



# UWS UNIVERSITY OF THE WEST of SCOTLAND

## **CODE OF PRACTICE RELATING TO THE OPERATION OF THE STUDENTS' ASSOCIATION OF THE UNIVERSITY OF THE WEST OF SCOTLAND**

### **1. Statutory Context**

The University Court (“Court”) is required by Section 22 of the Education Act 1994 (“the Act”) to take such steps as are reasonably practicable to ensure that the Students’ Association of the University of the West of Scotland (SAUWS) operates in a fair and democratic manner and is accountable for its finances.

This Code of Practice sets out how certain requirements of the Act are complied with and should be read along with the Students’ Association’s Constitution and Bye-laws.

### **2. Constitution**

The Students’ Association is a registered charitable company limited by guarantee and has a Memorandum and Articles of Association, which are its Constitution, which are, approved by Court and reviewed by Court at intervals of not more than five years. Any amendments to the Constitution (other than to the Bye-laws) must be approved by Court.

### **3. Membership**

All enrolled students of the University are automatically full members of the Students’ Association as set out in the Constitution.

Any enrolled student may “opt-out” of membership of the Students’ Association at any time by completing a form available from the Students’ Association or by letting the University know during the online enrolment process each year. No student will be unfairly disadvantaged as a result of such an “opt-out”. Such a decision to “opt-out” will remain in place until the student informs the President of the Students’ Association of their decision to re-join the Association.

A student who has “opted out” of full membership may apply for Associate Membership. This means they will be allowed access to all of the services provided by the Association.

A student granted Associate Membership will not be an Ordinary Member and will not be able to stand or vote in any Students’ Association elections or referenda or have the right to speak at any Students’ Association meetings or election hustings.

#### 4. **Elections**

As set out in the Constitution, appointment to Major Students' Association Offices will be made by election in a secret democratic ballot in which all members are entitled to vote. The Major Offices of the Students' Association will be considered to be those which entitle the post holder to sabbatical leave.

Elections will be conducted in accordance with the arrangements set out in the relevant Byelaw of the Association's Constitution.

The University Court will satisfy itself, through the Secretary to Court that the elections have been fairly and properly conducted in line with the Association's election rules. If the Secretary to Court is not satisfied they may give reasonable directions to ensure that the Court's obligations are fulfilled.

#### 5. **Sabbatical Officers**

It is set out in the Constitution that no person will hold sabbatical office or any paid elected Association office, for more than two years in total at the University of the West of Scotland.

#### 6. **Finance**

The Association, through its Board of Trustees, is responsible for the proper conduct of its financial affairs, and for ensuring that the funds provided to it by the University are used only in line with the objects of its Constitution, and in line with the Act.

The University's Chief Finance Officer, in conjunction with the Association, will bring forward annually for the approval of Court the Association's proposed budget for the following financial year. The budget of the Association will be monitored on a quarterly basis by the Chief Finance Officer who will inform the Vice Chancellor's Executive Group of any concerns. Such concerns will be reported to Court.

The annual accounts of the Students' Association will be made available to the Court and to all students via the Association's website. The Association is responsible for the appointment of its External Auditors. The annual audited accounts will include a list of the external organisations to which the Association has made donations in the period to which the accounts relate and the details of those donations.

To ensure that it is operating effectively and in compliance with relevant legislation, the University's relationship with the Students' Association will be included within the internal audit programme approved from time to time by the Audit & Risk Committee of Court.

#### 7. **Allocation of Resources to Clubs and Societies**

The procedures for allocating resources to clubs and societies are defined in the Association's bye-laws and are freely available to all students on the Association's website.

## **8. Affiliations to External Organisations**

Any decision to affiliate to an external organisation will be published, stating the name of the organisation and details of any subscription or similar fee paid or proposed to be paid, and of any donation made or proposed to be made to the organisation. Any such notice will be made available to all students and to Court.

The Students' Association will publish within its annual accounts a list of the external organisations to which the Association is currently affiliated and details of subscriptions or similar fees paid or donations made to such organisations in the past year. All affiliations will be submitted for approval at the annual Student Meeting in line with the Constitution.

A requisition may be made to the Students' Association Board of Trustees once a year by at least 150 of the full members of the Students' Association that the question of continued affiliation to any particular external organisation to be decided upon by a secret ballot in which all full members are entitled to vote. Details on how to make such a requisition are included within the Bye-laws to the Constitution.

## **9. Complaints Procedure**

The Students' Association has an internal complaints procedure that is available to all students who are dissatisfied in their dealings with the Students' Association or claim to have been unfairly disadvantaged by reason of their having exercised the right to withdraw from membership of the Students' Association.

If the complainant is not satisfied with the response from the Students' Association they should contact the Court & Senate Office. The Secretary to Court, on behalf of Court, will appoint an independent person to undertake an investigation into the complaint and make a report.

All complaints will be dealt with promptly and fairly and where a complaint is upheld an effective remedy will be implemented.

## **10. Review and Publication**

This Code of Practice will be reviewed at intervals of not more than 5 years by the University and the Students' Association and updated in accordance with any required legislative requirements and any restrictions imposed on the activities of the Association by the law relating to charities.

This Code of Practice will be made available to all enrolled students of the University through publication on the University's and Students' Association's websites.

