

# HEYTHROP COLLEGE STUDENTS' UNION CONSTITUTION 2016

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#### 1.0 Name and Status

**1.1** There shall be a students' union of Heythrop College (hereafter "the College") by the name of Heythrop College Students' Union (hereafter referred to as "the Union").

**1.2** The Union shall be incorporated within the College and its accounts consolidated with those of the College.

#### 2.0 Aims and Objectives

## **2.1** The objectives of the Union shall be:

- 2.1.1 To represent the students of the College in matters affecting any and all aspects of their university experience.
- 2.1.2 To afford a recognised means of communication between the students and the College authorities as well as other external organisations.
- 2.1.3 To foster and to encourage the freedom of speech, expression, assembly and association amongst all its members.
- 2.1.4 To enhance and further develop the student experience through means including, but not limited to, the support of student societies, clubs and social activities.
- 2.1.5 To promote and to protect the welfare of its members.
- 2.2.5 The Union shall pursue the above for all its student members without prejudice or discrimination.

## **3.0 Membership of the Union**

### **3.1 Full Membership**

- 3.1.1 All registered students of the College shall automatically be full members of the Union unless they have opted out as outlined in Appendix One.
- 3.1.2 Only full members are entitled to receive any form of subsidy from the Union.

### **3.2 Associate Membership**

- 3.2.1 Associate membership of the Union shall be open to all members of the College staff, past students and all those employed by the College upon payment of the relevant membership fee.

### **3.3 Honorary Life Membership**

- 3.3.1 Honorary life members of the Union shall be those who are deemed to have given outstanding service to the students of the College.
- 3.3.2 Honorary life membership to the Union may only be granted by a special resolution at a General Meeting or by mandate of the Executive Committee.

### **3.4 Visiting Membership**

- 3.4.1 Visiting Membership may be granted by the Executive Committee to members of other Students' Unions or equivalent societies of other Colleges.
  - 3.4.1.1 Visiting membership will be granted for a period no longer than one academic year, upon payment of a membership fee as decided by the Executive Committee each year.

## **4.0 Executive Committee**

- 4.1 The Executive Committee shall be responsible for all matters regarding the student facilities, welfare, social, cultural and athletic life of the students of the College.
- 4.2 The Executive Committee shall be the executive authority of the Union and shall run the Union on a day to day basis according to the terms of this Constitution, its Schedules and relevant legislation as amended from time to time.
- 4.3 The Executive shall be elected before the end of the Lent term each academic year in accordance with Schedule three.
  - 4.3.1 The term of office shall be from June 1<sup>st</sup> to May 31<sup>st</sup> following.
- 4.4 The position of Union President is a part time post that shall be paid a wage
  - 4.4.1 The Hours of the President shall be set by the HSU Manager and will be approximately 14 hours per week.
  - 4.4.2 The HSU Manager shall authorise the payment of the President for any extra time outside working hours set out above, if necessary.
  - 4.4.3 No member shall be eligible to stand and serve more than two terms of office.
- 4.5 The Executive Committee may select appointees from time to time to aid an officer or team in their role.
  - 4.5.1 The terms of the role and the length of the appointment shall be clearly defined when they are appointed.
- 4.6 The Executive shall adopt a principle of collective responsibility and although members shall be responsible for their own allocated area, this shall in no way exclude these areas from discussion by the Executive Committee.
  - 4.6.1 In the event of a dispute between members of the Executive Committee on any given issue the decision of the Executive Committee shall be final.

## **5.0 Elections**

- 5.1 Elections shall be held in the Lent term and the newly elected Executive Committee must be announced before the end of the Lent term.
- 5.2 Any by-election that is held cannot be held before any appeals process is completely exhausted.
- 5.3 Election procedures can be found in Schedule two.

## **6.0 Clubs and Societies**

- 6.1 Regulations regarding Clubs and Societies affiliated with the Union can be found in Schedule two.

## **7.0 Affiliations to External Organisations**

- 7.1 Any proposal to affiliate to an external organisation shall be approved by Executive Committee.
  - 7.1.1 The students should be informed of all new affiliations including the name of the organisation and details of the affiliation/subscription fee to be paid.
  - 7.1.2 The Clerk to the Governors of the College shall also be informed of any external affiliations of the Union and terms of such affiliation by notice in writing.

- 7.2 Details of all affiliations to external organisations, including the names of the organisations and each affiliation fee paid, shall be included in the Union's annual report which shall be made available to members of the Union at Ordinary General Meetings and to the College's Board of Governors.
- 7.3 In the event of an objection to a current affiliation to any particular external organisation, a petition signed by at least one third of the members of the Union must be presented to the President.
- 7.3.1 The issue of whether the Union shall maintain its affiliation with the particular organisation shall be submitted for decision to the next General Meeting.
- 7.4 The Board of Governors may also require the Union to terminate any affiliation to any external organisation if such an affiliation is, in the opinion of the Board of Governors, detrimental to the College.

## **8.0 Complaints Procedure**

8.0.1 By "Complaint" this Constitution defines this as "a formal written complaint made about the Union which is submitted to an Executive Officer through the relevant complaints form".

8.1 Any student wishing to make a complaint regarding any aspect of the Union's work must do so in writing and submit it to any member of the executive, or else the HSU advice centre, unless codified otherwise in the Constitution. The President, or otherwise Vice President Academic, shall convene a complaints panel of three members of the Students' Union, normally two Executive officers and one non-Executive Union member, see appendix 2. The individual shall then be given a written statement from the Union.

8.1.1 Any complaint regarding the President should be submitted to a member of the HSU Executive.

8.1.2 If the individual is dissatisfied with the Executive Committee's handling of the complaint they shall be advised to write to the Clerk of the Governors of the College who may refer the matter to the Board of Governors of the College where it shall be dealt with at their discretion.

## **9.0 Union Finance**

9.1 The Union's financial year shall be from August 1<sup>st</sup> to July 31<sup>st</sup> following.

9.2 The financial income of the Union shall include:

9.2.2 An annual sum payable to the Union by the College which enables it to pursue its aims and objectives based upon the estimates provided by the Executive Committee for the coming academic year.

9.2.3 Profits from Union concerns, functions and other income receipts as from time to time that may accrue.

9.3 There shall be two signatories for the Union Finances:

- i) The President
- ii) HSU Manager

9.4 The HSU Manager and President shall be responsible to the Union for detailed matters concerning accounts and shall exercise supervision over all Union finance, subject to

directions of the Executive and of the General Meeting, and the requirements of the College's Financial Regulations and Financial Procedures.

9.4.2 The Executive Committee shall present accounts to each Annual General Meeting.

9.5 The HSU Manager shall be in charge of the day to day accounts of the Union.

9.5.2 The HSU Manager shall exercise plenary powers between the Executive Committee meetings but shall be responsible to the Executive Committee for any decisions taken.

9.5.3 The President and the HSU Manager has the authority to authorise expenditure of up to £500 provided that such expenditure is ratified by a subsequent meeting of the Executive Committee.

9.5.4 Any expenditure exceeding £500 shall be authorised by both the President and the HSU Manager.

9.5.5 The HSU Manager shall be responsible for the operation of the petty cash account and shall present a record of transactions upon request to the Executive Committee.

9.5.5.1 The HSU Manager shall report, monthly, to the Finance Office and provide a report of all transactions of the petty cash account.

9.6 The President shall present a Financial Statement for the previous year to the autumn term meeting of the Board of Governors.

9.6.2 The President, as a full member of the Finance, Resources and Performance Committee, must provide both a progress report and Financial report at each ordinary meeting.

9.6.3 The governors of the college will also receive a copy of the budget and interim financial accounts, however they have no right to set budget or dictate area of expenditure, their role is advisory and one of monitoring.

## **10.0 Minutes**

10.1 At all General and Executive Committee meetings, minutes shall be taken which shall be read and then confirmed with the necessary corrections, at the next appropriate and relevant meeting.

10.1.1 A copy of the minutes of each meeting shall, as soon as possible after the meeting, be confirmed and made available upon request to any member entitled to be present at the meeting in question.

10.2 A copy of the Constitution, including any amendments, a copy of the annual report and any plans for the Union's activities, including financial reports, shall be made available to all students.

## **11.0 Meetings**

11.1 All meetings of the Executive committee shall be considered open to all full members of the Union.

11.1.1 However, the members of the Executive Committee or of any sub-committee thereof may vote to hold a specific meeting or an item of a meeting as a closed session or enact reserved business as part of the agenda.

11.1.1.1 Minutes of such closed matters may be withheld from general circulation but must be confirmed at the next meeting of the executive committee.

## 11.2 General Meetings

11.2.1 The General Meeting shall be the supreme governing body of the Union.

11.2.2 The quorum for general meetings shall be 4% (four percent) of the members eligible to vote.

11.2.2.1 If the meeting does not have quorum then all business shall be deemed to be lost.

11.2.3 There are three forms of General meeting:

### **i) Annual General Meeting ('AGM')**

11.2.3.1.1 There shall be one AGM per year which ordinarily will be called in the Lent term.

11.2.3.1.2 A minimum of ten College days' notice shall be given for an AGM.

### **ii) Ordinary General Meeting ('OGM')**

11.2.3.1.3 There shall be two OGMs held each year which are to be scheduled at the discretion of the Executive Committee.

11.2.3.1.4 A minimum of ten College days' notice shall be given for an OGM.

### **iii) Extra-Ordinary General Meeting ('EGM')**

11.2.3.1.5 Shall be called by the President of the Union within four College days upon receiving a written request from:

i) The Executive Committee.

ii) Not less than 2.5% (two and a half percent) of the total full members of the Union.

11.2.3.1.6 An EGM may only discuss the business for which it was called, which must be stated in the written request or by the President of the Union.

11.2.3.1.7 A minimum of two College days' notice must be given for an EGM.

11.2.4 Notice of motions, bearing the names of the proposer and the seconder, shall be submitted not less than two College days before the General Meeting at which they are to be discussed.

11.2.4.1 The final agenda shall be posted at least one College day before the General meeting.

11.2.5 All General meetings shall be conducted in accordance with the Standing orders in Schedule four. Such standing orders may be suspended by a two-thirds majority of those present eligible to vote.

### **11.3 Executive Committee Meetings**

11.3.1 The quorum for executive committee meetings shall be 50% (fifty percent) of the executive committee, plus one.

11.3.2 At least three College days written notice shall be given to each of the members of the Executive Committee of every Executive Committee meeting called.

11.3.3 The Executive Committee should meet at least every two weeks during term time.

11.3.4 Meeting shall be conducted by the President of the Union in the chair.

11.3.4.1 If they are absent the Vice-President Academic shall chair the meeting or if they are absent another member will be elected to chair the meeting.

11.3.5 The President has the right to attend all Union committees and sub-committees but they shall not be invalid if they fail to attend a properly called meeting.

### **12.0 By Laws**

12.1 The Union shall have the power in General Meetings to make and amend By Laws on matter relating to the Union which are not covered by this Constitution or its Schedules.

12.1.1 No By Law shall be made that shall have the effect of amending this Constitution or its Schedules.

12.2 By Laws and amendments thereto shall take effect after being approved by two thirds of the full members of the Union present and voting at a quorate General Meeting and after being ratified by two thirds of the full members of the Union present and voting at the next quorate General Meeting.

### **13.0 Amendments**

13.1 The General Meeting shall be the sole body competent to amend the Constitution and its Schedules and such amendments may only be made at General meetings:

13.1.1 All amendments to the Constitution shall require the support of two-thirds of those present and eligible to vote at a quorate General meeting.

13.1.2 All amendments to the Schedules shall require a simple majority of those present and eligible to vote at quorate a General meeting.

13.2 All amendments to the Constitution and its Schedules will be subject to the approval of the College's Governing Body before they can be implemented.

13.3 The Constitution shall be reviewed by the Union at least every five years (in line with the Education Act 1994 part II) from the date of the current documents implementation and approval of the College's Governing Body.

## **14.0 Referendum**

- 14.1 A referendum, in which all full members we be allowed to vote, shall be held on any issue if a two thirds majority at a General Meeting decides to call a referendum or if the President is handed a petition of 70 full members calling for a referendum.
- 14.2 The returning officer shall be responsible for the wording of the question that will appear on the referendum ballot paper.
- 14.3 The referendum shall be supervised by the returning officer in accordance with the election procedures as outlined in Schedule three.
- 14.4 The result of the referendum shall take priority over any existing Union policy on the matter.

## **15.0 Indemnity**

- 15.1 Every Officer, appointee or member of staff of the Union shall be entitled to be indemnified out of the assets of the Union against all losses or liability which they may sustain or incur in about the proper and legal execution of their office or in otherwise in relation thereto and no Officer, appointee or member of staff shall be liable for any loss or damage which may happen to or be incurred by the Union as a result of the proper and legal execution of the duties of their office or in relation thereto; provided that nothing in this clause shall affect their liability for the consequences of any negligent or criminal act by the individual concerned.

## **16.0 Code of Conduct**

- 16.1 All members of the Union shall adhere to a code of conduct that shall be drawn up by the Executive Committee, which shall be approved and amended from time to time by the Union at general meetings.
- 16.1.1 The code of conduct may include restrictions up to and including an unlimited suspension of any or all rights of union membership.
- 16.2 All members of the Students' Union shall abide by the code of conduct endorsed by the college and the Student Charter renewed every year by the President.

## **17.0 Interpretation**

- 17.1 In the event of a dispute as to the interpretation of any part of the Constitution, the advice of the President shall be sought. In the event of a challenge to the President's advice, the Clerk of the Governors of the College will provide a ruling.
- 17.1.1 Any ruling that is provided shall be put in writing and stored with the Constitution.

## **Schedules**

### **Schedule one: Clubs and Societies**



- 1.1 Any club or society shall be recognised by the Union provided that:
  - 1.1.1 A petition for its formation signed by ten full members of the Union is presented to the Executive Committee.
  - 1.1.2 The club/society present a constitution with the petition which should include:
    - i) The name of the club/society
    - ii) The aims and objectives of the club/society which shall not be contrary to those of the Union or the College
    - iii) Regulations regarding eligibility of membership
    - iv) Provision for the election of a committee of officers
    - v) The responsibility of the committee of officers
    - vi) Provision for meetings of all members of the club/society
    - vii) Provision for an annual meeting of the members of the club/society at which accounts shall be presented.
- 1.2 In order to be recognised as a club/society of the Union the constitution of the club/society must first be approved by the Executive Committee.
- 1.3 The club/society shall be accountable to the Executive Committee and ultimately Union General Meetings.
- 1.4 The Executive Committee reserves the right to withdraw the recognition and funding of a club/society if there is evidence that a club or society is contravening its constitution or its actions can be deemed reprehensible by the Executive Committee.
- 1.5 Funding of a club/society shall be provided from the resources of the Union and administered by the HSU Manager, President, and a nominee of the Executive Committee.
  - 1.5.1 A request for funding should be submitted to the Executive Committee at the beginning of the academic year or at the formation of the society.
    - 1.5.1.1 A request for funding should include a detailed proposed budget and spending plan of the society.
    - 1.5.1.2 The amount of funding that is provided to a club or society shall be decided by the aforementioned (1.5) personnel which will be verified by a meeting of the Executive Committee.
  - 1.5.2 A club or society may spend its budget as it sees fit however funding may be withdrawn by the Executive Committee if it is deemed to have used it inappropriately.
    - 1.5.2.1 Receipts/invoices must be submitted in order to claim any money for a society from its respective budget.
    - 1.5.2.2 All expenditure over £50 must be approved by the President or Vice President Academic or two Executive Officers.
    - 1.5.2.3 All expenditure exceeding £100 must be approved by both the HSU Manager and the President otherwise funding may be refused.

#### **Schedule two: Election Procedures**

- 2.1 The Returning Officer is the HSU Manager, if they are unwilling or unable, a person nominated by the Clerk to the Governing Body of the College will act in their place.
  - 2.1.1 The Returning Officer shall be responsible for the good conduct of elections for one academic year.

- 2.1.1.1 The Returning Officer will ensure that Election Regulations are followed by all candidates throughout the Election period and will ensure students and candidates are aware of the regulations.
  - 2.1.2 In accordance with their duty under the Education Act 1994 (Section 22 (2) (e)) the Returning Officer shall write to the Principle of the College and the Chair of the Governing Body informing them that a member of staff of the College shall observe the election so as to assure the Governing Body that the elections are fairly and properly conducted.
- 2.2 The term of office for each of the Officers of the Union shall be specified at the time of the elections.
  - 2.2.1 The term of office shall normally be for one academic year and shall not be for more than two academic years, subject to annual re-election.
- 2.3 The election of the Officers of the Union shall normally take place in the Lent term for appointment the following 1<sup>st</sup> June.
- 2.4 The dates of all elections and a copy of the election regulations shall be posted on the notice boards in the Basement at least three weeks before the election opens.
- 2.5 Nomination forms should be handed to the Returning Officer not later than 5pm on the day, seven days before the commencement of the ballot.
  - 2.5.1 Nomination forms should be signed by the candidate and seconded by another full member of the Union.
    - 2.5.1.1 Nomination forms should also bear the signature of the current position holder, to signify that a meeting detailing the role has taken place between them and the nominee.
      - 2.5.1.1.1 If the current position holder is not available, in the case of by-elections or new positions, the President shall act as signatory in this case.
      - 2.5.1.1.2 For whatever reason the prospective nominee cannot approach the current position holder or the President, then the HSU Manager may act signatory.
  - 2.5.2 A full list of candidates shall be posted on the notice boards in the Basement one college day of the closure of nominations.
- 2.6 The elections shall be conducted by secret ballot with a simple majority system of voting employed to determine the result of the election, as recommended by the Electoral Reform Society.
  - 2.6.1 The voting forms shall have the name of each candidate as well as a re-open nominations (R.O.N) option.
- 2.7 Candidates nominated for any position shall not (except in extraordinary circumstances and with approval of the Returning Officer) be directly involved in the election procedure.
- 2.8 If any of the Executive Committee posts fall vacant during a period of office then a by-election shall be arranged by the Returning Officer, clauses 3.4-3.7 (inclusive) shall apply.
  - 2.8.1 If the posts are not filled then full members of the Union may be co-opted onto the Executive Committee until a by-election can be held.

### **Schedule three: Standing Orders for a General Meeting**

- 3.1.1 Standing orders shall apply to all General Meetings.

- 3.1.2 Only full members of the Union may table motions or vote at General Meetings.
  - 3.1.2.1 Other members may speak but not vote at meetings.
- 3.1.3 The Secretary of the Union shall be responsible for the production of minutes and any other papers of all General Meetings.
- 3.1.4 All General Meetings shall be convened in accordance with this constitution.

### **3.2 Agenda**

- 3.2.1 The business of meetings shall be taken in the following order:
  - i) Minutes of the previous meeting;
  - ii) Matters arising from the previous meeting;
  - iii) Reports from the Union.
    - 3.2.1.1 Including Financial statements at AGM's.
    - iv) Motions submitted for consideration with any proposed amendments.
      - 3.2.1.2 Which shall be published before the meeting and shall be in accordance with Article 11.2.4.
  - v) Any other business.

### **3.3 Chair**

- 3.3.1 The President of the Union shall normally chair General Meetings (hereafter 'the Chair').
  - 3.3.1.1 If they are absent or relinquish the Chair it shall be taken by the Vice President Academic or failing that another Executive Member elected to Chair the meeting by those full members of the Union present at the meeting.
  - 3.3.1.2 The Chair may temporarily relinquish Chair-ship of the meeting to an appointed member, usually the Vice-President Academic as to participate in the debate.
    - 3.3.1.2.1 In this case the suspension must be organised in advance and printed in relevant papers, including the agenda and minutes of the meeting.
- 3.3.2 The Chair shall be responsible for keeping the meeting in order and shall not otherwise participate in debate.
  - 3.3.2.1 The Chair shall decide the right of priority in speaking.

### **3.4 Vote**

- 3.4.1 Each full member of the Union present shall have one vote.
  - 3.4.1.1 No votes shall be recorded on behalf of any member not present.
  - 3.4.1.2 In the event of a tie the Chair shall have the casting vote.

### **3.5 Motions**

- 3.5.1 Every motion shall have a proposer and a seconder.
- 3.5.2 Any motion that is to be discussed must be submitted to the President no later than 2 college days before the General Meeting.
  - 3.5.2.1 Any amendments to motions must be handed to the President 48 hours before the start of the meeting.
- 3.5.3 The proposer shall have the right to sum up on the debate immediately before the vote is taken.
  - 3.5.3.1 There shall be no new information or points raised during the summing up speech.

- 3.5.4 There shall be only one motion or amendment before the meeting at any one time.
  - 3.5.4.1 The first amendment to a motion shall be proposed immediately after the motion.
  - 3.5.4.2 In the event of any amendment to a motion being carried which was not accepted by the proposer of the original motion, the amended motion shall become the substantive motion, and the proposer of the amendment shall become the holder of the substantive motion.
  - 3.5.4.3 Once all amendments have been voted upon, the substantive motion shall be debated.

### **3.6 General Rules**

- 3.6.1 Points of information may be raised by any member providing that the speaker occupying the floor signifies their intention to give way.
- 3.6.2 Motions shall require a simple majority except where otherwise specified in the Constitution.
- 3.6.3 Standing orders may be suspended by a two-thirds majority vote at a General Meeting.
  - 3.6.3.1 Any suspension of standing orders shall apply for the duration of the matter under discussion only.
- 3.6.4 In the event of any situation arising that is not covered by these standing orders, the Chair shall then rule on the procedure to be adopted.

## **Appendices**

### **Appendix one: Opting Out**

- 1.0 Any student not wishing to be a member of the Union may resign their membership in writing to the President of the Union.
  - 1.1 Any Student having resigned membership to the Union shall not be unfairly disadvantaged, with regard to the provision of services or otherwise, by their reason for having done so.
  - 1.2 Students having left the Union may still join and have full access to all societies and sports clubs funded by the Union.
  - 1.3 Students having exercised their right to not be a member of the Union may not hold an elected or appointed position within the Union or within any of its societies or sports clubs.
  - 1.4 No student who has left the Union may vote in any election or general meeting of the Union or any of its societies or sports clubs.
  - 1.5 A student who has left the Union may re-join by informing the President in writing but may not do this within 20 College days of nominations opening for election.

### **Appendix 2: Disciplinary Procedures**

**2.0** By “Motion of Censure” this Constitution defines this as “a motion of opposition or criticism”. By “Motion of No Confidence” this Constitution defines this as “a motion to remove the individual from their position”.

2.1 Clubs, societies and all Union members are expected to abide by this constitution and its schedules at all times, as well as the Union’s equal opportunities policy.

2.1.1 This is extended to events off site which are connected to the Union and are likely to damage the reputation of the Union.

2.2 If a complaint is made to the Union, regarding a person or procedure, then the matter shall be examined by a panel comprising of three members of the Students’ Union, normally two Executive officers and one non-Executive Union member, convened by the President or otherwise Vice President Academic, which shall form the Complaints panel.

2.2.1 The complaints panel will follow the “Complaints Panel Procedures”, as set out by the HSU Management Committee.

2.2.2 The “Complaints Panel Procedures” must be approved annually by the HSU Executive and by the Director of Academic Policy and Student Experience.

2.2.3 The Complaints panel shall be convened within five college days of the Union having been notified of the alleged offense.

2.2.4 The complainant and the defendant will be provided with a fair opportunity to present any evidence, either verbally or through a written statement.

2.2.5 Those sitting on the Complaints panel must have no connection to the accused or the offence, in order to ensure impartiality.

2.2.5.1 The convenor will write to the complainant giving the opportunity to veto one member of the panel, deeming that member partial, at least 24 hours in advance.

2.2.6 The Complaints panel shall receive any documentary evidence, be able to question any witnesses, the accused and the accuser.

2.2.7 The Complaints panel shall have the power to call an EGM.

2.3 The Complaints panel shall then deliberate on the matter and decide upon the appropriate action to be taken. The decision of the Complaints panel shall be given in writing to both the accuser and the accused, with all parties notified of their right to appeal.

2.4 An appeal must be lodged in writing to the President of the Union, or otherwise Vice President Academic, no later than five college days after the original ruling was provided.

2.4.1 An appeals committee shall be convened which shall consist of three members of the Students’ Union, normally two Executive officers and one non-Executive Union member,

who did not sit on the Complaints panel which provided the original ruling.

- 2.4.2 Those sitting on the Appeals panel must have no connection to the accused or the offence, in order to ensure impartiality.
- 2.4.3 The appeals committee shall hear the reason for the appeal and the rationale behind the original decision. Any new information that has emerged since the original decision was made shall also be heard.
- 2.4.4 The matter shall then be put to the vote and the decision arrived at shall be final.

## 2.5 Removal of an Executive Committee Officer

- 2.5.1 Any member of the Executive Committee who fails to attend three meetings without submitting apologies to the Executive Committee, and does not provide satisfactory reasons for their absence may be deemed to have resigned and shall be notified of this in writing by the Chair of the third meeting.
- 2.5.2 A motion of censure may be passed by a two-third majority of the Executive Committee deemed to be failing to fulfil their responsibilities, as set out during the Elections process.
  - 2.5.2.1 Should a motion of censure pass on an Executive Member then the President shall follow 2.5.5
  - 2.5.2.2 Should a motion of censure pass on the President then the Executive Committee will follow 2.5.6
- 2.5.3 A motion of no confidence may be passed on an Executive Committee member by a two-third majority of a quorate General Meeting of members of the Union and will automatically result in the removal of the rights and responsibilities of the Executive Committee member.
  - 2.5.3.1 Except in extraordinary circumstances, a motion of censure on the Executive Committee Member will normally have preceded a motion of no confidence.
- 2.5.4 A motion of no confidence in the President may be passed a General Meeting, in accordance with this constitution.
  - 2.5.4.1 If passed this will result in President forgoing office and a by-election must held.
- 2.5.5 If the President is of the opinion that an Officer is not fulfilling their responsibilities (as set out during the Elections process) the President must first talk to them and try to reach an agreement with the Officer regarding what they should be doing.
  - 2.5.5.1 If the Officer continues to fall short of this, the President must contact them in writing,

outlining the agreements made and in what way they are continuing not to be met.

2.5.5.2 If the Officer continues to fail to meet their responsibilities they shall, following a resolution of the Executive Committee, be deemed to have resigned and shall be notified of this in writing by the President.

2.5.6 In the case of the Executive Committee being of the opinion that the President is not fulfilling their responsibilities, the Executive committee shall delegate to not more than three members of the Executive Committee authorisation to talk to them to try and reach an agreement on what the President should be doing.

2.5.6.1 If the President is deemed to continue to be falling short of their responsibilities, the persons delegated to talk to the President must write to them, outlining the agreements made and in what way they are not being met.

2.5.6.2 If the President continues to fail to meet their responsibilities they shall, following a resolution of the Executive Committee, be deemed to have resigned and will be notified of this in writing by the person authorised by the Executive Committee.

2.5.6.2.1 The HSU Manager must be notified in writing should the Executive Committee enact any procedure regarding the President.

2.5.7 The appeals process that is available to an Executive Committee officer is the same process as outlined in Appendix 2.4.

2.5.8 No by-election can be held to fill the vacant position until the full appeals process has been exhausted.