

CODE OF PRACTICE RELATING TO THE OPERATION OF THE UNIVERSITY OF THE WEST OF SCOTLAND STUDENTS' UNION

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 University of the West of Scotland Students' Union 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' Union's Constitution and Byelaws.

2. Constitution

The Students' Union 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 Byelaws) must be approved by Court.

3. Membership

All enrolled students of the University are automatically full members of the Students' Union as set out in the Constitution, unless membership has been withdrawn as a result of the Union's disciplinary proceedings.

Any enrolled student may "opt-out" of membership of the Students' Union at any time by completing a form available from the Students' Union 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' Union of their decision to re-join the Union.

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 Union.

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

4. **Elections**

As set out in the Constitution, appointment to major union office holders will be made by election in a secret democratic ballot in which all members are entitled to vote. The major union office holders of the Students' Union 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.

The University Court will satisfy itself, through the Secretary to Court that the elections have been fairly and properly conducted in line with the Union'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 Byelaws that no person will hold sabbatical office or any paid elected Union office for more than two years in total, or stand in any election which would allow this to be so.

6. **Finance**

The Union, through its Chief Executive Officer and 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 Union, after discussion with the University's Vice-Principal Finance and Infrastructure, will bring forward annually for the approval of Court the Union's proposed budget for the following financial year. The financial performance of the Union will be monitored on a regular basis by the Vice-Principal Finance and Infrastructure who will inform the Vice Chancellor's Executive of any concerns. Such concerns will be reported to Court.

The annual accounts of the Students' Union will be made available to the Court and to all students via the Union's website. The Union is responsible for the appointment of its External Auditors. The annual audited accounts will include a list of the external organisations to which the Union 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' Union 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 Union's Byelaws and are freely available to all students on the Union'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' Union will publish within its annual accounts a list of the external organisations to which the Union 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 General Student Meeting in line with the Constitution.

A requisition may be made to the Students' Union Board of Trustees once a year by at least 150 of the full members of the Students' Union 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 Byelaws to the Constitution.

9. **Complaints Procedure**

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

If the complainant is not satisfied with the response from the Students' Union 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**

This Code of Practice will be reviewed at intervals of not more than 5 years.

11. **Publication**

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

websites and during the enrolment process each year. It is also made available to potential students on our offer holder webpage.

12. Information for Students

Under Section 22(4) (b) of the Education Act 1994, the University is obliged to draw to the attention of students at least once a year any restrictions imposed on the activities of a Students' Union by the law relating to charities. The Students' Union is a charity registered with OSCR (Charity Number SC049356) under the Charities and Trustee Investment Act 2005 and as such is subject to a number of restrictions, and must only operate in accordance with its charitable objects and powers as stated within its constitution.

**Approved by Court
June 2023**