated Student Groups and their members will be represented by the Vice-President Student Living.
5. The Union is entitled to award grants, allocate facilities, and provide resources to affiliated Student Groups.
6. The Union must ensure that the procedure for allocating resources to affiliated Student Groups is fair and is set down in writing, being freely accessible to all Members, as required by the 1994 Education Act.
7. The Union is entitled to suspend or revoke affiliation of a Student Group, or restrict or deny access to resources, support and facilities in circumstances including:
  - 7.1 Minimum standards have not been met (e.g. as determined by the reaffiliation process)
  - 7.2 A Union, University or Legal Policy, Regulation or Law has been breached (e.g. as determined by a Code of Conduct investigation)
  - 7.3 In the interest of student safety or wellbeing (e.g. on the recommendation of the Health & Safety committee)
8. Minimum Standards
  - 8.1 Student groups must satisfy all of the following, in addition to any criteria set out in the Student Groups Handbook, in order to be eligible to affiliate or reaffiliate to the Union:
    - 8.1.1 Be expressly set up with the intention of advancing education for the public benefit, as defined in the Union Articles of Association
    - 8.1.2 Have a constitution, approved by the Union, that does not replicate the aims, objectives, or primary purpose of another affiliated Student Group. By affiliating a group agrees their constitution will be interpreted in accordance with SU definitions of words or phrases.
      - 8.1.2.1 To not delete any part of the constitution without prior approval of the Trustee Board but may add further criteria, after consultation with the Vice-President Student Life.
    - 8.1.3 Reach the minimum membership number, as set out in Student Groups Handbook, by the start of the annual reaffiliation period as defined by the Union. Newly affiliated groups will not need to meet this requirement for the academic year in which they are affiliated:

- 8.1.3.1 Include a number of mandatory Committee positions in their constitution, as set out in Student Groups Handbook, and comply with that policy in relation to filling those positions.
  - 8.1.3.2 Comply with the Union Code of Conduct, and other relevant policies.
  - 8.1.3.3 No affiliated Student Group can unlawfully discriminate, including against any Member or in the conduct of their activities. Where an affiliated student group wishes to rely on lawful exemptions, including restriction of membership and/or access to its activities, this must be set out in its approved constitution. Constitutions will only be approved if the Union is satisfied that they are lawful.
  - 8.1.3.4 Mandatory committee positions can only be held by full members of the Union. A single mandatory position can be occupied by one person only. A person cannot hold more than one mandatory position within a single affiliated student group.
  
- 9. All Committee positions must be elected on an annual basis. Only full members of the Union may vote in elections for Committee positions.
  
- 10. Affiliated Student Groups committees are responsible for ensuring that they are fully aware of and agree to abide by the Union's policies and procedures in relation to the operation of the student groups, including:
  - 10.1 Student Code of Conduct
  - 10.2 Health & Safety Policy
  - 10.3 Equality and Diversity Policy
  - 10.4 External Speaker Policy
  - 10.5 Data Protection Policy
  - 10.6 Privacy Policy
  - 10.7 Safeguarding Policy
  
- 11. Renewal of Affiliation
  - 11.1 All affiliated Student Groups must apply to renew their affiliation to the Union annually as set out in the Reaffiliation Policy
  - 11.2 The Union sets the timeframe for reaffiliation in conjunction with relevant officers.
  - 11.3 Should a Student Group fail to successfully complete reaffiliation within the timeframe set out by the Union, their affiliation will lapse and will not renew for the next academic year.
  
- 12. Memberships, Data & Fees
  - 12.1 All affiliated Student Group committee Members are required to pay the applicable membership fees (if any) set by their group.
  - 12.2 Any membership fees must be collected by a method approved by the Union.
  - 12.3 Membership data must be processed by a method approved by the Union and in compliance with the law.
  - 12.4 Affiliated Student Groups may not offer memberships that cover more than one academic year.

13. Financial Regulation
  - 13.1 Affiliated Student Groups who get into a position of overall debt or make financial commitments that they cannot meet, may have their affiliation revoked.
  - 13.2 Affiliated Student Groups are not permitted to hold external bank accounts except where it is approved by the Board of Trustees and has received express permission from the Union in writing, in advance.
  - 13.3 Whilst affiliated to the Union, funds raised and collected by affiliated Student Groups are under the control and responsibility of the group. So long as Student Group is affiliated, the group is entitled to use its resources as it determines, as long as it does so in compliance with the aims and purposes of the group, charity law and Union policy.
  - 13.4 The Union has the right to take total control of any affiliated Student Group account if:
    - 13.4.1 The affiliated Student Group ceases to be affiliated.
    - 13.4.2 There are concerns that the funds are being managed in breach of the provision set out in the bye-laws.
    - 13.4.3 The group ceases to exist or there are breaches of any minimum standards set out in Union Policy
14. Where the Union has taken control of the funds or assets of an affiliated Student Group, the Union will hold them for a minimum of 12 months. Funds and assets not needed to settle debts will then be used by the Union to support other affiliated Student Groups
15. All affiliated Student Groups must have a declaration of financial responsibility agreed to by the President/Club Captain/Lead Project Coordinator (or equivalent) and Treasurer each year. The Union accepts no responsibility for the funds of any Student Group and has no liability if funds are mismanaged.
16. Mismanagement of affiliated Student Group funds may result in disciplinary proceedings against individual committee Members in accordance with Byelaw #
17. Outgoing committee Members are responsible and liable for an affiliated Student Group's accounts until the reaffiliation process is completed and responsibility is transferred to the incoming committee. It is their responsibility to make sure all outstanding debts relating to the period they are in role are paid.
18. An affiliated Student Group must inform the Union if at any time the Group is facing financial difficulties, legal issues, health & safety issues, or if they intend to remove or appoint a committee member.

## Byelaw 11: Complaints and Appeals

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1. The Students' Union Trustee Board is responsible for ensuring that there is a complaints policy and procedure that covers complaints regarding the activities and services of the organisation.
2. They shall also be responsible for the annual review of a complaints register.
3. Competent Authority
  - 3.1 The Students' Union complaints procedure should ensure that the competent authority deals with relevant complaints and avoid situations whereby a member may be subject to multiple processes by different bodies for the same complaint.
4. Legal Proceedings
  - 4.1 Where a complaint identifies that police action and investigation may be required, this should take precedence and liaison with the University of Chester nominated department and personnel must be sought to effectively ensure complaints are resolved as effectively and efficiently as possible.
  - 4.2 During such proceedings it may be necessary to suspend a member's status, with consideration given by the Chief Executive Officer, or nominee to access to services such as student advice.
5. University Disciplinary Procedures
  - 5.1 Serious breaches of University of Chester rules or procedures or conduct constituting misconduct will be referred to the Vice-Chancellor of the University or to a person or persons nominated to act on their behalf as stated in the University's Student Disciplinary Regulations.
6. Removal of Membership
  - 6.1 The Complaints Policy and Procedure shall have a range of sanction including the temporary suspension or permanent removal of membership.
  - 6.2 Such actions should be reported in the annual review of complaints.
7. Student Members and Student Groups
  - 7.1 Complaints about student members and student groups will be detailed within the Students' Union Complaints Policy.
  - 7.2 The complaints policy will be published on the website.
  - 7.3 Student Members and its Student Groups may also be subject to the Union's internal disciplinary action for any breach of the Byelaws or Policy.
  - 7.4 Student Members and non-Student Members should bring allegations regarding breaches of the Byelaws or Policy in accordance with the Union's Complaints Policy. Should the Union become aware of conduct (whether by act or omission) that may constitute a breach of the Byelaws or Policy, it may investigate that conduct as though it were reported through the Union's Complaints Policy.
  - 7.5 Complaints relating to the conduct of Members and/or Student Groups will be investigated in accordance with the Union's Complaints Policy. The investigation will include the opportunity for the Member and/or Student Group to put forward any evidence.



- 7.6 In the event that a member or Student Group is found to have breached any of the Byelaws or Policy, disciplinary sanctions will be considered in accordance with the Code of Conduct and Complaints Policy.
  - 7.7 The Member or Student Group committee about which the complaint has been made, or any person who brought the initial complaint under the Union's Complaints Policy, may appeal any decision taken in accordance with the Union's Complaints Policy.
8. Disciplinary Procedures during Elections
- 8.1 Members and non-Members should bring allegations regarding breaches of elections regulations as described in Byelaw 9 in accordance with the Union's Complaints Policy.
  - 8.2 Complaints relating to the elections will usually be investigated by the Returning Officer as the appropriate person under the Union's Complaints Policy. If the complaint relates to the actions of the Returning Officer, the Board of Trustees will designate an alternative appropriate person.
  - 8.3 Complaints and appeals regarding breaches of elections regulations should be submitted prior to the close of voting in the relevant election. Complaints and appeals submitted after the close of voting may be investigated but will not affect the outcome of the relevant election.
  - 8.4 If a Student Member is found to have breached elections regulations, the Returning Officer may instigate sanctions as detailed in the Elections Byelaw.
  - 8.5 The Member and any person who brought the initial complaint under the Union's Complaints Policy may appeal any decision taken under Byelaw 10 in accordance with the Union's Complaints Policy.
  - 8.6 A Returning Officer's decision during elections is final.
  - 8.7 All matters of complaint is to be included in the Annual Report of Elections considered by the Trustees and notified to the University Governing Body.