



The
University
Of
Sheffield.

CODE OF PRACTICE RELATING TO THE STUDENTS' UNION

Part II of the Education Act 1994 places a range of responsibilities on the governing bodies of university institutions in regard to the organisation of students' unions. In particular the governing body shall prepare and issue, and when necessary revise, a code of practice as to the manner in which certain requirements of the act are carried into effect.

1. This code of Practice, issued by the University Council with the agreement of the Students' Union, sets out how the University will carry out its responsibilities under the Act. The specific responsibilities to be included in the code are highlighted in italics below:-
2. The Students' Union qualifies as a students' union within section 20 of the Act; no other organisation of students in the University falls within the definition.

Constitution

The student union should have a written constitution and the provisions of that constitution should be subject to the approval of the governing body at intervals of not more than five years.

3. The Students' Union is governed by a constitution approved by the student body and endorsed by the University Council. The Constitution makes provision for detailed regulations to be published in bye-laws which shall be approved by the student body.
4. Copies of the Constitution and Bye-laws are available to any student, on request, from the President of the Students' Union. They are also available on the Students' Union web pages and the University web pages as part of the University Calendar.
5. The Constitution is to be reviewed by the University Council at intervals of not more than five years. This need not mean a special quinquennial review of the Constitution. The Council may take the opportunity to review the terms of the Constitution should the Students' Union at any time bring forward proposed amendments.

Membership

Students should have the right not to be members of the students' union. Students who exercise that right should not be unfairly disadvantaged, with regard to the provision of services or otherwise, by reason of their having done so.

6. All persons who are registered or provisionally registered students of the University as full or part time candidates for degrees, diplomas, or certificates and all persons who are full time registered students of the University for at least fifteen weeks at the English Language Teaching centre or on Erasmus, visiting or study abroad programmes shall be entitled to full membership of the Students' Union.

Any student who wishes not to be a member, or who decides to withdraw from membership of the Students' Union, should inform the President of the Students' Union and the Registrar and Secretary of the University in writing.

7. Any student not in membership of the Students' Union is not entitled:
 - (a) To participate in the government of the Students' Union and, in particular, to propose or vote in referenda, attend meetings, stand or vote in the election of Students' Union Officers, Students' Union Council, Standing Committees and Representative Committees, or play any part in any other comparable bodies that may be established.
 - (b) To hold office in any Students' Union Working Committee, Club or Society.
 - (c) To benefit from any concessionary rates for membership of Clubs and Societies, or for attendance at entertainments events, that may be offered to Students' Union members.
8. Any such student shall cease to be a member immediately and may not re-apply for membership until the following academic session.
9. Students who are eligible for full membership, but have exercised the right not to be a member, shall have access to all services and activities provided by the Students' Union other than those outlined in paragraph 7, and shall be subject to the same disciplinary procedures in relation to their use of these services and participation in these activities.
10. The University has made no special arrangements for the provision of services or facilities for non-members of the Students' Union, since it is satisfied that the provision made by the University and the Students' Union for all students, whether they are members of the Students' Union or not, is sufficient to ensure that those who have exercised the right of non-membership under the Act are not unfairly disadvantaged. There will be no financial compensation to students who have exercised their right of non-membership.

Elections

Appointment to major students' union offices should be by election in a secret ballot in which all members are entitled to vote. The governing body is required to satisfy itself that the students' union elections are fairly and properly conducted.

11. Major students' union offices shall be defined as full time sabbatical Students' Union Officers.
12. All elections in the Students' Union shall be conducted in accordance with regulations laid down in a bye-law to the Constitution (Bye-law 17) which shall be approved by the University Council. These regulations ensure that appointment to major students' union offices is by election in a secret ballot in which all full members are entitled to vote.
13. Any complaint regarding the conduct of elections shall be decided upon by Returning Officers appointed by the Students' Union Council, subject to appeal to the Elections Appeals Committee and subsequently to Students' Union Council. Any decision by Students' Union Council shall be subject to appeal to the University Registrar and Secretary, whose decision shall be final.
14. The Registrar and Secretary (or his/her nominee) may observe any part of the election process and an annual report will be made to the Registrar and Secretary on the conduct and outcome of the elections to the major students' union offices.

A person should not hold paid elected students' union office for more than two years in total.

15. Paid students' union offices shall be defined as full time sabbatical Students' Union Officers. No person shall hold such office for more than two academic years and this shall be provided for in the Constitution and bye-laws of the Students' Union.

Finance

The financial affairs of the students' union should be properly conducted and appropriate arrangements should exist for the approval of the students' union's budget and the monitoring of its expenditure by the governing body.

The students' union is to publish a financial report annually or more frequently. The report is to be made available to the governing body and to all students and should contain, in particular, a list of external organisations to which the students' union has made donations during the period to which the report refers and details of those donations.

16. The Students' Union Finance Committee shall prepare an annual budget prior to the commencement of each financial year, which shall be submitted to the Students' Union Council for comment and the Students' Union Trustee Board for approval. The annual budget shall be presented for ratification to the University Finance Committee, which will report to University Council.
17. The Students' Union Council shall receive the annual audited accounts of the Students' Union for information and the Students' Union Trustee Board shall receive the annual audited accounts of the Students' Union for approval. The annual accounts shall be presented for information to the University Finance Committee, which will report to University Council.
18. The accounts shall contain details of any donations made to external organisations during the financial year.

The procedure for allocating resources to groups or clubs should be fair and should be set down in writing and be freely accessible to all students.

19. Procedures for the allocation of resources to clubs and societies affiliated to the Students' Union are included in Bye-law 10 of the Students' Union agreed bye-laws which are available to any student, on request, from the President of the Students' Union. They are also available on the Students' Union web pages

Affiliations and Donations

If the student union decides to affiliate to an external organisation it must publish notice of its decision, 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 and such notice is to be made available to the governing body and to all students.

20. Affiliations and donations made by decision of a Referendum, Students' Union Council, Standing Committee, Representative Committee or Students' Union Officers shall be published in the annual accounts of the Students' Union.

21. Any such affiliations or donations made subsequent to the publication of the annual accounts shall be published to students and notified to the Registrar and Secretary who shall make such notice available to the governing body.

When a student union is affiliated to any external organisation there are to be procedures for the review of affiliations under which the current list of affiliations is submitted for approval by members annually or more frequently, and at such intervals of not more than a year as the governing body may determine, a requisition may be made by such proportion of members (not exceeding 5 per cent) as the governing body may determine, that the question of continued affiliation to any particular organisation be decided upon by a secret ballot in which all members are entitled to vote.

22. An annual referendum will be held to consider the affiliation of the Students' Union to the National Union of Students, and any other continuing affiliations previously agreed.
23. Any affiliation made by the Students' Union may be rescinded by a decision of students made in accordance with the procedure for referenda outlined in regulations contained in a bye-law to the constitution of the Students' Union.

Complaints Procedure

There should be a complaints procedure available to all students or groups of students who are dissatisfied in their dealings with the students' union, or claim to have been unfairly disadvantaged by reason of having exercised the right to not be a member. This procedure should include the provision for an independent person appointed by the governing body to investigate and report on complaints.

24. Any student or students who are dissatisfied in their dealings with the Students' Union, or claim to be disadvantaged by reason of their having exercised the right to withdraw from membership, shall be entitled to have their complaint considered in accordance with the Students' Union Bye-Law 16 which constitutes the Students' Union's complaints procedure and is available to all students. This procedure includes the right of appeal to the University Secretary and Registrar and the subsequent right of appeal to an independent person appointed by University Council.

The following are not required to be referenced in the code of practice, but it is an obligation for the governing body to bring these matters to the attention of students at least once a year. These will be published on the Students' Union website and also included alongside this code.

Charity Law

The activities of the Students' Union are restricted by the law relating to charities. Consequently the Students' Union cannot have a political purpose and must not seek to advance the interest of a political party, but it may seek to influence opinion on issues relating directly to its own stated purposes, provided such activity is within its powers. The ways in which charities may or may not legitimately engage in political activities is the subject of advice and legislation from time to time by the Charities Commissioners, courts of law, Parliament and government departments.

Freedom of Speech

The University is responsible under section 43 of the Education (No.2) Act 1986 for the provision of safeguards to ensure freedom of speech within the law.

The provisions for freedom of speech are made in the University Calendar under the Code of Practice Relating to Meetings and Activities on University Premises. A special provision relating to Students' Union events is made as follows:-

- “10. Where any event to which these Regulations apply is to be organised under the aegis of the Students' Union or by a society, association or club of the Students' union, the principal organiser of the meeting shall inform the Manager of the Students' union at least three weeks before the date proposed for the event. The Coordinating Committee of the Students' Union shall consider the circumstances and if that Committee is satisfied that the event is one to which these regulations apply, the Manager of the Students' Union shall give notice of the event to the Registrar and Secretary at least two weeks before the date proposed for the event.*
- 11. Where an event is organised under the aegis of the Students' Union or by a society, association or club of the Students' union, the Registrar and Secretary shall normally require the Students' union to provide the necessary stewards or security staff to maintain order. For the purpose of 6(d) above the Manager of the Students' Union shall normally be designated as the controlling officer.”*

Code of Practice

This Code of Practice is brought to the attention of students annually by publication on the University web pages as part of the University Calendar. It is also published on the Students' Union web pages.

Information for prospective students

The right of a student to not be a member of the Students Union, and the arrangements for students to still access those services provided by the Students Union for all students whether members or not, should be made available to information available to prospective students via inclusion in the prospectus and on the Students' Union's website.

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