

CHRIST CHURCH  
**STUDENTS'  
UNION**



'to better student life and enrich student experiences'

# **BYE-LAWS OF CHRIST CHURCH STUDENTS' UNION**

**Version 1.6  
November 2017**

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| <b>Officer Champions</b>                      | <b>Students' Union President<br/>Union Council Chair</b> |
| <b>Approval bodies and date passed</b>        | <b>Union Council, 16th November 2017</b>                 |
| <b>Staff responsible for review</b>           | <b>Student Voice Coordinator</b>                         |
| <b>Manager responsible for interpretation</b> | <b>Membership Services Manager</b>                       |

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## THE UNION AND BYE-LAWS

Christ Church Students' Union ('CCSU' or 'the Union') or is a students' union within the meaning of the Education Act. The Union is devoted to the educational interests and welfare of its Members, defined as students enrolled on Canterbury Christ Church University programmes who have not specifically opted out of Union membership at the time of enrolment or since.

These Bye-Laws are a sub-document to the Articles of Association. The Articles of Association define the relationship between the Union and its Members.

The Board of Trustees and Union Council shall have the power from time to time to jointly make, repeal or amend Bye-Laws as to the management of the Union and its working practices. This is provided that such Bye-Laws shall not be inconsistent with;

- the Companies Acts;
- the Education Acts;
- the Charities Acts;
- the Articles of Association; and
- all other relevant legislation in effect in England and Wales

## STRUCTURE OF THE UNION

### 1. Elected Officers

1.1. All elected officers should;

1.1.1. be a Canterbury Christ Church University student;

1.1.2. be full Members of the Union;

- 1.1.3. be committed to the purpose, Charitable Objects and values of Christ Church Students' Union;
  - 1.1.4. be constructive about other officers' and trustees' opinions;
  - 1.1.5. act reasonably and responsibly when undertaking their duties;
  - 1.1.6. be fervent in pursuing the stated mandate, where appropriate, and in any additional work or projects they have been mandated to undertake by the Board of Trustees, Union Council or Petition;
  - 1.1.7. maintain strict confidentiality where appropriate;
  - 1.1.8. analyse information and, when necessary, challenge constructively;
  - 1.1.9. make collective decisions and justify and defend them;
  - 1.1.10. respect boundaries between officers, staff and members;
  - 1.1.11. be excellent role models who promote the highest standards of probity and integrity;
  - 1.1.12. attend all meetings where required, or send apologies;
  - 1.1.13. be firm supporters of equality of opportunity and committed to promoting diversity; and,
  - 1.1.14. abide by the Trustee and Elected Representative Code of Conduct at all times.
- 1.2. Members may only hold one Sabbatical Officer or Part-Time Officer position at one time, but may hold more than one Volunteer Officer post at any time, either in the same or different sports clubs, societies or projects if the constitution of that sports club, society or project permits it.
- 1.3. Members may hold a Part-Time Officer and Volunteer Officer post at the same time.

## **2. Sabbatical Officers**

- 2.1. The Sabbatical Officer positions are;
- 2.1.1. Students' Union President
  - 2.1.2. President (Education & Wellbeing)
  - 2.1.3. President (Student Activities)
  - 2.1.4. President (Sports)
- 2.2. The Sabbatical Officer role is full-time, only one candidate can hold each position and this must be the only post the officer holds within the Union.
- 2.3. All Sabbatical Officers, when in their capacity as elected officers as opposed to Trustees, are ultimately accountable to the membership of Christ Church Students' Union, via the democratic processes detailed in the Articles of Association. This accountability is exercised through Union Council, to whom the Sabbatical Officers report to.
- 2.4. The role descriptions, their manifesto and the Sabbatical Officer Agreement shall be the base of holding the Sabbatical Officers to account. The role descriptions work in conjunction with the particular circumstances of the officers' year in office and should not restrict officers from assuming responsibilities based on their skills, experiences,

interests, manifestos and style of working.

- 2.5. Role descriptions for Sabbatical Officers are reviewed by the Membership Services Manager and shall only be amended by the Board of Trustees.
- 2.6. Remuneration for Sabbatical Officers will be reviewed by Union Council and determined by the Board of Trustees at least every two years.

### **3. Part-Time Officers**

- 3.1. The Part-Time Officers are;
  - 3.1.1. The Union Council Chair
  - 3.1.2. Disabled Students' Officer
  - 3.1.3. LGBT+ Officer (Open Place)
  - 3.1.4. LGBT+ Officer (Women's Place)
  - 3.1.5. Gender Equality Officer
  - 3.1.6. Women's Officer
  - 3.1.7. Environmental Officer
  - 3.1.8. Black and Minority Ethnic (BME) Officer
  - 3.1.9. Mature Students' Officer
  - 3.1.10. International Students' Officer (EU)
  - 3.1.11. International Students' Officer (Overseas)
  - 3.1.12. Elected Student Trustee (2)
  - 3.1.13. Fundraising Officer (Including RAG)
  - 3.1.14. Medway Officer
  - 3.1.15. Broadstairs Officer
  - 3.1.16. Student Reps Officer
  - 3.1.17. General Modular Scheme (GMS) Officer
  - 3.1.18. Placement Officer (Health)
  - 3.1.19. Placement Officer (Education)
  - 3.1.20. Postgraduate Students' Officer
  - 3.1.21. Part-Time Students' Officer
  - 3.1.22. Transgender / Non-Binary Officer
- 3.2. The role descriptions, alongside the officer manifestos, shall be the base of holding the Part-Time Officers to account. The role descriptions work in conjunction with the particular circumstances of the officer's term and should not restrict officer's representative work based on their skills, experiences, interests and manifestos.
- 3.3. Role descriptions for Part-Time Officers are reviewed by the Membership Services Manager and shall only be amended by Union Council or by the Board of Trustees.

### **4. Volunteer Officers**

- 4.1. Volunteer Officers are the officers elected to any formal committee positions in sports clubs, societies and any projects, as detailed in the constitution of that sports club,

society or project.

- 4.2. The role descriptions shall be the base of holding the volunteer officers to account. The role descriptions work in conjunction with the particular circumstances of the officers' year in office and should not restrict officer's representative work based on their skills, experiences, interests, manifestos and style of working.
- 4.3. Role descriptions for Volunteer Officers are reviewed by the Membership Services Manager and shall only be amended by Union Council or by the Board of Trustees.

## **5. Student Programme Reps**

- 5.1. All University programmes shall have Student Programme Reps as outlined in University policy.
- 5.2. The Union shall take responsibility for training Student Programme Reps.
- 5.3. Student Programme Reps shall take responsibility for actively engaging in topic submission for student forums and Petitions.

## **UNION MEETINGS**

### **6. Meeting regulations**

- 6.1. These Bye-Laws shall apply to the following Union meetings;
  - 6.1.1. Union Council;
  - 6.1.2. Union Council Sub-Committees; and
  - 6.1.3. Student Members' Meetings.
- 6.2. Meetings may be conducted in more than one location, via video link, as long as the meeting is conducted simultaneously.
- 6.3. A sub-committee of Union Council must have standing orders, approved by Union Council and the Board of Trustees, that explicitly state its voting membership.
- 6.4. All committees' standing orders must include any standard clauses determined by the Board of Trustees.
- 6.5. Voting shall commence after motions have been debated and amended as such. Voting shall normally be by the show of hands, unless the relevant procedural motion is passed. Voting Cards may be issued to members.
- 6.6. Voting may also take place via electronic means, as long as the voting intention can be determined accurately. Proxy voting is not permitted.

- 6.7. Quorum for meetings that have decision making powers shall be 50%+1 of voting members. For the avoidance of doubt, only filled elected positions will be considered for the purposes of quorum.
- 6.8. A quorum check must take place at the start of each meeting with decision making powers and monitored to ensure quorum if members arrive and leave the meeting.
- 6.9. If the meeting is found to be inquorate, the Chair of the meeting may, at their discretion, dissolve the meeting.
- 6.10. Any decisions made whilst a meeting is inquorate must be ratified by the next quorate meeting, or, via an electronic vote before the next meeting.
- 6.11. Accurate records and minutes of a meeting should be published by the Union on its website for all Members to access.

## **7. Union Council**

- 7.1. Union Council Officers will usually be elected for a period of one calendar year.
- 7.2. No Member may hold more than one seat on Union Council at any time,
- 7.3. Members of Union Council who do not attend three (3) consecutive ordinary meetings (irrespective of apologies) shall be deemed to have resigned and their post vacated.

## **8. Operation of Union Council**

- 8.1. Union Council has authority to;
  - 8.1.1. recommend amendments of these Bye-Laws to the Board of Trustees;
  - 8.1.2. propose and pass Union Policy;
  - 8.1.3. to debate current issues;
  - 8.1.4. to hold to account Sabbatical Officers
  - 8.1.5. to hold to account Part-Time Officers;
  - 8.1.6. create sub-committees of Council; and
  - 8.1.7. approve constitutions of new sports clubs and societies.
- 8.2. Union Council must meet at least once every academic term and no less than five (5) times in the academic year, set at the beginning of the academic year and ratified by Council.
- 8.3. Union Council may be called additionally by the Union Council Chair upon receipt of a request by one of the following;
  - 8.3.1. at the request of the Board of Trustees;
  - 8.3.2. at the request of 50% of the Sabbatical Officers;

- 8.3.3. at the request of ten (10) members of Union Council; and
- 8.3.4. at the request of fifty (50) Members of the Union.

- 8.4. Any Member of the Union may attend and speak at Union Council. Any Union staff member may attend and speak at Union Council. Any Associate Member of the Union may attend but must request the Chair's permission to speak. Any other person must obtain permission from the meeting to attend and speak.
- 8.5. Only members of Union Council may vote in Council meetings.
- 8.6. The Union Council Chair may only cast a vote in the event of a tie.
- 8.7. The Union will advertise the time and location of each meeting at least five (5) clear working days before each meeting.
- 8.8. All items for debate and discussion proposed by Union Council Officers must be submitted at least five (5) clear working days before the meeting to the Student Voice Coordinator, or nominee.
- 8.9. The Student Voice Coordinator, or nominee, will prepare a due diligence covering letter for all items for debate and discussion and send all items to Union Council members no later than three (3) clear working days before the Council meeting.

## 9. Union Council Chair

- 9.1. The Union Council Chair shall;
  - 9.1.1. chair Union Council and other relevant Union committees;
  - 9.1.2. uphold the Articles and Bye-Laws;
  - 9.1.3. be independent and impartial in all proceedings and duties as Chair;
  - 9.1.4. declare any interest that they have in any debate or discussion, and relinquish the Chair during any debates in which they have an interest; and
  - 9.1.5. carry out such duties and responsibilities that may be laid down by the Council.

## 10. Union Council Agenda

- 10.1. The Agenda must include;
  - 10.1.1. apologies for absence;
  - 10.1.2. the checking of previous minutes for accuracy;
  - 10.1.3. matters arising from the previous minutes;
  - 10.1.4. noting of written reports from any sub-committees followed by questions;
  - 10.1.5. noting of written reports from Sabbatical Officers followed by questions;
  - 10.1.6. noting of written reports from Part-Time Officers followed by questions;
  - 10.1.7. any other business, which for clarity can include debate, but not policy; and
  - 10.1.8. the time, date and place for next meeting.

## 11. Union Council Sub-Committees

- 11.1. Union Council may create sub-committees of Union Council and delegate powers to these committees, with the agreement of the Board of Trustees.
- 11.2. Such powers should be set out in the sub-committee's standing orders, amendable by Union Council only, but must include any standard clauses determined by the Board of Trustees.
- 11.3. Sub-committees of the Union Council may not create policy in itself, for that power is reserved only for the Union Council and the Board of Trustees, but it can recommend policy to these bodies for approval.

## PETITIONS

### 12. Petitions

- 12.1. Any Member of the Union is eligible to put forward a topic for discussion to become policy via petition.
- 12.2. A petition must include full names, student ID numbers and signatures of members to be valid;
- 12.3. Petition tools shall be present on the Union's website and accessible to all Members.
- 12.4. There is no time limit on gaining signatures for a petition.
- 12.5. If a petition receives fifty (50) signatures from Union members the topic proposed shall be discussed at the next Union Council.
- 12.6. If a petition receives two hundred (200) Member signatures the topic proposed shall be put through to a Referendum.
- 12.7. The Board of Trustees reserves the right to not adopt a petition or vote on the following grounds;
  - 12.7.1. financial considerations;
  - 12.7.2. legal considerations; or
  - 12.7.3. matters of reputation.

## POLICY

### 13. Policy



- 13.1. When created, policy shall either be defined as Council Policy, or Board Policy.
- 13.2. The policy and direction of Christ Church Students' Union shall be governed by its Members.
- 13.3. Policy can originate either directly from Members or from Union staff acting in the interests of Members. Board Policy is any policy created by Union staff or by the Board of Trustees, and Council policy is defined as any motions or policies created by elected students holding elected office, through the outlet of Union Council.
- 13.4. Policy can be overruled by a body of higher status and the key policy-making bodies shall be as follows, in order of authority, starting with the highest
  - 13.4.1. Board of Trustees;
  - 13.4.2. Referendum;
  - 13.4.3. Union Council; and
  - 13.4.4. Student Members Meetings.
- 13.5. Policy cannot be passed if it contravenes an existing policy made by a higher Union body.
- 13.6. Amendments to Bye-Laws are not classed as policy and serve until amended either by Union Council or the Board of Trustees.
- 13.7. Board Policy shall be valid for the duration specified in the policy document, which shall either be 12, 24 or 36 months, however all Council Policies are due for review at the start of the academic year after it is created.
- 13.8. At the first Union Council meeting of every year all Council Policies will be reviewed. If they are not adopted going forward then they are archived, if they are to proceed for the upcoming year then they need to be assigned both a Sabbatical Officer Champion and a Part-time Officer Champion, to ensure responsibility is held for the Council Policy's implementation and/or continued delivery.
- 13.9. For all Council Policies that are active, a progress report from the Policy Champions is required at every Union Council meeting throughout the academic year
- 13.10. Both the Sabbatical Officer Champion and the Part-time Officer Champion are to attend the Campaigns Planning Meetings to aid the implementation of the Council Policy. If the Part-time Officer Champion can not attend the meetings due to timetabling issues then fortnightly update meetings are to occur between the two Champions, either virtual or face-to-face.
- 13.11.
- 13.12. When a Council Policy is established at a Union Council meeting, the details of it shall be sent to Christ Church Students' Union staff via email by the Student Voice Coordinator.

- 13.13. The Company Secretary shall be responsible for maintaining a register of both Board Policy and Council Policy, ensuring both are formally reviewed before the specified due date.
- 13.14. If the Policy is not reviewed before its specified due date the Policy will automatically 'lapse'.
- 13.15. Renewals or amendments must follow a debate, held in the normal manner.
- 13.16. The Union will publish a record of active policy on its website.

## REFERENDUM

### 14. Referendum

- 14.1. A Referendum may be called at any time, on any matter, if;
  - 14.1.1. a petition of two hundred (200) full names, student ID numbers and signatures is presented to the Union;
  - 14.1.2. at the request of 50%+1 of the appointed Trustees; or
  - 14.1.3. a resolution is passed at Union Council.
- 14.2. A Referendum must occur within thirty (30) academic days of being called.
- 14.3. A Referendum shall be held online and be open from 12pm on Monday to 12pm on Friday within the same week.
- 14.4. A Referendum may only be called for a simple 'Yes' or 'No' vote and is passed by a simple majority of all valid votes.
- 14.5. Quorum for a Referendum is two hundred and fifty (250) valid votes.
- 14.6. The Board of Trustees can only overrule decisions made by a Referendum on the following grounds;
  - 14.6.1. financial considerations;
  - 14.6.2. legal considerations; or
  - 14.6.3. matters of reputation.

## VOTING AND ELECTIONS

### 15. Elected Representatives

- 15.1. This section shall apply to elections where all Members are permitted to vote in a free and secret ballot.
- 15.2. Elections processes for committee positions in sports clubs, societies and projects shall be detailed in the constitution of those clubs, society or project, but must include any standard clauses determined by the Board of Trustees.

## **16. Positions of responsibility**

- 16.1. The Union's Managing Director or substitute shall appoint an appropriately qualified person to act as;
  - 16.1.1. the Returning Officer, who is likely to be an NUS staff member;
  - 16.1.2. the Deputy Returning Officer, likely to be the Membership Services Manager; and
  - 16.1.3. the Certifying Officer, who shall be an appropriate University staff member.
- 16.2. The Returning Officer and Deputy Returning Officer shall;
  - 16.2.1. be the final interpreter of this section of these Bye-Laws;
  - 16.2.2. set rules, regulations and guidelines other than these election Bye-Laws to govern the conduct of the election;
  - 16.2.3. deliver, or ensure the delivery of, appropriate training to all election candidates;
  - 16.2.4. make available an information pack to candidates for each election outlining relevant rules and procedures;
  - 16.2.5. ensure that any additional details, or amendments to the arrangements, are publicised to all students in a timely fashion;
  - 16.2.6. seek legal advice if they believe that statements made or the contents of publicity could leave the Union open to legal action;
  - 16.2.7. rule out of order any statement or the content of any publicity which in their view is in breach of the law, Articles of Association or any other appropriate rules and guidelines;
  - 16.2.8. issue warnings to candidates in accordance with these election Bye-Laws and any rules and regulations issued in accordance with the above; and
  - 16.2.9. oversee the count and declare the results of the election.
- 16.3. Both the Returning Officer and Deputy Returning Officer have equal rights in the elections process.
- 16.4. The Certifying Officer shall oversee the elections to ensure compliance with the University's obligations under the Education Act (1994).

## **17. The process of elections**

- 17.1. Elections will be conducted in accordance with the rules outlined by the Electoral Reform Society for running elections by the Single Transferable Vote system for

elections with more than one position available or the Alternative Vote system for elections with one position available.

- 17.2. Sabbatical Officer positions and Part-Time Officer positions shall commence office on the 1st July each year, for a period of one calendar year unless they;
  - 17.2.1. resign;
  - 17.2.2. become ineligible to hold that position; or
  - 17.2.3. are removed from that position by any contractual means or clauses in these Bye-Laws or the Articles of Association.
- 17.3. The Deputy Returning Officer shall produce an election timetable, not less than five (5) clear days in advance of nominations opening which shall outline;
  - 17.3.1. the process for nomination, with nominations open for at least three (3) days;
  - 17.3.2. details of candidates' meetings;
  - 17.3.3. details for the submission of manifestos;
  - 17.3.4. details of any Candidates Question Time(s); and
  - 17.3.5. arrangements for the ballot, with voting open for at least forty eight (48) hours.

## 18. Withdrawal

- 18.1. Before nominating themselves candidates are required to;
  - 18.1.1. check they are eligible for the position for which they wish to run; and
  - 18.1.2. read the role description carefully and give due consideration to the likely demands, scrutiny and time commitment the role will entail.
- 18.2. Any candidate may withdraw from the election at any point by informing the Deputy Returning Officer.
- 18.3. If a candidate withdraws during the ballot, or after a point at which the ballots cannot be amended, the Deputy Returning Officer will ensure that the voters' next preferences are counted in accordance with the voting system used (STV or AV) and the principles of the Electoral Reform Society.

## 19. Voting

- 19.1. The Deputy Returning Officer will ensure that all eligible Members of the Union can vote.
- 19.2. Voting for Sabbatical Officer and Part-Time Officer positions should only be conducted during usual University term-time.
- 19.3. Ballots shall display the position being contested, the chosen name of the candidate and the ability to read any submitted and accepted manifesto.

- 19.4. Voting shall be conducted online and by secret ballot. Voters shall be able to express preferences for as few or as many candidates as they wish, subject to the instructions presented at the time of voting.
- 19.5. There will be a facility for voting for no candidates by voting to “Re-Open Nominations” (RON).

## **20. Election Complaints**

- 20.1. The Deputy Returning Officer shall produce details of the arrangements for balloting and for complaints, and ensure they are publicised to all Members.
- 20.2. The Deputy Returning Officer shall deal with complaints regarding the conduct of candidates, their supporters and campaigns, and the administration of elections.
- 20.3. Complaints regarding the conduct of the Deputy Returning Officer shall be referred to the Returning Officer. The onus is on the complainant to set out such complaints in writing for the Returning Officer’s consideration.
- 20.4. No candidate or Member may challenge the result of the election once the count has been held.

## **21. By-Elections and Co-Options**

- 21.1. If a Sabbatical Officer position is unfilled or becomes vacant for any reason and there is more than four (4) months remaining of the usual term of office the Union shall conduct a by-election in accordance with these Bye-Laws. Vacancies of less than 4 months shall be left unfilled.
- 21.2. If a Part-Time Officer position is unfilled or becomes vacant for any reason Union Council shall determine if a by-election should be called. If a by-election is called the vacancy will be resolved in accordance with these Bye-Laws.
- 21.3. Union Council have the ability to co-opt to vacant Part-Time Officer positions.

## **22. Censure and motions of no confidence**

- 22.1. Union Council may censure or dismiss from office any Member holding elected office with a two-thirds voting majority and within the jurisdiction of these Bye-Laws.
- 22.2. In the instance of a motion of no confidence being issued to a Volunteer Officer, the decision making responsibility lies with the students that are validated members of the club, society or project. Any member of the student group can propose a motion of no confidence, however to be valid it must be officially supported and signed by five other validated student group members, and presented at an emergency general meeting of the group. The motion is presented, followed by an optional response from the Volunteer Officer in question, preceded by a vote conducted as a secret

ballot. For the motion to pass it requires a two-thirds majority of those present and voting, as well as a quorum of at least 50% +1 of the validated members of the club, society or project.

- 22.3. Motions of censure or no confidence Part-Time Officers shall be proposed to the Council by one of the following people and methods:
  - 22.3.1. by the Union Council Chair;
  - 22.3.2. a petition by a Member of the Union, seconded by two hundred (200) Members of the Union. The petition shall include the physical signatures, printed names and student ID numbers of the petitioners; and
  - 22.3.3. by two Sabbatical Officers and a Union Council member.
- 22.4. All motions of censure or no confidence must:
  - 22.4.1. name individual officers or representatives;
  - 22.4.2. state clearly in writing the grounds of the complaint(s),
  - 22.4.3. include details of any part of the Bye-Laws or policies alleged to have been breached; and
  - 22.4.4. be presented with the supporting petition to the Membership Services Manager, at least five (5) clear working days before Union Council.
- 22.5. Upon receipt of the motion of censure or no confidence the Membership Services Manager will take all reasonable steps to inform the defendant of the grounds of the complaint, the procedures laid out in this document and the date of the meeting.
- 22.6. The vote upon the motion and any disputed amendment to it shall be held by secret ballot.
- 22.7. The motion of censure or no confidence must be approved by a two-thirds majority of those present and voting.
- 22.8. A motion of censure or no confidence which has been voted on and rejected may not later be reconsidered by Union Council.
- 22.9. No motion of censure may lie against a person already censured.

## COMPLAINTS AND DISCIPLINE

### 23. Members Code of Conduct

- 23.1. Upon enrolment with Canterbury Christ Church University students automatically become a Student Member of Christ Church Students' Union and agree to be bound to the terms, conditions and regulations of Union membership in addition to those of Canterbury Christ Church University.

- 23.2. These regulations will normally apply where an allegation of misconduct relates to conduct on Union premises, the immediate environs of the Union, attendance at a Union event, or conduct whilst representing the Union or one of its clubs or societies.
- 23.3. The Members Code of Conduct applies to all Members and Associate Members except Union staff who are subject to the provisions of HR policy and their contractual agreement.
- 23.4. Incidents that relate to the conduct of students visiting the licensed premises of the Union will be dealt with additionally by the licensee at the time of the incident according to the powers invested in them under the Licensing Act 2003.
- 23.5. Where the allegation of misconduct is of a criminal nature or questions the ability of the Member to be a student then the Union will normally defer to the appropriate authority.

## **24. Expectations of Members**

- 24.1. Members will adhere to the values, beliefs and commitments set out in the Union's Mission, Vision and Values Statement as well as the Student and University Partnership Agreement.
- 24.2. Members of the Union are expected to conduct themselves at all times in a way that shows respect for staff, officers, fellow members, visitors to the Union, University students and members of the community.
- 24.3. Members of the Union representing the Union in a work environment, at other students' unions, at other universities, at NUS events or at social events should at all times conduct themselves in such a way as to promote the Union and not bring it or the University into disrepute.
- 24.4. For the purposes of the Code of Conduct the President shall be construed to mean the President or another Officer Trustee acting as their nominee.
- 24.5. In addition to the above, Members involved in part-time or volunteer Union representation, clubs, societies and projects shall also adhere to any and all regulations relating to that activity, such as (not an exhaustive list):
  - 24.5.1. The Code of Conduct for Trustees and Elected Representatives;
  - 24.5.2. Any applicable club constitution;
  - 24.5.3. Any applicable society constitution;
  - 24.5.4. The Varsity Code of Conduct; and
  - 24.5.5. The University's Academic Representation Policy.

## **25. Making and Responding to Allegations**

- 25.1. Allegations of misconduct under this Code must be made in writing and addressed to the President and the Membership Services Manager who will then jointly determine the appropriate course of action to be taken.
- 25.2. The President and the Membership Services Manager may decide the alleged breach by the student or associate Member should be dealt with informally by discussion. This shall not be regarded as disciplinary action and is designed to act as an early warning of unacceptable behaviour. During this meeting the Member will be advised on the implications of further misconduct.
- 25.3. If the President and the Membership Services Manager decides to deal with the matter through these procedures they shall appoint an appropriate member of Union staff, not involved with the incident or the Member, to conduct an investigation and to prepare a report into the incident(s) of misconduct. On receipt of the report the President and the Membership Services Manager shall decide whether there is a sufficient case to move to a Disciplinary Hearing.
- 25.4. Any decision not to proceed shall be indicated in writing to the Member and this letter may include advice as to future conduct. If the President and the Membership Services Manager concludes that the matter is of such a serious nature and should also be dealt with under the [Framework for Student Procedures of Canterbury Christ Church University](#) they will refer the matter in writing to the Vice Chancellor's nominee.
- 25.5. If the President and the Membership Services Manager believes that the Member(s) concerned present a risk to other members, staff, officers or visitors to the Union they may suspend them from Union premises, activities or elected office during the investigation and until the conclusion of any disciplinary process. Such a decision and its reasoning shall be confirmed in writing to the Member immediately.

## 26. Disciplinary Hearing

- 26.1. The President and the Membership Services Manager shall convene a Disciplinary Panel of three (3) people, supported by the Membership Services Manager. The Panel shall consist of:
  - 26.1.1. At least one Sabbatical Officer, usually the President;
  - 26.1.2. The Union Council Chair or other Union Council Member; and
  - 26.1.3. A Student Trustee.
- 26.2. The Member shall be given written notification of the time, date and place of the Hearing, together with written notification of the alleged breach and any evidence, at least five (5) working days before the Hearing.
- 26.3. The Member has the right to be accompanied by a person of their choosing as a chaperone, who can speak on their behalf, as long as they have not previously been



involved in the incident(s) or investigation and they are not likely to be involved in any subsequent appeal.

- 26.4. The investigating member of staff shall present the alleged misconduct to the Panel and the Panel may call any witnesses to give evidence and be questioned by the Panel as appropriate.
- 26.5. The investigating member of staff and the student or associate Member shall then have the opportunity to sum up their cases if they so wish and be questioned by the Panel.
- 26.6. The Panel shall then adjourn to consider their decision and decide:
  - 26.6.1. Whether the allegation is found proven, and if so;
  - 26.6.2. An appropriate level of sanction.
- 26.7. The Member will be informed of the decision and reasoning of the Panel in writing within three (3) working days of the hearing. This shall include details of how to appeal the decision.
- 26.8. The investigating member of staff shall compile a summary of the investigation and outcome and the President shall report this to the next Board of Trustees meeting.

## **27. Appeals**

- 27.1. If the Member is unhappy with the decision of the Disciplinary Panel then they have the right of appeal. To exercise this right they must appeal in writing to the Chair of the Board of Trustees and the Managing Director within ten (10) working days.
- 27.2. The Appeals Committee shall consist of:
  - 27.2.1. The Deputy Chair of the Board of Trustees;
  - 27.2.2. Two (2) Sabbatical or Student Trustees who shall not have been directly involved in the Disciplinary Hearing or circumstances leading to disciplinary action; and
  - 27.2.3. The Managing Director.
- 27.3. The Member shall be notified, in writing, at least five (5) working days in advance of the appeal meeting.
- 27.4. The Member has the right to be accompanied by a person of their choosing as a chaperone, who can speak on their behalf, as long as they have not previously been involved in the incident(s) or investigation, other than previously acting as a chaperone.
- 27.5. The Appeals Committee shall hear the rationale behind the original decision from a member of the initial Disciplinary Panel and the reason for the appeal from the

Member. They shall also hear any new evidence that has emerged since the Disciplinary Hearing.

- 27.6. The decision of the Appeals Committee shall be communicated to the Member in writing within three (3) working days, including the right of final appeal.
- 27.7. The Deputy Chair of the Board of Trustees shall report the decision of the Appeals Committee to the next Board of Trustees meeting.
- 27.8. If a Member is still dissatisfied after appeal they may, under the Code of Practice for the Operation of the Students' Union, appeal to the Governing Body of the University, via the Clerk.

## **28. Sanctions**

- 28.1. If, after investigation and hearing, a Member has been found to breach the Code of Conduct the Union reserves the right to suspend or implement the removal of any or all of the rights and privileges of Student Membership, including the holding of office, subject to the limitation of:
  - 28.1.1. Legislation in England including but not limited to; the Education Act 1986; the Education Act 1994 and all acts of Parliament relating to discrimination;
  - 28.1.2. The Articles of Association of Christ Church Students' Union;
  - 28.1.3. The Bye-Laws of of Christ Church Students' Union; and
  - 28.1.4. The Code of Practice for the operation of Christ Church Students' Union.
- 28.2. When determining an appropriate disciplinary sanction, the Disciplinary Panel shall bear in mind the need to satisfy the test of reasonableness in all circumstances and previous outcomes of the Disciplinary Panel. As far as possible, account shall be taken of any mitigating circumstances.
- 28.3. Irrespective of the above, elected Members of the Union may be sanctioned and / or removed from office via the democratic methods as outlined in the Bye-Laws of Christ Church Students' Union.

## **TRUSTEES**

### **29. Appointment of Trustees**

- 29.1. Sabbatical Officers shall be elected by secret ballot by the Student Members at an election to be held in accordance with these Bye-Laws. The Sabbatical Officers shall be elected to posts specified in these Bye-Laws.
- 29.2. Up to two (2) Student Trustees shall be elected by secret ballot by the Student Members at an election to be held in accordance with these Bye-Laws.

- 29.3. Up to two (2) Student Trustees shall be appointed by the Appointments Committee by a simple majority vote.
- 29.4. Up to four (4) Community Trustees shall be appointed by a simple majority vote of the Appointments Committee.
- 29.5. Canterbury Christ Church University may by written notice to the Trustees nominate a candidate to become the University Trustee who shall remain in office until he or she ceases to hold office in accordance with Article 26 or 28. The candidate nominated by Canterbury Christ Church University may be appointed as the University Trustee by a simple majority vote of the Appointments Committee.

### **30. Appointments Committee**

- 30.1. The Appointments Committee shall be convened by the Managing Director and consist of;
  - 30.1.1. the Managing Director;
  - 30.1.2. the Students' Union President;
  - 30.1.3. one other Sabbatical Officer;
  - 30.1.4. two members of Union Council; and
  - 30.1.5. a person nominated by Canterbury Christ Church University.

### **31. Disqualification, removal, resignation and replacement of Trustees**

- 31.1. The process for the disqualification, removal, resignation and replacement of Trustees is detailed in Parts 26 - 29 of the Articles of Association.

## **ADMINISTRATIVE AND MISCELLANEOUS PROVISIONS**

### **32. Register of Interests**

- 32.1. A Register of Interests shall be kept for Trustees, officers of the Union and any other person at the discretion of the Board of Trustees and / or Union Council.
- 32.2. The Register shall be available to all Members and Trustees and shall contain;
  - 32.2.1. any current part-time external employment;
  - 32.2.2. directorships and direct shareholdings;
  - 32.2.3. details of any gifts, hospitality and free or discounted tickets received in connection with Union business;
  - 32.2.4. details of sponsorship by any firm in connection with a course of study or Union business; and
  - 32.2.5. any positions of office held within the Union or any constituent part.

- 32.3. The Register shall contain any matter not falling in the above categories which could provide information of any pecuniary interest or other material benefit which an Officer or Trustee receives which might reasonably be thought by others to influence his or her actions, speeches, or votes in committees, or actions taken in his or her capacity as an officer or Trustee.
- 32.4. Union officers and Trustees shall be required to sign the Register as an accurate record of their interests and as a requirement of taking office.
- 32.5. The Register shall be kept and maintained by the Company Secretary, who shall be responsible for notifying officers and Trustees of their responsibilities and requiring officers and Trustees to complete the register.

### **33. Freedom of Information**

- 33.1. The Union is not subject to the Freedom of Information Act, but will, in the spirit of accountability, comply with all such requests by Members, but the President and Managing Director can object to doing so on;
  - 33.1.1. financial considerations;
  - 33.1.2. legal considerations; or
  - 33.1.3. matters of reputation.

### **34. Affiliations**

- 34.1. The Union may affiliate to other bodies and groups from time to time, as long as these further the Union's charitable objects. A list of current affiliations will be maintained on the Union's website.
- 34.2. Affiliations will be considered at the annual Student Members' Meeting for recommendation to the Board of Trustees for approval, who are the ultimate authority.
  - 34.2.1. financial considerations;
  - 34.2.2. legal considerations; or
  - 34.2.3. matters of reputation.

### **35. Patronage**

- 35.1. The Trustees may appoint and remove any individual(s) as patron(s) of the Union and on such terms as they shall think fit.
- 35.2. A patron shall have the right to be given notice of, to attend and speak (but not vote) at any Student Members' meeting as if a Student Member and shall also have the right to receive accounts of the Union when available to Student Members.

## DEFINED TERMS

| <b>Term</b>  | <b>Meaning</b>  |
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| “Academic Year”  | The period between 1 September in one year to 31 August in the next year determined by the Union as the period during which Students are required to be registered with Canterbury Christ Church University. Each Academic Year is for the time being divided into three semesters;   |
| “Alternative Vote” or “AV”                             | The AV system asks voters to rank candidates in order of preference with only first preference votes being counted initially. Any candidate getting more than 50% of these is elected automatically. If that doesn't happen, the candidate with the fewest votes is eliminated and their second choices allocated to the remaining candidates in a second round of counting. This continues until a candidate receives more than 50% of the vote; |
| “Appointments Committee”                               | The committee set up in accordance with the Bye-Laws (that will include the President, the Managing Director, one Sabbatical Trustee who is not the President, two members of Union Council and a person nominated by Canterbury Christ Church University);   |
| “Associate members”                                    | The Trustees may establish such classes of associate membership, including Special Membership, with such description and with such rights and obligations as they think fit and may admit and remove such associate members in accordance with the Bye-Laws provided that no such associate members or Special Members shall be Members of the Union for the purposes of the Articles or the Companies Acts.                                      |
| “Board of Trustees” or “Board”                         | The Board of Trustees of the Union;   |
| “By-Elections”   | Elections held to fill positions that have either been vacated mid-term or were unfilled in the usual timetable of elections;   |
| “Bye-Laws”   | The Bye-Laws setting out the working practices of the Union made from time to time in accordance with Article 49 (Bye-Laws);  |
| “Canterbury Christ Church University” and “University” | Canterbury Christ Church University incorporated by the Education Reform Act of 1998 under Section 129 in 1962;   |
| “Censure”  | Strong expression of disapproval;   |
| “Chair”  | The chair of the Board of Trustees;   |
| “chair of the meeting”                                 | In the case of Union Council it means the person elected to the position of Chair to perform that function. In the case of Trustees’ meetings means the person chairing the Trustees’ meeting in accordance with Article 43;  |
| “clear days”   | In relation to the period of a notice, that period excluding the day when the notice is given or deemed to be given and the day for which it is given or on which it is to take effect;   |

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| “Code of Practice”                      | The code of practice relating to Canterbury Christ Church University's obligations under Section 22 of the Education Act;   |
| “Community Trustee”                     | A Trustee appointed in accordance with Article 24 who for the avoidance of doubt shall not be deemed to be either a major union office holder or a sabbatical union office holder for the purposes of Section 22 of the Education Act. Previously known as External Trustees; |
| “Companies Acts”                        | Means the Companies Acts (as defined in Section 2 of the Companies Act 2006), in so far as they apply to the Union;   |
| “Company Law Meeting”                   | A general meeting of the Company Law Members for the purposes of the Companies Acts;  |
| “Company Law Members”                   | Members of the Union for the purposes of the Companies Acts, as defined in Article 13 of the Articles of Association;   |
| “Company Secretary”                     | The official and legal Secretary of the Company of the Union who has responsibility for ensuring compliance with Company law and Charity law;   |
| “Conflict of Interest”                  | Any direct or indirect interest (whether personal, by virtue of a duty of loyalty to another organisation or otherwise) that conflicts, or might conflict with the interests of the Union;  |
| “Co-Options”                            | To be permitted to assume Office by the Members or Trustees of the Union;   |
| “Education Act”                         | The Education Act (1994);   |
| “Elected Officers”                      | The Sabbatical Officers and the Part-Time Officers;   |
| “Framework for Student Procedures”      | The document that details how discipline is managed within the University;  |
| “Managing Director”                     | The Managing Director of the Union who is appointed by the Board of Trustees;   |
| “Manifesto”                             | A declaration of intent, objectives and views which is published by candidates standing to be an Elected Officer;   |
| “Members”                               | The Student Members of the Union;   |
| “Articles of Association” or “Articles” | The highest governing document of the Union, in effect the Union's constitution. Unlike the Bye-Laws, this can only be changed by Company Law Members and it must also be agreed by the Governing Body of the University;   |

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| “NUS”  | The National Union of Students;  |
| “Part-Time Officers”                               | The Student Members elected in accordance with the Bye-Laws to be officers of the Union while continuing their studies at Canterbury Christ Church University;   |
| “Patronage”  | Patronage is the support, encouragement, privilege, or financial aid that an organization or individual bestows to another.  |
| “Petition”   | A formal request of the Union to change policy, stance or other decision;  |
| “Policy”   | Representative and campaigning policy set by Referenda or by the Union Council in accordance with Article 17 and Article 48 respectively or by the Student Members at a Student Members’ meeting;  |
| “President”  | The president of the Union, as elected by the Student Members in accordance with the Bye-Laws;   |
| “Quorum”   | The number of Members of the Union required to be present to conduct business and make decisions legally. Quorum varies depending on the meeting and is specified in these Bye-Laws;   |
| “RAG”  | The raise and give society which develops students by providing them with an opportunity to raise funds for charitable causes;   |
| “Referendum”                                       | A ballot in which all Members of the Union are entitled to cast a vote, the protocol for which shall be set out in these Bye-Laws;   |
| “Returning Officer” and “Deputy Returning Officer” | Those appointed to officiate the smooth and legal conduct of elections and candidates;   |
| “Representation”                                   | To act or speak on behalf of Members either individually or collectively;  |
| “Sabbatical Officers”                              | The individuals elected in accordance with Article 22 (each of whom is a “major union office holder” for the purposes of section 22 of the Education Act);   |
| “Sabbatical Trustee”                               | A Trustee elected in accordance with Article 22;   |
| “Secure Petition”                                  | A written request to the Union which shall be fixed in a pre-arranged place or places or held securely online;   |
| “Single Transferable Vote” or “STV”                | A form of proportional representation which uses preferential voting. Candidates don't need a majority of votes to be elected, just a known 'quota', or share of the votes, determined by the size of eligible Member voters and the number of positions to be filled; |

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| “Special Members”                                     | A type of associate membership of the Union as further defined in Article 15;  |
| “Student”   | Any individual who is formally registered for an approved programme of study provided by Canterbury Christ Church University, including those on years abroad or years in industry. For the avoidance of doubt, Canterbury Christ Church University shall determine whether or not an individual has Student status;             |
| “Student Members”                                     | Student members of the Union being Students at Canterbury Christ Church University as further defined in Article 11 and the Sabbatical Officers;   |
| “Student Members’ Meetings”                           | The Union must hold an annual Student Members’ meeting once in each Academic Year which shall be called and held in accordance with the Bye-Laws. The Union may hold other Student Members’ meetings in addition to the annual Student Members’ meeting. Such meetings shall be called and held in accordance with the Bye-Laws. |
| “Special Membership” and “Special Membership Holders” | A class of associate membership of the Union and members of that class of associate membership who shall for the avoidance of doubt not be Members of the Union for the purposes of the Articles or the Companies Acts;  |
| “Student Programme Reps”                              | Previously known as Student Representatives, these are Members who are elected at course level to provide academic representation;   |
| “Summary Punishment”                                  | Refers to the sanction or punishment of Members without or before more recourse to formal sanction and punishment;   |
| “Student Trustee”                                     | A Trustee elected or selected in accordance with Article 23 who is a Student and who, for the avoidance of doubt, shall not be a major union office holder for the purposes of Section 22 of the Education Act;  |
| “Term of office”                                      | The length of time an officer is elected to represent Members of the Union;  |
| “Trustee” and “Trustees”                              | The directors of the Union as defined in Article 21;   |
| “Union” and “the Union”                               | Christ Church Students’ Union;   |
| “Union Council”                                       | The Student body elected by and from Students constituted in accordance with these Articles and the Bye-Laws of the Union;   |



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| “University<br>Trustee” | A Trustee appointed in accordance with Article 25 who, for the avoidance of doubt, shall not be a major union office holder for the purposes of Section 22 of the Education Act; |
| “written<br>resolution” | A resolution of the Company Law Members proposed and passed in writing in accordance with the Companies Acts.  |
| “Volunteer<br>Officers” | Members elected to any position in a sports club, society or Union organised project such as RAG and student media.  |