



# **Edinburgh University Students' Association Regulations**

**This version approved May 2021  
Amended via addition of section 11 September 2021  
Section 11 updated March 2022**

## Edinburgh University Students' Association

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# REGULATIONS

## Regulation 1

### Trustee Board Subcommittee Regulations

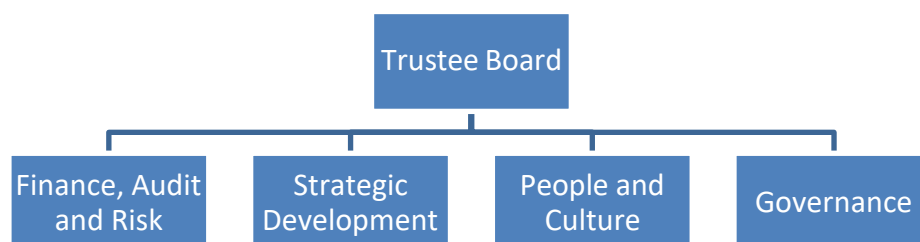
Approved: Trustee Board, November 2017

Amended: May 2021

To be read in conjunction with Regulation 2: Trustee Board Delegation of Authority Regulations

### Section 1: Purpose and overview

1. This paper sets out the remit, membership and operation of the four subcommittees of the Trustee Board. These are:
  - 1.1. Finance, Audit and Risk
  - 1.2. Strategic Development
  - 1.3. People and Culture
  - 1.4. Governance



2. Regulations for the operation of the subcommittees follow and should be read in conjunction with the Delegation of Authority.
3. If urgent decisions normally within the remit of a subcommittee are required to be made in a short timescale and cannot wait for the next meeting of either the subcommittee or the Trustee Board, whichever is sooner, the issue will be taken to the Chair of the subcommittee to secure a decision electronically.
4. This regulation may be amended by the Trustee Board, by simple majority.

## **Section 2: Finance, Audit and Risk Subcommittee**

1. There shall be a Finance, Audit and Risk Subcommittee which shall be a subcommittee of the Trustee Board.
2. **Purpose**
  - 2.1. To ensure the Association is in sound financial health, analyses and manages risk effectively, and is legally compliant across all aspects of its operations.
3. **Remit**
  - 3.1. To scrutinise the accounts and the budget for the Association and make recommendations to the Board of Trustees.
  - 3.2. Review the management accounts, discuss variances to budget and agree any actions necessary to improve the Association's financial performance
  - 3.3. Undertake regular reviews of significant financial contracts held by the Association with external suppliers or affiliated bodies including University of Edinburgh, NUS, NUSSL etc
  - 3.4. To scrutinise and make decisions or recommendations regarding capital expenditure, in line with the Delegation of Authority.
  - 3.5. To advise on and ensure checks are carried out in all key areas of the Association's operations, in particular legal, financial, and tax management, health and safety.
  - 3.6. Oversee appointment of auditors/monitor performance of auditors
  - 3.7. Monitor implementation of actions arising from audit recommendations
  - 3.8. Ensure satisfactory arrangements are in place in respect of internal controls and risk management, and review these regularly
  - 3.9. To review, analyse and manage the risk profile of the Association and any existing audit framework.
  - 3.10. Receive reports on any major incidents occurring within or impacting upon the Association, and in the light of these look at effectiveness of existing policies or other measures.
  - 3.11. Review and advise the Board in respect of any matter which threatens or carries a material risk for the Union, making recommendations for action to mitigate such risk
  - 3.12. Ensure the Association complies with all relevant legislation
  - 3.13. To deal with any other relevant business as delegated by the Board of Trustees.
4. **Membership and meetings**
  - 4.1. The Finance Audit and Risk committee will consist of:
    - 4.1.1. The President
    - 4.1.2. 1 additional Sabbatical Trustee (who will chair)
    - 4.1.3. 2 Student Trustees
    - 4.1.4. 1 External Trustee
    - 4.1.5. Up to 2 External Lay Members appointed by the People and Culture subcommittee for a 2 year term, with the option of a second term.

- 4.2. The quorum of the meeting shall be 3 voting members, of which at least 2 must be sabbatical or student trustees.
  - 4.3. The Finance Director shall attend meetings of the subcommittee but shall not be a voting member.
  - 4.4. As required by the subcommittee, and in consultation with SMT, relevant members of Association staff may also be invited to attend meetings of the Committee as non-voting members.
  - 4.5. The Finance Audit and Risk Subcommittee shall normally meet no less than four times per year. Meeting frequency is approved by the Board of Trustees each year. Additional meetings may be called by the subcommittee or requested by the Board if this is required.
  - 4.6. Questions arising at any meeting shall be determined by a majority of votes, and in the case of an equality of votes the Chair shall have a second or casting vote.
- 5. Powers**
- 5.1. The Committee acts with the authority of the Trustee Board as set out in the Delegation of Authority document.
  - 5.2. Aside from the Trustee Board, the Finance Audit and Risk Committee shall have ultimate responsibility for the areas within its remit, although responsibility may be delegated to others, as per the Delegation of Authority document.
  - 5.3. Subcommittee decisions subject to Trustee Board approval are as set out in the Delegation of Authority.

### **Section 3: Strategic Development Subcommittee**

1. There shall be a Strategic Development Subcommittee which shall be a subcommittee of the Trustee Board.
2. **Purpose**
  - 5.4. To: oversee the development and delivery of the Association's strategic plan; evaluate opportunities for change and development across all aspects of our provision (including commercial services); and ensure the Association's development is informed by relevant internal and external research, and insight from its members and other stakeholders.
3. **Remit**
  - 3.1. Ensures the operational and strategic development of the Association is in line with the Vision, Mission and Values of the organisation, and with our charitable objectives.
  - 3.2. Ensure, through appropriate research and insight work, that the Association's members and other key stakeholders are involved in strategy, planning and making decisions about the development of services provided by the Association.
  - 3.3. Responsible for creating and maintaining student insight groups to inform decision-making.
  - 3.4. Oversees the Association's Strategic and Annual planning cycles, and recommends the strategic and annual plans for approval.



- 3.5. Reviews progress towards the strategic plan and KPIs, making recommendations for further action as necessary.
- 3.6. Considers relevant research and insight reports, including the Association's annual survey, and other sources, including trends/insight data relating to our operating environment, and recommends subsequent action to be taken
- 3.7. Oversees the delivery of the Association's Strategic Projects – receives reports regarding progress
- 3.8. Receives and appraises proposals for new commercial services developments
- 3.9. Considers strategic developments in relation to buildings, commercial and other services and membership support activities, including proposals for significant changes to current services; changes in the allocation of specific parts of the estate, as well as new opportunities and developments.
- 3.10. Makes proposals to the finance committee for capital investment in strategic developments.
- 3.11. Monitors progress and delivery of capital investment projects.

#### **4. Membership and meetings**

- 4.1. The Strategic Development Subcommittee will consist of:
  - 4.1.1. The President
  - 4.1.2. Vice President Activities and Services – who will chair
  - 4.1.3. 2 Student Trustees
  - 4.1.4. 1 External Trustee
  - 4.1.5. Up to 2 External Lay Members appointed by the People and Culture subcommittee for a 2 year term, with the option of a second term.
- 4.2. The quorum of the meeting shall be 3 voting members, of which at least 2 must be sabbatical or student trustees.
- 4.3. The CEO shall attend meetings of the subcommittee but shall not be a voting member.
- 4.4. As required by the subcommittee, and in consultation with SMT, relevant members of Association staff may also be invited to attend meetings of the Committee as non-voting members.
- 4.5. The Strategic Development Subcommittee shall normally meet no less than four times per year. Meeting frequency is approved by the Board of Trustees each year. Additional meetings may be called by the subcommittee or requested by the Board if this is required.
- 4.6. Questions arising at any meeting shall be determined by a majority of votes, and in the case of an equality of votes the Chair shall have a second or casting vote.

#### **5. Powers**

- 5.1. The Committee acts with the authority of the Trustee Board as set out in the Delegation of Authority document.
- 5.2. Aside from the Trustee Board, the Strategic Development subcommittee shall have ultimate responsibility for the areas within its remit, although responsibility may be delegated to others, as per the Delegation of Authority document.

- 5.3. Subcommittee decisions subject to Trustee Board approval are as set out in the Delegation of Authority.

## **Section 4: People and Culture Subcommittee**

1. There shall be a People and Culture Subcommittee which shall be a subcommittee of the Trustee Board.
2. **Purpose**
  - 2.1. To oversee the development and implementation of HR strategy, policy and procedure relating to all staff and volunteers across the Association, and to manage the process of Trustee appointment and development.
3. **Remit**
  - 3.1. To receive reports on casework themes relating to staff and volunteers
  - 3.2. To receive and make recommendations on changes to HR strategy for the organisation.
  - 3.3. To have governance responsibility for seeing that HR policy and procedure is legally compliant and informed by best practice, and carried out across the Association.
  - 3.4. To oversee and approve amendments to the Association's employee policies and procedures (and volunteer management policies and procedures)
  - 3.5. To consider proposals for new staff appointments where such changes would result in an increase in staff costs out with existing budgets. The additional expenditure must be also approved by Finance Committee in line with the delegation of authority.
  - 3.6. To consider proposals for organisational restructuring, which may involve staff redundancy, in line with the Delegation of Authority.
  - 3.7. To consider recommendations for changes to standard Students' Association terms and conditions of employment.
  - 3.8. To report to the Board of Trustees on the Association's HR matters.
  - 3.9. To oversee the process of Trustee Board recruitment, induction, development and review
  - 3.10. To produce recommendations for how trustees should be allocated to the various subcommittees, in consultation with the Trustees.
  - 3.11. To produce recommendations for the appointment of Student and External Trustees, for ratification by the Board.
4. **Membership and meetings**
  - 4.1. The People and Culture subcommittee will consist of:
    - 4.1.1. The President
    - 4.1.2. 1 additional Sabbatical Trustee (who will chair)
    - 4.1.3. 2 Student Trustees
    - 4.1.4. 1 External Trustee
  - 4.1.5 Up to 2 External Lay Members appointed by the People and Culture subcommittee for a 2 year term, with the option of a second term

The quorum of the meeting shall be 3 voting members, of which at least 2 must be sabbatical or student trustees.

- 4.2. The CEO shall attend meetings of the subcommittee but shall not be a voting member.
- 4.3. As required by the subcommittee, and in consultation with SMT, relevant members of Association staff may also be invited to attend meetings of the Committee as non-voting members.
- 4.4. The People and Culture subcommittee shall normally meet no less than twice per year. Meeting frequency is approved by the Board of Trustees each year. Additional meetings may be called by the subcommittee or requested by the Board if this is required.
- 4.5. Questions arising at any meeting shall be determined by a majority of votes, and in the case of an equality of votes the Chair shall have a second or casting vote.

## **5. Powers**

- 5.3. The Committee acts with the authority of the Trustee Board as set out in the Delegation of Authority document.
- 5.4. Aside from the Trustee Board, the People and Culture subcommittee shall have ultimate responsibility for the areas within its remit, although responsibility may be delegated to others, as per the Delegation of Authority document.
- 5.5. Subcommittee decisions subject to Trustee Board approval are as set out in the Delegation of Authority.

## **Section 5: Governance Subcommittee**

1. There shall be a Governance Subcommittee. This shall be a subcommittee of the Trustee Board.
2. **Purpose**
  - 2.1. To ensure that the governance arrangements of the Association are effective and fit for purpose on an ongoing basis, and to identify opportunities to improve our governance.
3. **Remit**
  - 3.1. To review the effectiveness and clarity of our regulations on an annual basis, making recommendations for changes as required
  - 3.2. To review the functioning of the Board and its committees and consider any alterations to their remit or composition.
  - 3.3. To appoint an independent returning officer for elections and referenda
  - 3.4. To approve the election regulations on an annual basis
  - 3.5. To receive reports relating to our governance and democratic processes and make recommendations for action and further enhancement
  - 3.6. To ensure the Association meets its obligations under the 1994 Education Act, to carry out a review of its constitution every 5 years, and to ensure the Code of Practice agreed with the University is upheld.

- 3.7. To provide interpretation of constitutional documents (Articles, Regulations etc), and rule on any inconsistencies or transitional arrangements that may be required, in the best interests of the organisation.

#### **4. Membership and meetings**

4.1 The Governance Subcommittee will consist of:

4.3.3. The President

4.3.4. 1 additional Sabbatical Trustee (who will chair)

4.3.5. 2 Student Trustees

4.3.6. 1 External Trustee

4.3.7. Up to 2 External Lay Members appointed by the People and Culture subcommittee for a 2 year term, with the option of a second term.

4.4. The quorum of the meeting shall be 3 voting members, of which at least 2 must be sabbatical or student trustees.

4.5. The Director of Membership Support and Development shall attend meetings of the subcommittee but shall not be a voting member.

4.6. As required by the subcommittee, and in consultation with SMT, relevant members of Association staff may also be invited to attend meetings of the Committee as non-voting members.

4.7. Meeting frequency is approved by the Board of Trustees each year. Additional meetings may be called by the subcommittee or requested by the Board if this is required.

4.8. Questions arising at any meeting shall be determined by a majority of votes, and in the case of an equality of votes the Chair shall have a second or casting vote.

#### **5. Powers**

5.3. The Committee acts with the authority of the Trustee Board as set out in the Delegation of Authority document.

5.4. Aside from the Trustee Board, the Governance subcommittee shall have ultimate responsibility for the areas within its remit, although responsibility may be delegated to others, as per the Delegation of Authority document.

5.5. Subcommittee decisions subject to Trustee Board approval are as set out in the Delegation of Authority.

## **Regulation 2**

### **Trustee Board Delegation of Authority Regulations**

**Approved: Trustee Board, November 2017**

**To be read in conjunction with Regulation 1: Trustee Board Subcommittees Regulations and Regulation 5: Association Executive Regulations.**

## **Section 1: Purpose and Overview**

This document sets out the delegated powers and internal controls specified by the Trustee Board. It outlines the specific responsibilities of the Trustee Board, Subcommittees, Association Executive, Strategic Management Team and Heads of Department in relation to:

1. Recruitment and Staffing
2. Budgets and Financial Procedures
3. Legal and risk
4. Governance
5. Commercial Operations and Trading
6. Communications and Marketing
7. Strategic Planning and Development
8. Board Appointments
9. Other General Business of the Trustee Board.

This document clarifies the relationship between the Governance and Strategic oversight role of the Trustee Board and its associated committees, and the Strategic and Operational management role and authority of the Senior Management Team (CEO and Directors), and Heads of Department (who may then also delegate tasks to staff in their teams as they see fit).

This document should be read in conjunction with the document 'Subcommittees of the Trustee Board', and the 'Association Executive Regulations'

This Delegation of Authority can be amended by a majority vote of the Board of Trustees.  
Version 3 – November 2017

## Section 2: Delegation of Authority

	Board of Trustees	Relevant Subcommittee	SMT decisions/responsibilities (as a group, unless specified).	HoD decisions/responsibilities
<b>1. Scope</b>	<p>Sets direction and provides strategic framework.</p> <p>Has final approval on specified issues.</p>	<p>Examines issues within their remit in more detail. Makes considered recommendations to the Board.</p> <p>Has final approval on specified issues.</p>	<p>Highlight organisational issues.</p> <p>Bring relevant information/decisions to the Subcommittees/Board.</p> <p>Responsible for developing operational plans and responses to strategic direction set by Board.</p>	<p>Delivers to agreed plans and determines local responses.</p> <p>Bring relevant issues from their areas to SMT for wider consideration.</p>
<b>2. Recruitment and Staffing</b>	<p>Approve changes to management structure at SMT level</p> <p>Involvement in appointment of SMT roles</p> <p>Approve arrangements for appointment and remuneration of CEO</p> <p>Approve proposals for redundancies (over 3 staff)</p>	<p><b>People and Culture Subcommittee</b></p> <p>Governance responsibility for seeing that HR policy and procedure is fit for purpose and carried out.</p> <p>Approval of Association-wide pay award in conjunction with Finance, Audit and Risk Subcommittee.</p>	<p>Agree new posts below manager level where this will result in permanent headcount increase.</p> <p>Determine changes to the structure at manager level.</p> <p>Recruitment of SMT (CEO)</p> <p>Approve staffing restructuring within departments.</p>	<p>Propose new posts below manager level where resource is available.</p> <p>Recommend individual pay changes where resources are available.</p> <p>Minor departmental restructuring, or changes to individual employee roles.</p>

	<b>Board of Trustees</b>	<b>Relevant Subcommittee</b>	<b>SMT decisions/responsibilities (as a group, unless specified).</b>	<b>HoD decisions/responsibilities</b>
	Note reports from People and Culture subcommittee.	<p>Approve proposals for new staff appointments where changes would result in an increase in staff costs out with existing budgets.</p> <p>Recommend changes to standard Association terms and conditions.</p> <p>Approve amendments to employee policies</p> <p>Recommend / approve proposals for changes to HR strategy for the organisation.</p> <p>Receive staff satisfaction survey or similar reports and approve subsequent action to be taken.</p>	<p>Approve individual pay increases.</p> <p>Provide annual summary of fees paid to agencies/consultants (Finance Director)</p> <p>Approve proposals for small scale restructuring which involve redundancy of 3 or fewer members of staff.</p> <p>Approve staffing commitments funded by external income sources.</p> <p>Conduct employee consultations and negotiations.</p>	<p>Investigation/adjudication in disciplinary cases.</p> <p>Update and propose changes to staff policies and procedures (HR Manager)</p> <p>Recruitment and appointment of staff within department.</p>

	<b>Board of Trustees</b>	<b>Relevant Subcommittee</b>	<b>SMT decisions/responsibilities (as a group, unless specified).</b>	<b>HoD decisions/responsibilities</b>
		Report to the Trustee Board on HR matters.	<p>Determine recruitment appointment and remuneration of HoD.</p> <p>Approve departmental recruitment arrangements (individual SMT members)</p> <p>Adjudicate in disciplinary cases/appeals. (individual SMT members)</p> <p>Recruitment and appointment of Heads of Department. (individual SMT members)</p>	
<b>2. Budgets and Financial Procedures</b>	<p>Approval of annual budgets.</p> <p>Note Management Accounts plus quarterly update on financial forecasts and decisions arising.</p>	<p><b>Finance, Audit and Risk Subcommittee</b></p> <p>Scrutiny of annual budget.</p> <p>Scrutinise and approve specific unbudgeted capital expenditure of over £10k</p>	<p>Overall management of the budget to ensure that resources are utilised efficiently and effectively to deliver the Association's strategy.</p>	<p>Determine departmental budget.</p> <p>Management of departmental budget.</p> <p>Financial management and decision-making</p>

	<b>Board of Trustees</b>	<b>Relevant Subcommittee</b>	<b>SMT decisions/responsibilities (as a group, unless specified).</b>	<b>HoD decisions/responsibilities</b>
	<p>Approval of new financial instruments and loans (excluding leases for items of business equipment) in excess of £10k value.</p> <p>Approve Annual Accounts and prepare Trustee report.</p> <p>Appoint auditors and bankers.</p> <p>Approve recommendations for major capital investment.</p> <p>Note EUSACO budget.</p>	<p>including contingent and general funds.</p> <p>Formal approval of an increase in any one department's budget within the current year of over 10% or £10k, whichever is greater.</p> <p>Scrutinise quarterly results, departmental analysis, balance sheet, cashflow and capex review, and Director's report.</p> <p>Approve recommendations for changes to the policies and procedures regarding the distribution of money within the Association.</p> <p>Approval of additional expenditure in excess of</p>	<p>Recommend one-off unbudgeted items over £10k which are unusual or urgent, and needed for the proper running of EUSA or for legal reasons, in consultation with the Chair of the Finance, Audit and Risk Committee. Where the Chair is unavailable, another Trustee member of Finance, Audit and Risk Subcommittee must give their approval.</p> <p>Decisions on additional expenditure within 10% of departmental budget needed for the proper running of the business or for legal reasons. (Amounts above this are subject to approval by Finance, Audit and Risk Subcommittee)</p>	<p>below thresholds specified.</p>

	<b>Board of Trustees</b>	<b>Relevant Subcommittee</b>	<b>SMT decisions/responsibilities (as a group, unless specified).</b>	<b>HoD decisions/responsibilities</b>
		<p>10% of departmental budget.</p> <p>Report to the Board of Trustees on the Association's finances.</p>	<p>Project management of refurbishments or redevelopments as approved by the Board. (individual SMT member)</p>	
<b>3. Legal and Risk</b>	<p>Approve the Association's approach to managing risk.</p> <p>Approve annual strategic risk audit and update.</p>	<p><b>Finance, Audit and Risk subcommittee</b></p> <p>Review the Association's Risk Register and make recommendations accordingly.</p> <p>Consider and approve schedule of strategic risks.</p> <p>Consider and approve Business Continuity Plan.</p>	<p>Manage the organisation to follow our approach to risk, ensuring regular required risk assessment and management processes are carried out.</p> <p>Address legal and risk issues as they emerge.</p> <p>Authorise the seeking of legal advice. (individual SMT member)</p> <p>Inform the Board of urgent/material risks/legal</p>	<p>Day to day management of risk by HoD risk owners.</p> <p>Identifying and minimising risk in their own area.</p> <p>Compliance with internal policies and external legislation related to risk, health and safety etc</p>

	<b>Board of Trustees</b>	<b>Relevant Subcommittee</b>	<b>SMT decisions/responsibilities (as a group, unless specified).</b>	<b>HoD decisions/responsibilities</b>
			<p>issues requiring immediate consideration/action.</p> <p>Report on any ongoing legal/risk issues at each Board meeting. (Finance Director)</p> <p>Monitor the legislative/compliance context and make recommendations to the Finance Audit and Risk Subcommittee where changes to approach may be required.</p>	
<b>4. Governance</b>	<p>Ensure compliance with the Association's governance</p> <p>Approve changes to governing documents (prior to submission to student body where necessary).</p>	<p><b>Governance Subcommittee</b></p> <p>Note reports from Association Executive on significant campaigning and policy issues arising from our democratic structures that may impact on THE ASSOCIATION as an organisation and where</p>	<p>Monitor changes to key legislation/best practice, and make recommendations to the Governance Subcommittee where changes to approach may be required or are desirable.</p>	<p>Support and follow internal governance processes and procedures</p>

	<b>Board of Trustees</b>	<b>Relevant Subcommittee</b>	<b>SMT decisions/responsibilities (as a group, unless specified).</b>	<b>HoD decisions/responsibilities</b>
		<p>applicable referring it to the relevant subcommittee.</p> <p>Monitor compliance with governing documents.</p> <p>Annually review and recommend changes to Governing documents.</p>		
<b>4. Communications and Marketing</b>	Approval of major press statements in relation to organisational issues where there is reputational risk.	<p><b>Strategic Development Subcommittee</b> Receive reports on research with members and approve recommendations for action</p> <p><b>Association Executive</b> (not a subcommittee)</p> <p>Initial consultation and final approval regarding creative development, distribution and communication channels in relation to the</p>	<p>Approval of major press statements</p> <p>Approval of departmental plan.</p>	<p>Ensure delivery of marketing, sales and comms activity, including briefing external agencies, determining appropriate distribution and communications channels, approval and management of copy writing across all platforms.</p> <p>Devising and implementing marketing</p>

	<b>Board of Trustees</b>	<b>Relevant Subcommittee</b>	<b>SMT decisions/responsibilities (as a group, unless specified).</b>	<b>HoD decisions/responsibilities</b>
		<p>following Association campaigns:</p> <ul style="list-style-type: none"> <li>• Elections</li> <li>• Referenda</li> <li>• Campaigns originating from sabbatical objectives</li> <li>• Campaigns arising from democratic processes.</li> </ul> <p>Approval of major press statements.</p> <p>Official spokespeople for The Student's Association, in consultation with Marketing HoD / Deputy Head.</p>		<p>and comms plans in relation to operational/departmental activities, in liaison with relevant HoD.</p> <p>Preparation and approval of press releases in consultation with relevant staff and sabbatical officer.</p> <p>Recommend departmental budget.</p> <p>Determine departmental plan in consultation with relevant SMT member</p> <p>Delivery of agreed plan, and decision-making within the plan and budget.</p>

	<b>Board of Trustees</b>	<b>Relevant Subcommittee</b>	<b>SMT decisions/responsibilities (as a group, unless specified).</b>	<b>HoD decisions/responsibilities</b>
<b>5. Strategic Planning and Development</b>	<p>Initiation and monitoring of strategic planning process</p> <p>Approval of strategic plan and KPIs Note reports from the Strategic Development Subcommittee.</p>	<p><b>Strategic Development Subcommittee</b></p> <p>Determine strategic and departmental planning process and timescales for creation, review and reporting.</p> <p>Review progress towards plan and KPIs</p> <p>Report to Trustee Board on progress towards plan.</p>	<p>Implement strategic planning process and subsequent monitoring.</p> <p>Contribute to development of Strategic Plan</p> <p>Ensure membership research informs Strategic Planning process.</p> <p>Approve annual departmental plans in line with Strategic Plan.</p>	<p>Contribute to development of Strategic Plan.</p> <p>Set, deliver and report on annual departmental plans aligned with long term Strategic Plan.</p>
<b>6. Board Appointments</b>	<p>Approve appointment of External Trustees</p>	<p><b>People and Culture Subcommittee</b></p> <p>Make recommendations for the appointment of External Trustees.</p>	<p>Co-ordination of recruitment process.</p> <p>Manage induction for new trustees.</p>	<p>Involvement in informal aspects of recruitment process</p>
<b>7. General Business</b>	<p>Discussion of significant issues of which the Board need to be aware.</p>		<p>Preparation of annual block grant submission to University in consultation</p>	<p>Writing Board papers as required in relation to their area.</p>

	<b>Board of Trustees</b>	<b>Relevant Subcommittee</b>	<b>SMT decisions/responsibilities (as a group, unless specified).</b>	<b>HoD decisions/responsibilities</b>
	<p>Note reports from Association Executive on significant campaigning and policy issues arising from our democratic structures that may impact on EUSA as an organisation and where applicable referring it to the relevant subcommittee.</p> <p>Request reports on specific issues where necessary.</p>		<p>with SMT and Association Executive (CEO)</p> <p>Report to Board meetings on activities, progress, issues and difficulties.</p> <p>Give feedback and debrief on major projects</p>	<p>Give feedback and debrief on projects.</p>

# Regulation 3

## Sabbatical Officer Regulations

Approved: Trustee Board, May 2017

- Originally created September 2014
- Revised by Trustee Board November 2016 following Referendum in March 2016.
- This version Approved by Trustee Board May 2017, also in line with Referendum in March 2016

### Section 1: Overview

1. This regulation should be read in conjunction with section 10.3 of the Edinburgh University Students' Association Articles of Association.

### Section 2: Office bearers

1. There will be five Sabbatical Officers. These are:
  - 1.1. President: whose remit will include: all non-academic University issues, role as University Court member, Association spokesperson, Trustee Board chair, Association internal operations (Finance/HR)
  - 1.2. Vice President Activities and Services: whose remit will include: commercial services, societies, volunteering, student opportunities, student development.
  - 1.3. Vice President Community: whose remit will include: housing, environment, sustainability, transport, local council and citizenship, University estates liaison
  - 1.4. Vice President Education: whose remit will include: all academic matters, central University representation, course reps, College and School liaison
  - 1.5. Vice President Welfare: whose remit will include: student safety, wellbeing, mental and physical health, campus cohesion.
2. Detailed role descriptions are listed in section B.

### Section 3: Terms of Office

1. Sabbatical Officers may serve a maximum of 2 terms of office, subject to re-election. Any person having previously served 2 terms as a Sabbatical Officer (or any previous major union office as defined in section 22(2)(d) of the Education Act 1994) will not be eligible to stand for election to, or otherwise serve as, sabbatical officers.
2. In line with section 2.3 of the University's Lough Year Regulations, individuals seeking to run for a 2<sup>nd</sup> consecutive term should seek confirmation of academic approval in principle from their School for a further year away from study, and provide this to the Association prior to submitting a nomination for election.

## Section 4: Amendments to these regulations

1. Amendments to Sections 1 – 4 of these regulations will require a simple majority decision by the Trustee Board and a decision by referendum held in accordance with the prevailing regulations within the Student Democracy Regulations relating to referenda. For the avoidance of doubt a referendum held under Article 8.16 of the Association will only be used in the absence of referenda provision in the Student Democracy Regulations.
2. Amendments to Section 5 of these regulations will require a simple majority decision by the Trustee Board.

## Section 5: Roles and Responsibilities

1. The role and responsibilities of each sabbatical officer is outlined as:

### 1.1. President

<ul style="list-style-type: none"> <li>• Core Purpose</li> </ul>	<ul style="list-style-type: none"> <li>• Responsible for the student leadership of the organisation through the role as chair of Association Executive and the Students' Association Trustee Board.</li> </ul>
<ul style="list-style-type: none"> <li>• <b>Lead</b> representation / relationships with University</li> </ul>	<ul style="list-style-type: none"> <li>• Leads on overall representation and liaison with the University.</li> <li>• Leads on representation and liaison with the University on Finance, HE Funding, and Estates.</li> </ul>
<ul style="list-style-type: none"> <li>• Other Relationships with University (Issues / Departments)</li> </ul>	
<ul style="list-style-type: none"> <li>• <b>Lead</b> Representation / Relationships to others</li> </ul>	<ul style="list-style-type: none"> <li>• Ex Officio attendee at NUS Conference and NUS Events.</li> <li>• Lead spokesperson for the Officer team with the Media</li> </ul>
<ul style="list-style-type: none"> <li>• Other Relationships with others</li> </ul>	<ul style="list-style-type: none"> <li>• Represents the Association at NUS events.</li> </ul>
<ul style="list-style-type: none"> <li>• Supports Student Reps</li> </ul>	<ul style="list-style-type: none"> <li>• Coordinates the Sabbatical Officer team</li> </ul>
<ul style="list-style-type: none"> <li>• Supports Student groups</li> </ul>	

<ul style="list-style-type: none"> <li>• <b>Lead</b> tasks / Internal business</li> </ul>	<ul style="list-style-type: none"> <li>• Provides oversight on the financial, legal, HR and strategic activity of the organisation through the Trustee Board and Sub Committees.</li> </ul>
<ul style="list-style-type: none"> <li>• Committees</li> </ul>	<ul style="list-style-type: none"> <li>• Member of, and attendee at, University committees and Association committees as per Schedule. (see new Committee document)</li> <li>• Chairs Trustee Board</li> <li>• Chairs Association Executive</li> </ul>

## 1.2. VP Education

<ul style="list-style-type: none"> <li>• Core Purpose</li> </ul>	<ul style="list-style-type: none"> <li>• To support effective academic experience</li> <li>• Leads on representation and liaison with the University, centrally and at College and School level, on matters relating to academic provision</li> </ul>
<ul style="list-style-type: none"> <li>• <b>Lead</b> representation / relationships with University</li> </ul>	<ul style="list-style-type: none"> <li>• Co-ordinates and leads campaigns and projects in relation to all elements of the academic experience, including learning and teaching, academic facilities, quality assurance and enhancement, university academic policy and processes.</li> </ul>
<ul style="list-style-type: none"> <li>• Other Relationships with University (Issues / Departments)</li> </ul>	<ul style="list-style-type: none"> <li>• Association spokesperson on academic and education issues.</li> <li>• Leads on relationships with Academic Services, University Schools and Colleges, Institute for Academic Development</li> </ul>
<ul style="list-style-type: none"> <li>• <b>Lead</b> Representation / Relationships to others</li> </ul>	<ul style="list-style-type: none"> <li>• Represents the Association at SPARQS events.</li> </ul>

<ul style="list-style-type: none"> <li>• Other Relationships with others</li> </ul>	<ul style="list-style-type: none"> <li>• Participates in relevant NUS events</li> </ul>
<ul style="list-style-type: none"> <li>• Supports Student Reps</li> </ul>	<ul style="list-style-type: none"> <li>• Support Class and School representatives</li> </ul>
<ul style="list-style-type: none"> <li>• Supports Student groups</li> </ul>	<ul style="list-style-type: none"> <li>• Lead student officer in relation to our Peer Learning provision</li> </ul>
<ul style="list-style-type: none"> <li>• <b>Lead</b> tasks / Internal business</li> </ul>	<ul style="list-style-type: none"> <li>• Association spokesperson on academic and education issues.</li> </ul>
<ul style="list-style-type: none"> <li>• Committees</li> </ul>	<ul style="list-style-type: none"> <li>• Member of, and attendee at, University committees and Association committees as per Schedule.</li> <li>• Chairs Governance Subcommittee</li> </ul>

### 1.3. VP Activities and Services

<ul style="list-style-type: none"> <li>• Core purpose</li> </ul>	<ul style="list-style-type: none"> <li>• Leads on representation and liaison with the University and beyond on matters relating to Student opportunities, societies and volunteering and social enterprises.</li> <li>• Lead representative in relation to the Association's commercial services, space and facilities.</li> <li>• Co-ordinates and leads campaigns and projects in relation to student development, student opportunities, societies and volunteering and social enterprises.</li> </ul>
<ul style="list-style-type: none"> <li>• <b>Lead</b> representation / relationships with University</li> </ul>	<ul style="list-style-type: none"> <li>• Leads on relationships with relevant University teams focussed on student development and opportunities, including Careers, Employability consultancy, Launch.Ed.</li> </ul>

<ul style="list-style-type: none"> <li>• Other Relationships with University (Issues / Departments)</li> </ul>	
<ul style="list-style-type: none"> <li>• <b>Lead</b> Representation / Relationships to others</li> </ul>	<ul style="list-style-type: none"> <li>• Leads on relationships with other activities providers including the Sports Union and Edinburgh Students' Charities Appeal (ESCA).</li> </ul>
<ul style="list-style-type: none"> <li>• Other Relationships with others</li> </ul>	<ul style="list-style-type: none"> <li>• Represents the Association at NUS events.</li> </ul>
<ul style="list-style-type: none"> <li>• Supports Student Reps</li> </ul>	<ul style="list-style-type: none"> <li>• Supports Activities Reps</li> </ul>
<ul style="list-style-type: none"> <li>• Supports Student groups</li> </ul>	<ul style="list-style-type: none"> <li>• Represents the interests of Societies and other student groups</li> </ul>
<ul style="list-style-type: none"> <li>• <b>Lead</b> tasks / Internal business</li> </ul>	<ul style="list-style-type: none"> <li>• Association spokesperson on the Association's commercial services, space and facilities.</li> </ul>
<ul style="list-style-type: none"> <li>• Committees</li> </ul>	<ul style="list-style-type: none"> <li>• Member of, and attendee at, University committees and Association committees as per Schedule.</li> <li>• Chairs Strategic Development Subcommittee</li> <li>• Chairs Activities Executive</li> </ul>

#### 1.4. VP Community

<ul style="list-style-type: none"> <li>• Core purpose</li> </ul>	<ul style="list-style-type: none"> <li>• Leads on representation and liaison with the University and beyond on matters relating to students as local residents, including housing, the environment, sustainability, transport, local council and citizenship.</li> <li>• Co-ordinates and leads campaigns and projects in relation to housing, environment, sustainability, transport, citizenship.</li> </ul>

<ul style="list-style-type: none"> <li>• <b>Lead</b> representation / relationships with University</li> </ul>	<ul style="list-style-type: none"> <li>• Lead on the relationship with the University Social Responsibility and Sustainability department.</li> <li>• Contribute to and inform University strategy on local community issues, and on sustainability issues.</li> <li>• Lead on University Accommodation issues</li> </ul>
<ul style="list-style-type: none"> <li>• Other Relationships with University (Issues / Departments)</li> </ul>	<ul style="list-style-type: none"> <li>• Contribute to wider University estates issues.</li> </ul>
<ul style="list-style-type: none"> <li>• <b>Lead</b> Representation / Relationships to others</li> </ul>	<ul style="list-style-type: none"> <li>• Leads on relationships with the City Council, local residents and local community group including to facilitate student representation on Community Councils, Neighbourhood partnerships and other local stakeholder groups.</li> </ul>
<ul style="list-style-type: none"> <li>• Other Relationships with others</li> </ul>	<ul style="list-style-type: none"> <li>• Represents the Association at NUS events.</li> </ul>
<ul style="list-style-type: none"> <li>• Supports Student Reps</li> </ul>	
<ul style="list-style-type: none"> <li>• Supports Student groups</li> </ul>	<ul style="list-style-type: none"> <li>• Liaises with and represents the interests of student community and volunteering groups</li> </ul>
<ul style="list-style-type: none"> <li>• <b>Lead</b> tasks / Internal business</li> </ul>	<ul style="list-style-type: none"> <li>• Leads on sustainability aspects of Association services.</li> <li>• Association spokesperson on community issues.</li> </ul>
<ul style="list-style-type: none"> <li>• Committees</li> </ul>	<ul style="list-style-type: none"> <li>• Member of, and attendee at, University committees and Association committees as per Schedule.</li> <li>• Chairs Finance, Risk and Audit Subcommittee</li> </ul>

### 1.5. VP Welfare

<ul style="list-style-type: none"> <li>• Core purpose</li> </ul>	<ul style="list-style-type: none"> <li>• Leads on representation and liaison with the University on matters relating to student wellbeing and student support provision, and on equality and diversity.</li> <li>• Co-ordinates and leads campaigns and projects in relation to welfare, and equality and diversity issues, including student safety, mental and physical health and wellbeing, and inclusion.</li> </ul>
<ul style="list-style-type: none"> <li>• <b>Lead</b> representation / relationships with University</li> </ul>	<ul style="list-style-type: none"> <li>• Lead on the relationship with student support services, including Counselling, Student Disability, Chaplaincy.</li> <li>• Lead representative on Equality and Diversity development and initiatives within the university</li> <li>• Contributes to and informs the development and implementation of relevant university strategies (e.g Mental Health Strategy, support for Disabled students)</li> <li>• Leads on campus cohesion. Faith groups, liaison with chaplaincy</li> </ul>
<ul style="list-style-type: none"> <li>• Other Relationships with University (Issues / Departments)</li> </ul>	
<ul style="list-style-type: none"> <li>• <b>Lead</b> Representation / Relationships to others</li> </ul>	<ul style="list-style-type: none"> <li>• Represents the Association at NUS events.</li> </ul>
<ul style="list-style-type: none"> <li>• Other Relationships with others</li> </ul>	
<ul style="list-style-type: none"> <li>• Supports Student Reps</li> </ul>	<ul style="list-style-type: none"> <li>• Supports Liberation officers and Section representatives</li> </ul>
<ul style="list-style-type: none"> <li>• Supports Student groups</li> </ul>	
<ul style="list-style-type: none"> <li>• <b>Lead</b> tasks / Internal business</li> </ul>	<ul style="list-style-type: none"> <li>• Association spokesperson on welfare, and equality and diversity issues .</li> </ul>

	<ul style="list-style-type: none"> <li>• Sabbatical Officer liaison with the Advice Place.</li> <li>• Ensures accessibility to Students Association services.</li> <li>• Leads on student safety issues.</li> </ul>
<ul style="list-style-type: none"> <li>• Committees</li> </ul>	<ul style="list-style-type: none"> <li>• Member of, and attendee at, University committees and Association committees as per Schedule.</li> <li>• Chairs People and Culture Subcommittee</li> </ul>

## Regulation 4

### Student Democracy Regulations

Approved: Trustee Board, November 2016

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#### Section 1: Democratic Structures

## **1. The Role of the Democratic Structures**

### 1.1. There shall be Democratic Structures which:

- 1.1.1. Are clear, transparent and facilitate accountability;
- 1.1.2. Are inclusive, maximise opportunities for student involvement and embody equal opportunities for all;
- 1.1.3. Are open and easy for students to interact with;
- 1.1.4. Facilitate effective interaction with the University at all levels, to represent all University of Edinburgh students;
- 1.1.5. Ensure effective transmission of University of Edinburgh student views to the University and external bodies;
- 1.1.6. Ensure accountability for decisions and actions taken by and on behalf of the representative structures of the Association as set out in this Regulation;
- 1.1.7. Aim to accurately translate the views of the student body into policy and campaigns, and represent student interests for the improvement of the student experience at the University of Edinburgh.

## **2. Bodies of the Democratic Structures**

### 2.1. The Democratic Structures shall comprise the following bodies:

- 2.1.1. Online Referenda, which shall also have association-wide powers;
- 2.1.2. The Student Council;
- 2.1.3. The Association Executive, which shall also have association-wide powers;
- 2.1.4. Activities Executive.

## **3. Elected Officers**

### 3.1. There shall be elected officers who ensure that the work of the Democratic Structures is carried out.

### 3.2. The elected officers shall comprise:

- 3.2.1. The Sabbatical Officers, whose roles shall be outlined in the Sabbatical Officers regulation;
- 3.2.2. Five Liberation Officers;
  - a) Black and Minority Ethnic (BME) Officer
  - b) Disabled Students' Officer
  - c) LGBT+ Officer
  - d) Trans and Non-Binary Officer
  - e) Women's Officer
- 3.2.3. Eight Section Representatives;
  - a) Commuter Students' Representative
  - b) International Student Representative
  - c) Mature Student Representative
  - d) Part-time Student Representative
  - e) Student Carers Representative
  - f) Student Parents Representative
  - g) Postgraduate Taught Representative
  - h) Postgraduate Research Representative
- 3.2.4. Activities Representatives (societies and volunteering);

- 3.2.5. An Undergraduate School Representative for each School;
- 3.2.6. A Postgraduate Taught School Representative for each School;
- 3.2.7. A Postgraduate Research School Representative for each School
- 3.3. The above elected officers shall be members of Student Council along with:
  - 3.3.1. The Sports Union President or a nominee from the Edinburgh University Sports Union Executive Committee.
  - 3.3.2. An student representative from Edinburgh Students' Charities Appeal (ESCA) appointed by ESCA.

## **Section 2: Elections**

### **1. Cross Campus Ballots**

- 1.1. In the Second Semester there shall be a General Election which shall be a cross-campus ballot.
- 1.2. The following positions shall be elected at the General Election:
  - 1.2.1. The Sabbatical Officers;
  - 1.2.2. Five Liberation Officers;
    - a) Black and Minority Ethnic (BME) Officer
    - b) Disabled Students' Officer
    - c) LGBT+ Officer
    - d) Trans and Non-Binary Officer
    - e) Women's Officer;
  - 1.2.3. Eight Section Representatives;
    - a) Commuter Students' Representative
    - b) International Students' Representative
    - c) Mature Students' Representative
    - d) Part-time Students' Representative
    - e) Student Carers' Representative
    - f) Student Parents' Representative
  - 1.2.4. Activities Representatives (societies and volunteering);
  - 1.2.5. An Undergraduate School Representative for each School;
- 1.3. Those elected to these positions shall serve a term of office of one year, beginning in June of the year of the election.
- 1.4. Other positions, as required by the Association, will also be elected by Cross-Campus Ballot.
- 1.5. In the First Semester there shall be a By Election which shall be a cross-campus ballot.
  - 1.5.1. The following positions shall be elected at the By Election:
    - a) A Postgraduate Taught School Representative for each School;
    - b) A Postgraduate Research Representative for each School;
    - c) A Postgraduate Taught Representative;
    - d) A Postgraduate Research Representative.
- 1.6. At these elections will also be elected other positions as required by the association.

- 1.7. Those elected to these positions shall serve a term of office of approximately one year beginning immediately and ending at the next year's By Election.
- 1.8. In addition, any posts which remain vacant from the General Election shall be elected in the By Election for the remainder of the one year term of office.

## **2. Eligibility to stand and vote in cross-campus ballots**

- 2.1. Eligibility to stand in all these elections shall be restricted to Members.
- 2.2. Eligibility to vote for Sabbatical Officers shall be restricted to Members and Life members, eligibility to vote for all other positions laid out here shall be restricted to Members.
- 2.3. Eligibility to stand in the following elections shall be further restricted:
  - 2.3.1. Only Undergraduate students in a given School shall be eligible to stand to be its Undergraduate School Representative.
  - 2.3.2. Only Postgraduate Taught students in a given School shall be eligible to stand to be its Postgraduate Taught School Representative.
  - 2.3.3. Only Postgraduate Research students in a give School shall be eligible to stand to be its Postgraduate Research School Representative
  - 2.3.4. Only students in a given section shall be eligible to stand in the election for the Section Representative.
  - 2.3.5. Only students who are current members of a society or volunteering group shall be eligible to stand in the election for the Activities Representatives.
  - 2.3.6. Only students who self-define into a given liberation group can stand in the election for the Liberation Officer.
- 2.4. Eligibility to vote shall be further restricted for the following posts:
  - 2.4.1. Only those who self-define into a given liberation group can vote in the election for the Liberation Officer
  - 2.4.2. Only students who are part of a given school can vote in the elections for School Representative positions.
  - 2.4.3. Only students in a given section group can vote in the election for the Section Representative.

## **3. Running of cross-campus ballot elections**

- 3.1. The elections shall be run in accordance with the Election Regulations as upon ruled by the Returning Officer.

## **Section 3: Budgets**

1. The total budget for the democratic structures shall be set by the Board of Trustees.
2. The Association Executive shall, before the start of the academic year, allocate the budget to the following bodies:
  - 2.1. The Student Council;
  - 2.2. The Association Executive;
  - 2.3. Any other elected representatives or groups of representatives which Association Executive agree should have their own budget.

3. The Student Council cannot increase or decrease its overall budget but it may in the first six weeks of the academic year through an extraordinary motion, amend the allocation of any funds within the Student Council budget.

## **Section 4: Policy**

1. Policy constitutes establishing principles or practices which shall have implications for the future direction of the Association.
2. Policy, actions and budgets passed through the democratic structures should be forwarded to the Association Executive for information and to ensure that actions do not violate the law or otherwise require action which would be unlawful and/or bring the association into disrepute.
3. A record of all policy passed through the various structures should be kept centrally and be made publicly available.

## **Section 5: Online Referenda**

### **1. Role of Online Referenda**

- 1.1. Outside of General Meetings, online referenda shall be the sovereign decision-making mechanism of the democratic processes of the Association.
- 1.2. Decisions made by Online Referenda shall be binding on the Association. The Association shall seek to implement Referendum decisions and communicate the outcome of any referenda to the student body.
- 1.3. All Members shall be entitled to vote in each online referendum.

### **2. Referendum Proposal**

- 2.1. A Referendum Proposal is a single proposal that voters may agree or disagree with.
  - 2.1.1. Voting for the 'For Response' indicates that the changes proposed should be implemented, while a vote for the 'Against Response' is a vote for no changes to be implemented.
  - 2.1.2. The For and Against Responses will be a full sentence succinctly explaining the two options.
  - 2.1.3. Each Referendum Proposal shall explain three things:
    - a. The changes being proposed.
    - b. The reasons behind the changes.
    - c. The other relevant implications of the changes.

### **3. Submission and Acceptance of Referendum Proposal**

- 3.1. Referendum Proposal may be submitted through any of three different mechanisms:
  - 3.1.1. Any Member may present a Referendum Proposal to Association Executive with the signatures of at least 500 Members.
  - 3.1.2. The Student Council may submit a Referendum Proposal through an Extraordinary Motion.
  - 3.1.3. Association Executive may submit a Referendum Proposal by a two thirds majority vote.

- 3.2. Once the Proposal is submitted the Association Executive shall issue notice for an Opposer to the Proposal to come forward.
- 3.3. A member of Association Executive will work with the Proposer and Opposer to amend the Proposal to fit the following criteria:
  - 3.3.1. That it maintains the original spirit of the question.
  - 3.3.2. That where costs are incurred they are offset elsewhere, making the Proposal revenue-neutral or generate a surplus.
  - 3.3.3. That there are no factual inaccuracies and that the facts included are relevant.
  - 3.3.4. That there is a For Response and an Against Response which are not leading.
  - 3.3.5. That the consequences of the Proposal are unambiguous.
  - 3.3.6. That there has been consultation which must include a presentation to Student Council.
  - 3.3.7. That the Referendum Proposal will not cause the Association to act illegally or outwith its charitable objectives.
- 3.4. In the case where the Students' Association is asked to take a stance then there will be two successive questions:
  - 3.4.1. Should the Students' Association take a stance on X.
  - 3.4.2. If the Students' Association is to take a stance should it be Z or Y.
- 3.5. In the case where the Students' Association is asked to commit to two contradictory statements then there will be two successive questions.
- 3.6. The Proposal shall be considered 'accepted' and will go forward to the next available Referendum Period when Association Executive considers that the Proposal meets these criteria.

#### **4. Referendum Periods**

- 4.1. A Referendum Period shall be the period of time between when a referendum is called and the referendum results are announced.
- 4.2. There may be up to eight Referendum Proposals put forward in any Referendum Period.
- 4.3. Referendum Periods must be held entirely within University term time.
- 4.4. Each Referendum Period shall comprise three immediately consecutive periods:
  - 4.4.1. A Planning Period where For and Against teams are formed and For and Against Statements may be submitted.
  - 4.4.2. A Campaigning Period where For and Against teams campaign to the student body, subject to the rules laid out in the Election Regulations of the Association.
  - 4.4.3. A Voting Period where votes are cast.
- 4.5. The Referendum Period must last no longer than four weeks.
- 4.6. The Planning Period must last no less than one week.
- 4.7. The Campaigning Period must last no less than one week.
- 4.8. The Voting Period must include no less than forty-eight hours of weekday time.
  - 4.9. The Returning Officer for Referenda will be the Association's Returning Officer who is responsible for the oversight of the referenda and must be

able to be satisfied that referenda have been conducted fairly and freely and in accordance with this Regulation and Election regulations.

## **5. Calling a Referendum Period**

- 5.1. A Referendum Period can be called by the Association Executive at any point when more than one Referendum Proposal has been accepted.
- 5.2. The Association Executive must call a Referendum Period as soon as reasonably possible after four Referendum Proposals have been accepted.
- 5.3. The calling notice for a Referendum Period shall inform the student body of the accepted Referendum Proposals, the dates of the Campaigning and Voting periods, the budget allocated to the campaign teams, and the date, time and location of the Referendum Debates. This calling notice will be widely publicised to the student body.
- 5.4. Referendum Proposals submitted after the calling notice will be carried over to the next Referendum.
- 5.5. The Planning Period shall begin immediately following the calling notice.

## **6. Referendum Campaigns**

- 6.1. Only two campaigns for each Referendum Proposal shall be permitted and funded – one 'For' campaign and one 'Against' campaign.
- 6.2. The original Proposer and Opposer of the Referendum Proposal shall be the key respective contacts for the For and Against campaigns.
- 6.3. The key contacts for the two campaigns shall be in contact with relevant election officials throughout the campaigning period and shall attend, or send a deputy to, any official briefings held.
- 6.4. If a campaign does not send a representative to any official briefing without good reason the campaign will be deemed to have withdrawn and no further funding will be given.
- 6.5. The individual budgets for the campaign teams during a given Referendum Period shall be equal and set by the Association Executive.
- 6.6. Students' Association Societies and University of Edinburgh Sports' Clubs may endorse the For or Against campaign for any question.
- 6.7. The Students' Association reserves the right to put forward neutral and factual information to facilitate informed debate.

## **7. Referendum Debate**

- 7.1. There shall be at least one Referendum Debate held during the Campaign Period.
- 7.2. Where there is a For and Against campaign for a Referendum Proposal they should be given equal time in the debate.

## **8. Referendum Voting Period**

- 8.1. Voting shall take place online.
- 8.2. The voting page shall display:
  - 8.2.1. A full explanation of the consequences of the Proposal.
  - 8.2.2. A statement from both the For and the Against campaigns.
  - 8.2.3. The names of any Students' Association Societies or University of Edinburgh Sports Clubs who have endorsed one of the campaigns.



8.2.4. Three voting options:

- a) For
- b) Against
- c) Abstain

8.2.5. Students also have the option to Skip Question

8.2.6. A video from the Referendum Debate

8.3. The total number of votes cast is the sum of votes cast For, Against and Abstain;

8.4. In the case where the Proposal would amend the regulations there must be 2000 votes For or a two thirds majority of votes cast, whichever is greater, for the decision to be binding;

8.5. In all other cases there must be 1000 votes For or a simple majority of votes cast, whichever is greater, for the decision to be binding.

## **9. The Referendum Outcomes**

9.1. The results of the Referendum Period should be publicised to the student body as soon as possible.

9.2. The Association Executive shall be responsible for implementing the decisions of the referenda.

## **Section 6: The Student Council**

### **1. Role of the Student Council**

1.1. The primary mechanism for the discussion and initiation of action on all matters shall be Student Council.

1.2. Student Council shall be the primary mechanism through which student population can scrutinise the work of the elected officers and organisers.

1.3. Student Council shall have the power to approve societies and their affiliation to the Association, following recommendation from Activities Executive.

1.4. Student Council meetings will be open to all students and advertised so that attendance by students is maximised.

1.5. The budget of Student Council shall be held by the elected membership of the Student Council, and shall only be accessed through a majority vote of these elected members.

### **2. Running of Student Council meetings**

2.1. Student Council meetings shall be run in accordance with the Standing Orders and the Students' Association's Safe Space Policy.

2.2. Any member of the Association may attend Student Council, submit motions, speak and vote.

2.3. Student Council meetings must be held during a week day of semester time.

2.4. Student Council will meet regularly and the frequency of these meetings shall be determined by the Association Executive, with a minimum of three meetings in both the First and Second Semester.

2.5. The draft running order and agenda for Student Council shall be agreed by the Student Council Facilitator and published online at least seven days before the Student Council meeting.

### **3. Student Council Policy**

- 3.1. An Ordinary Motion shall have the power to set Association policy, or allocate or access funds from the Student Council budget.
- 3.2. An Extraordinary Motion shall have the power to censure an officer, amend these regulations or submit a Referendum Proposal.
- 3.3. An Ordinary Student Council motion may be brought either by twenty signatures of Members or by Association Executive.
- 3.4. An Extraordinary Student Council motion may be brought either by forty signatures of Members or by Association Executive.
- 3.5. The Association Executive will add it to the agenda of the next available meeting of that Student Council.
- 3.6. Motions must be distributed to the membership at least seven days before the Student Council meeting.
- 3.7. Amendments may change the meaning of a Motion, or even reverse the meaning entirely, but must not change the subject that the Motion discusses.
- 3.8. For an Amendment to a Motion to be accepted on the Agenda of a given Student Council meeting it must be submitted to the Student Council Facilitator no fewer than five days before the Meeting.
- 3.9. Policies shall be deemed to have lapsed after 4 years unless they are readopted by Student Council, or they are subsequently replaced, overturned or amended. Policies which are due to lapse shall be discussed each year by Student Council.
- 3.10. Policy may not be overturned within three months of its initial passing.
- 3.11. Student Council policy may be sent back for reconsideration by Association Executive, by a two third majority vote, providing it meets one of the following criteria:
  - 3.11.1. That the policy will cause the Association to act illegally or outwith its charitable objectives.
  - 3.11.2. That the policy would contradict previous policy of the past three months.

### **4. Emergency Meetings**

- 4.1. The Association Executive, 15 Elected Officers, or 30 Members shall be able to call an Emergency Meeting providing that:
  - 4.1.1. The meeting only discusses matters which cannot wait until the next Ordinary Meeting.
  - 4.1.2. The meeting only discusses the matters for which the meeting was called.
  - 4.1.3. Three working days' notice is given to Members.

### **5. Student Council Facilitator**

- 5.1. There shall be a paid and trained Student Council Facilitator who shall chair Student Council meetings.

- 5.2. The Student Council Facilitator shall be responsible for ruling on any part of the Articles, the Democracy Regulations, the Standing Orders and Safe Space Policy which relates to the running of the meeting.
- 5.3. They shall:
  - 5.3.1. Be impartial and not participate in debate, or submit ideas to Student Council.
  - 5.3.2. Be unable to vote at Student Council but shall be able to vote in Student Council online ballots of members.
  - 5.3.3. Ensure the debate is orderly, conducted in accordance with these Democracy Regulations, the Standing Orders, and Safe Space Policy.
  - 5.3.4. Decide the order of the agenda and the order and length of debate, and make changes to these during the meeting if necessary.
  - 5.3.5. Be responsible for ensuring that debates are participative, productive and balanced.
  - 5.3.6. Adjourn the meeting, or remove speaking rights from individuals, if necessary to ensure the good conduct of the meeting.
  - 5.3.7. Remove any person present from the remainder of the meeting who is preventing the meeting from proceeding in a fair and democratic manner or otherwise in accordance with these Democracy Regulations, the Standing Orders or Safe Space Policy.
- 5.4. The Association Executive shall ensure that Student Council meetings are facilitated effectively through a substitute if the Student Council Facilitator is unable to attend. A member of Association Executive shall chair Student Council if the Student Council Facilitator is not in attendance.

## **6. Debate at Student Council**

- 6.1. Any member of the Association may speak at Student Council meetings in order to:
  - 6.1.1. Ask a question
  - 6.1.2. Give speeches for or against motions and amendments
  - 6.1.3. State a practical point of clarification
  - 6.1.4. Make a comment
  - 6.1.5. Ask for a change to meeting proceedings
- 6.2. The order of debate shall be decided by the Student Council Facilitator. This shall normally include:
  - 6.2.1. Speeches for a motion or expenditure request
  - 6.2.2. Speeches for and against amendments
  - 6.2.3. Vote on amendments
  - 6.2.4. Speeches against a motion or expenditure request
  - 6.2.5. Questions and comments
  - 6.2.6. Summation
  - 6.2.7. Vote on motion or expenditure request
- 6.3. Debate at Student Council shall run in accordance with the Students' Association Safe Space Policy.

## **7. Voting at Student Council**

- 7.1. Following debate on motions at Student Council a vote shall take place.



- 7.2. Elected members of Student Council shall consult their student constituents on motions and issues to be voted on at Student Council in order to represent their views.
- 7.3. The vote of an elected member of Student Council counts for 1.5 votes, compared to 1 for a vote from an unelected member.
- 7.4. If an Ordinary Motion receives 67% or more of the total votes in favour, then it shall become Association policy.
- 7.5. If an Ordinary Motion receives less than 33% of the total votes in favour, then it shall not become Association policy.
- 7.6. If an Ordinary Motion receives fewer than 67% of votes in favour but more than 33%, then the Ordinary Motion will be referred to an online ballot where all members of the Association will get the chance to vote on the issue in accordance with Section 6.8.
- 7.7. An Extraordinary Motion shall pass if it receives 67% or more of the total votes, or fifty votes, whichever is greater, in favour at Student Council. It shall then become Association policy.
- 7.8. If an Extraordinary Motion receives less than 67% of the total votes in favour at Student Council, then it shall not become Association policy.
- 7.9. An Extraordinary Motion will not proceed to Student Council online ballot of members if the motion receives less than 67% of the total votes in favour at Student Council.
- 7.10. The voting records of all Elected Representatives, excluding the Liberation Officers, shall be compiled and published by the Students' Association after each Student Council motion.

#### **8. Student Council online ballots of members**

- 8.1. Student Council online ballots of members shall be held if an Ordinary Motion at a Student Council meeting receives fewer than 67% of votes for but more than 33%, as outlined in Section 6.7.
- 8.2. Student Council online ballots shall take the form of a secret ballot in which all members are asked to vote either for, against or abstain to an Ordinary Motion or Ordinary Motions.
- 8.3. The Ordinary Motion(s) to be voted on shall normally be posted on the Students' Association website within four working days after the Student Council meeting in which the Ordinary Motion(s) to be balloted was discussed.
- 8.4. Online ballots shall be communicated to students.
- 8.5. For each Ordinary Motion put to a Student Council online ballot of members the quorum shall be the total number of votes for and against plus one which were cast on the Ordinary Motion(s) at the Student Council meeting at which it was discussed. Abstentions shall not count towards the total votes.
- 8.6. An Ordinary Motion(s) shall pass at a Student Council online ballot of members if a majority of the total votes are in favour and the quorum outlined in Section 6.8.5 is met.
- 8.7. Student Council online ballots will be open for two working days.

- 8.8. Results will normally be announced within two working days after the ballots close.
- 8.9. If an Ordinary Motion(s) passes at Student Council online ballot of members then it shall become Association policy.

#### **9. Accountability at Student Council**

- 9.1. Each of the Sabbatical Officers shall submit a report to each sitting of Student Council for scrutiny and approval. This report shall include recommendations for the approval of societies wishing to affiliate to the organisation.
- 9.2. If two reports from a Sabbatical Officer are rejected by Student Council in one semester a member of Association Executive shall bring a vote of censure to the next meeting of Student Council.

#### **10. Policy Passes at Student Council**

- 10.1. All policy passed at Student Council shall be referred to Association Executive.

### **Section 7: The Association Executive**

1. The role, remit, membership and powers of the Association Executive shall be set out in the Association Executive Regulation.

### **Section 8: Liberation Officers**

1. There shall be Liberation Officers to ensure representation and campaigning on behalf of specific self-defining groups within the student body which are traditionally under-represented due to historical discrimination and inequality.
2. These Liberation Officers shall be politically autonomous.

### **Section 9: Section Representatives**

1. There shall be Section Representatives to address the issues of specific sections of the student body with particular needs
2. These Section Representatives shall not be politically autonomous.

### **Section 10: Electronic Business**

1. Elected business can only be conducted for:
  - 1.1. Expenditure requests
  - 1.2. Matters which need to be addressed outside of the teaching period
2. To conduct electronic business an email should be sent to all elected members of Student Council outlining the decision to be made and asking elected members to vote For or Against.
3. Elected members should have at least two working days to reply.
4. Any electronic business will pass if a majority of the total elected members of Student Council vote in favour.
5. No amendments will be accepted.

## **Section 11: The Activities Executive**

1. The role, remit, membership and powers of the Activities Executive shall be set out in the *Activities Executive Regulations*.

## **Section 12: Resignations, Reprimands and Dismissal**

### **1. Resignations of elected officers**

- 1.1. Resignations by elected officers should be notified to the President in writing. The relevant body on which the resigned person sits shall be notified at their next meeting.
- 1.2. In the event of a resignation the Association Executive will decide if a By Election should be called.

### **2. Censure of Sabbatical Officers**

- 2.1. These officers may be censured through an Extraordinary Motion at Student Council.
- 2.2. A censure, or formal reprimand, constitutes a formal disapproval of the actions of an individual member. The censure shall have no further penalty attached.

### **3. Censure of School Representatives, Liberation Officers and Section Representatives**

- 3.1. School Representatives may be censured by 20 members of their School.
- 3.2. Liberation Officers may be censured by 20 members who self-define into the liberation group.
- 3.3. Section Representatives may be censured by 20 members who are part of the section group.

### **4. Dismissal of Sabbatical Officers**

- 4.1. The process for dismissing a Sabbatical Officer is laid out in the Memorandum and Articles of Association.

## **Section 13: Amending these regulations**

1. These regulations may be amended by passing an Extraordinary Motion outlining the proposed amendments at two consecutive Student Council meetings.

## **Section 14: General Meetings**

1. General Meetings are the sovereign decision making mechanism of the organisation and as such can overturn decisions that come from processes laid out in this document.
2. General Meetings run according to the regulations outlined in the Articles of Association.

# **Regulation 5**

## **Association Executive Regulations**

### **Approved: Trustee Board, June 2013**

#### **Section 1: Overview and remit**

1. There shall be an Association Executive Committee
2. *Remit:* The Association Executive Committee shall have the following remit:
  - 2.1. To have ultimate responsibility for Edinburgh University Students' Association as a representative body and to ensure proper representation of students to the University, the wider community and the external organisations to which Edinburgh University Students' Association is affiliated.
  - 2.2. To have ultimate responsibility for the implementation of policy and the decisions taken by democratic structures, ensuring that these actions are promoted and supported throughout the organisation.
  - 2.3. To ensure the effective application of the constitution and regulations, and the smooth and effective running of the democratic structures.
  - 2.4. To act in place of the democratic structures when they are unable to meet.
  - 2.5. To report back to the democratic structures on the general activities of the Association.
  - 2.6. To be ultimately accountable for Edinburgh University Students' Association's communications with the membership.
3. The Association Executive shall not have responsibility for financial, legal or human resources issues, which shall fall under the jurisdiction of the Trustee Board.

#### **Section 2: Membership and Meetings of the Association Executive Committee**

1. The Association Executive Committee shall consist of:
  - 1.1. The Sabbatical Officers
2. The Committee shall be chaired by the President.
3. The Chief Executive and Senior Management Team shall normally attend meetings of the Association Executive Committee but shall not be voting members.
4. As required by the Association Executive Committee relevant members of Edinburgh University Students' Association staff may also attend meetings of the Committee.
5. The Committee shall meet a minimum 12 times per year, as determined by the Committee.
6. Questions arising at any meeting shall be determined by a majority of votes, and in the case of an equality of votes the Chair shall have a second or casting vote

#### **Section 3: Powers of the Association Executive Committee**

1. The Association Executive Committee shall have ultimate responsibility for the areas within its remit.

## **Section 4: Amendments to these Regulations**

1. Amendments to these regulations must first be approved by the Association Executive before being ratified by the democratic structures, in the same way as amendments to the Democracy Regulations are approved.

# **Regulation 6**

## **Activities Regulations**

**Approved: Trustee Board, May 2017**

### **Contents**

Section 1: General

Section 2: Bodies regulating societies & volunteer groups

1. Activities Executive
2. Activities Forum

Section 3: Recognition of New Societies

Section 4: Requirements of Societies

Section 5: Amendments to these Regulations

### **Section 1: General**

1. These regulations make provision for the effective operation and representation of Societies at Edinburgh University Students' Association.
2. Activities Executive shall be responsible for all matters relating to recognised Societies of Edinburgh University Students' Association.
3. All recognised Societies should comply with the criteria for recognition and registration, and relevant policy and procedure of the Edinburgh University Students' Association.
4. These regulations should be read in conjunction with the following documents; Proposed Society Criteria, Funding Criteria and Compulsory Constitution Clauses
5. Business of the Activities Executive, including notification of new and approved societies shall be given for information as and when appropriate to Student Council by the Vice President Activities & Services

### **Section 2: Bodies regulating Student Led Groups**

1. **Activities Executive**
  - 1.1. **Purpose**



- 1.1.1. To approve new Societies (in accordance with the Proposed Society Criteria)
- 1.1.2. To act as a forum for discussion of ideas regarding Societies' activities and support
- 1.1.3. To review and approve allocation of funding for Societies
- 1.1.4. To report annually on the allocation of funding to Societies
- 1.1.5. To have input into the development of facilities, events and training for societies
- 1.1.6. To review, develop and enact policy and regulations relating to societies (subject to approval where appropriate by other bodies)
- 1.1.7. To review on an annual basis the relevant procedures of the Activities Executive, including, but not limited to; Funding Criteria, Proposed Society Criteria and Compulsory Constitution Clauses.

## **1.2. Membership**

- 1.2.1. Activities Representatives, elected annually in the main Students' Association Elections to represent each category of societies in line with the Democracy Regulations.
- 1.2.2. Vice President Activities and Services
- 1.2.3. Edinburgh University Students' Association staff shall be in attendance to support the administration, governance and function of the meetings, these will likely include:
  - a) The Societies Coordinator
  - b) The Volunteering Coordinator
  - c) The Societies Administrator, acting as Activities Executive Secretary
- 1.2.4. Other Edinburgh University Students' Association staff will offer ad hoc support as and when appropriate to provide additional guidance.
- 1.2.5. If a member resigns from their role as an Activities Representative before October, the position will be available for election in the October Student's Association by-election.
- 1.2.6. If the Executive requires additional support, it may also co-opt members through majority vote of its members.
- 1.2.7. These co-opted members shall not have voting rights.

## **1.3. Subcommittees of Activities Executive**

- 1.3.1. The Activities Executive may set up task groups to work on specific matters. These working groups will be sub-committees of the Activities Executive, and shall report back to the Activities Executive through the regular meetings.
- 1.3.2. From time to time, additional non-voting members shall be invited to attend and contribute to meetings in order to bring advice on a particular area. These invited guests shall not have voting rights.
- 1.3.3. Standing subcommittees of the Activities Executive include:



- a) Proposed New Societies Committee: to review society applications and make recommendations to the Activities Executive
  - b) Funding Committee: to review funding applications and make recommendations to the Activities Executive.
- 1.3.4. The Activities Executive may form additional project based sub-committees as required.
- 1.3.5. Upon creating a sub-committee, a clear timescale for the project shall be established, with the members of the sub-committee reporting to the executive on the completion of the project. On acceptance of the report by a majority vote of the Executive, the sub-committee is formally closed.
- 1.3.6. No more than two additional sub-committees shall be assembled at any time.
- 1.3.7. Where such a sub-committee cannot be assembled for any reason, the Activities department shall perform its administrative functions as an interim measure, providing updates to the Activities Executive as and when required.

#### **1.4. Meetings and Procedure of Activities Executive**

- 1.4.1. The Activities Executive shall normally be chaired by the Vice President Activities and Services. In absence of the Vice President Activities and Services, the executive will elect a chair at the start of the meeting.
- 1.4.2. The Activities Executive will meet monthly during semester time. The dates and frequency of these meetings shall be determined at the start of each academic year. The Activities Executive is expected to meet 6 times throughout the Academic year.
- 1.4.3. Quorum for Activities Executive shall constitute the presence of half of the elected membership plus one. Only elected membership of the Activities Executive may vote.
- 1.4.4. A majority plus one of the elected membership of the Executive shall be able to call an Emergency Meeting of the Executive to discuss a specific piece of business, provided five working days' notice is issued to members.
- 1.4.5. Where an elected member of the Executive fails to attend three sequential meetings of the Executive having failed to give apologies, or (at the discretion of the Executive decided by a two thirds vote) four sequential meetings where apologies have been given, they shall be deemed to have demitted office, and shall no longer be an elected member of the Executive for the remainder of the year.
- 1.4.6. Where a member has been deemed to leave office for reasons of absence but they are able to present compelling reasons for their absence, the voting members of the Executive may reinstate the member by majority vote.

## **2. Activities Forums**

### **2.1. Purpose**

2.1.1. To act as a forum for discussion of ideas regarding student activities development and support.

2.1.2. To facilitate communication with and between Societies and the Activities Executive

2.1.3. To enable members to provide feedback

## **2.2. Membership**

2.2.1. All Society Office Bearers are eligible to attend the Activities Forum

2.2.2. Activities Executive

## **2.3. Meetings**

2.3.1. There should be at least one forum held per society category per academic year.

# **Section 3: Recognition of New Societies**

## **1. Procedure**

1.1. A group applying for recognition as a University society must submit a society application form to the Activities team, accompanied by the following:

1.1.1. A draft constitution, which is subsequently approved by the Proposed New Societies Committee

1.1.2. Names of the Society President, Society Secretary and Society Treasurer and other provisional committee members;

1.1.3. Details of the annual membership fee for student members and non- student members;

1.1.4. Signatures of at least 20 matriculated students of the University of Edinburgh, who wish to form the society;

1.2. The proposed society must meet the criteria set out in the Proposed Societies Criteria

1.3. Applications for official society status will be overseen by the Proposed Societies Committee

1.4. The Activities Executive has responsibility for reviewing society applications and authority to approve them, falling into the following criteria:

1.4.1. Approved;

1.4.2. Provisionally Approved – requested adjustments to application

1.4.3. Not approved – limited information provided

1.4.4. Not approved – no resubmission of application invited

1.9. Where a Society is not approved, or is made defunct according to the guidelines for approval and continuation of societies laid down, there shall be a right of appeal;

1.10. All appeals should be submitted in writing from the affected party to the Activities Executive through the Activities Office, upon receipt of a formal appeal, an Appeals Panel shall be convened to meet within five days.

1.11. Membership of any Appeals Panel shall consist of three voting members from the Activities Executive who were not involved in the original decision to not approve the submission.

- 1.12. The decision of the Appeals Panel shall be considered final.
- 1.13. Any student may challenge the decision of the Activities Executive in the approval of a new society and should lodge their objection to Student Council.

## **2. Criteria**

- 2.1. Proposed Societies will be reviewed against the Proposed Societies Policy.

## **Section 4: Requirements of Societies**

1. All Societies registered to the Students Association are expected to meet the following annual requirements.
  - 1.1. Submit an annual report on activity of committees and members.
  - 1.2. Submit an annual financial report giving a detailed and accurate breakdown of society finances.
  - 1.3. Hold their Annual General Meeting and Office Bearer elections as outlined by the compulsory constitution clauses.
  - 1.4. Reregister the society before week 12 in Semester 2 in line with the annual deadline.
  - 1.5. Submit detailed risk assessments annually for core activity throughout the year.
  - 1.6. Submit specific risk assessments for any one off events outside of regular society activity.

## **Section 5: Amendments to these Regulations**

1. Amendments to these regulations require a two thirds majority vote in favour by the elected members of the Activities Executive.
2. Edinburgh University Students' Association is a registered charity (SC015800) and as such, ultimate proposed amendments shall require approval by the Students Association Trustee Board.

# **Regulation 7**

## **Election Regulations**

### **Approved: Trustee Board, November 2018 (amended November 2020)**

#### **1. General**

1. The Elections of all Students' Association Elected Representatives (as detailed in point 1.3 of the Student Democracy Regulations) will be governed by these Election Regulations.

2. All Students' Association Elections will be overseen by a Returning Officer, appointed by the Governance Subcommittee of the Trustee Board, and a Students' Association staff member acting as Deputy Returning Officer.
  - a. The Returning Officer will not be a member of the Students' Association, a Students' Association staff member, or a University staff member.
  - b. The Deputy Returning Officer will be responsible for ensuring all Students' Association Elections are run efficiently, fairly, and in-line with these Regulations.
3. All Students' Association Elections will be conducted by a cross-campus ballot of Ordinary Members.
4. All Elections will comprise of four periods:
  - a. The Nomination Period;
  - b. The Candidate Preparation Period;
  - c. The Campaigning Period;
  - d. The Voting Period.
5. In conducting and participating in Students' Association Elections, the Students' Associations, candidates, and voters must comply not only with these Regulations but also:
  - a. All other Students' Association policies;
  - b. All University policies, including but not limited to the Code of Student Conduct, the Dignity and Respect Policy, and the University Data Protection Policy;
  - c. All relevant national and international laws.
6. If a post remains or becomes vacant following an Election cycle, then that post may:
  - a. Remain vacant until the next Election cycle in which it would normally be filled;
  - b. Be filled in one of the following ways, at the discretion of the Deputy Returning Officer, with oversight from the Governance Subcommittee:
    - i. Through a by-election in the next Election cycle;
    - ii. Through an appointment or Election process conducted among relevant Programme Representatives, where the vacancy is for a School Representative role;

- iii. Through another appropriate process, decided upon by the Governance Subcommittee.

7. Review and approval of these Regulations is the responsibility of the Governance Subcommittee of the Students' Association's Trustee Board.

## **2. Nominations**

1. All Ordinary Members of the Students' Association will be eligible to stand as a candidate in the Students' Association's Elections,
  - a. However, eligibility for each position may be limited (as detailed in point 2.2 of the Student Democracy Regulations).
2. Students may only hold one Students' Association Elected Representative position at a time and may therefore only submit one nomination in an Election.
  - a. NUS Conference Delegate roles are an exception to this, and students may hold multiple delegate roles, in addition to holding an Elected Representative position.
3. At least 7 days prior to the start of the nomination period, information regarding the Election will be published on the Students' Association website, including:
  - a. Key dates and deadlines during the Election period,
  - b. A list of all positions being elected,
  - c. Details of the nomination and voting processes,
  - d. The Election Regulations.
4. Once the nomination period has begun, students must not publicly announce, discuss, or speculate on their candidacy in any in-person or online forum; doing so may be considered campaigning and result in disciplinary action.
5. As part of the nomination process, all candidates are encouraged – but not required – to provide a candidate photograph and manifesto which will be displayed to voters.
  - a. After the manifesto deadline, candidates will be unable to make further changes to their manifesto.
  - b. Candidates may request minor amendments, for example to correct spelling errors or incorrect links, in writing to [elections@eusa.ed.ac.uk](mailto:elections@eusa.ed.ac.uk) but not substantive changes will be made.
6. Once nominations have closed, the Deputy Returning Officer will verify that all nominations comply with the relevant Regulations and are valid.

7. If, at the close of nominations, there are posts which have no candidates standing, an extended nominations period may be held for those posts to provide an additional opportunity for candidates to come forwards.
8. Following the close of nominations, the Students' Association will hold a briefing for all candidates where relevant information related to the Election will be shared, and candidates will have the opportunity to ask questions.
  - a. If a candidate is unable to attend, they may nominate an individual to attend in their place.
9. As soon as is reasonable, and prior to the start of the campaigning period, a full list of candidates will be published on the Students' Association's website.
10. Candidates may withdraw their nomination up to the start of the campaigning period, but must do so in writing to [elections@eusa.ed.ac.uk](mailto:elections@eusa.ed.ac.uk) from their University email address.

### **3. Campaigning**

1. The campaigning period will run from a date announced by the Deputy Returning Officer until the close of voting.
2. Candidates must not campaign prior to the campaigning period.
3. Candidates may only campaign using methods and resources which are reasonably accessible to all candidates.
  - a. Candidates may not campaign using methods or resources which they have access to in another capacity, for example as a student representative or as an employee of the Students' Association or University.
    - i. Students' Association employees must remain impartial whilst working, must not campaign whilst working or in uniform, and may not utilise their employment status to benefit their campaign.
  - b. Incumbent candidates must not utilise their position to benefit their campaign.
4. Each candidate will be allocated a small budget for publicity, the level of which will be set by the Deputy Returning Officer and communicated to candidates.
  - a. Candidates must not spend more than this budget on their campaign.
    - i. If a complaint is received regarding campaign expenditure, the Deputy Returning Officer may request to see evidence of all expenditure. Failure to provide evidence may result in disciplinary action.

- b. Publicity budgets may only be spent on items which could reasonably be understood to raise the candidate's profile.
  - c. Candidates may not use their publicity budget to provide bribes or incentives to potential voters.
    - i. While candidates may give away items as part of their publicity campaign, they must take care to ensure potential voters are clear that they are not receiving these items in return for voting.
  - d. While candidates may utilise free items in their campaign, these items must be reasonably accessible to all candidates.
  - e. Candidates must not utilise any third-party financial support for their campaign, including but not limited to financial support from societies and sports clubs, businesses, and individuals.
  - f. Publicity budgets are linked to each position a candidate is standing for; where a candidate is standing for multiple positions, they cannot spend more than the allocated publicity budget for each position.
    - i. Candidates standing for multiple positions must produce separate publicity materials for each position.
  - g. After the announcement of results, candidates may request reimbursement for any campaign expenses by emailing details of these, along with evidence of expenditure, to [elections@eusa.ed.ac.uk](mailto:elections@eusa.ed.ac.uk).
5. Candidates may produce printed publicity materials, and guidance for the distribution of these will be shared by the Deputy Returning Officer ahead of the campaigning period.
6. Candidates may not make, or state an intention to make, personal financial commitments as part of their campaign.
  - a. This includes pledges to donate their Sabbatical Officer salary to a particular cause or project.
7. Candidate publicity must be in-line with the Students' Association's Safe Space Policy.
  - a. Candidates may be asked to remove publicity materials which are deemed inappropriate by the Deputy Returning Officer.
8. Candidates cannot run under a shared campaign identity or "slate".
9. Candidates may receive endorsements or statements of support from:
  - a. Individuals, including current Elected Representatives.

- b. Societies and sports clubs.
  - i. These endorsements should be decided on democratically by Office Bearers or members within the society or club.
  - ii. In line with point 3.4.e, societies and sports clubs may not provide financial support for candidates or utilise funds to promote their candidacy or campaign.

- 10. Candidates may not receive endorsements or statements of support from Students' Association or University staff or departments.
- 11. During the campaigning period, the Students' Association may promote the Elections, including candidates standing for particular positions.
  - a. If this promotion features candidates, it must be fair and balanced, and all candidates for a particular position should have equal access to opportunities for promotion.
- 12. Restrictions may be placed on campaigning within University-owned Accommodation sites, University buildings and Students' Association venues.
  - a. Where this is the case, candidates will be informed of these restrictions during the candidate preparation period.

#### **4. Voting**

- 1. All Students' Association Elections will be conducted using either Alternative Vote (where there is one seat available for a position) or Single Transferable Vote (where there are multiple seats available for a position).
- 2. Voting will be conducted by online ballot via the Students' Association website.
  - a. If, during the Voting Period, voting is inaccessible to a significant number of students for longer than one hour due a technical issue, then the Voting Period may be extended to compensate for this, at the discretion of the Governance Subcommittee.
- 3. Voting will be anonymous.
  - a. Candidates and campaigners should not be in close proximity to voters while they are voting.
- 4. For all positions, Re-Open Nominations (RON) will be listed as a candidate.
  - a. However, Re-Open Nominations (RON) will not receive a publicity budget.

## 5. Count

1. The count will be administered by the Deputy Returning Officer, and overseen by the Returning Officer or their nominee.
2. The count will be conducted in private, and candidates will not be allowed to attend.
  - a. However, a full breakdown of results will be made publicly available after the announcement of results.
3. In line with the Alternative Vote and Single Transferable Vote systems, the quota for each position will be calculated as follows:
  - a. The total number of valid votes cast, divided by the number of seats available plus one.
4. If a candidate reaches the quota in the first round, they will be elected.
5. If no candidate reaches the quota, then the count will move to a second round in which the candidate with the lowest number of votes is eliminated and their second preferences will be redistributed.
6. If, after this redistribution, a candidate reaches the quota, they will be elected.
7. This process continues until seats are filled.
8. If one candidate remains, they will be elected, even if they have not reached the quota.
9. If Re-Open Nominations (RON) is elected at any stage, then no further candidates will be elected.
  - a. Vacant seats will be filled in-line with point 1.5 of the Election Regulations.
10. If, at any stage, the bottom two candidates have the same number of votes, then a Random Number Generator will be used to decide which candidate is eliminated.
  - a. If one of those candidates is Re-Open Nominations (RON), then Re-Open Nominations will be eliminated.

## 6. Results

1. Results will be announced no later than 48 hours after the count has been concluded.
2. Following the results announcement, the results will be published on the Students' Association website.

## 7. Complaints

1. Any complaints regarding the Elections, including candidate conduct, should be made in writing to the Deputy Returning Officer ([elections@eusa.ed.ac.uk](mailto:elections@eusa.ed.ac.uk)) as soon as possible and no less than one hour before voting closes.
  - a. Complaints should include any relevant evidence.
2. Examples of candidate misconduct include, but are not limited to:
  - a. A breach of these Regulations, or other relevant policies or laws, as outlined in point 1.4.
  - b. Interference with another candidate's campaign.
  - c. Interference with the voting process.
3. Candidates are regarded as reasonably responsible for the conduct of students campaigning on their behalf and may therefore be subject to investigation and disciplinary action if those students engage in misconduct.
4. The Returning Officer and their representatives, reserve the right to investigate complaints, and take reasonable and proportionate disciplinary action against candidates, including but not limited to:
  - a. Requiring a public apology be made for conduct;
  - b. Requiring the removal of publicity materials;
  - c. The removal of proportion of a candidate's votes;
  - d. Disqualification.
5. Appeals to rulings of the Returning Officer should be made in writing to the Deputy Returning Officer ([elections@eusa.ed.ac.uk](mailto:elections@eusa.ed.ac.uk)) before the end of voting.
  - a. Appeals will be considered by the Governance Subcommittee, and rulings of this Subcommittee will be final.

# Regulation 8

## Good Conduct Regulations

- 1 Members of the Association are expected to conduct themselves in a legal and orderly manner, and respect the right of all Association members and staff to enjoy Edinburgh University Students' Association as a safe space environment, defined as a space which is welcoming and safe and includes the prohibition of discriminatory language and actions. Edinburgh University Students' Association operates a Zero Tolerance policy towards discrimination based on a persons:
  - 1.1 Age
  - 1.2 Race
  - 1.3 Disability
  - 1.4 1.4 Sexual Orientation
  - 1.5 Gender Reassignment
  - 1.6 Marriage and Civil Partnership
  - 1.7 Pregnancy and Maternity
  - 1.8 Religion and Belief
  - 1.9 Sex
- 2 Specific areas of the Association shall have their own Codes of Conduct and rules for good behaviour which shall be freely available to members on request, and a summary of which shall be publicly displayed in the relevant areas of the Association.
- 3 Where a member violates the terms of these guidelines, the Manager of the relevant service shall have the right to deny access to that service to the offending member, either for a prescribed period of time or for the remainder of their membership of the Association, as appropriate to the violation of the guidelines.
- 4 Where a member violates the law on Association Property, they shall be reported to the relevant authorities.
- 5 Where a member is threatened with expulsion from the University, they shall retain their rights of Association membership, including access to Association buildings and services such as The Advice Place, unless their access to these buildings and services will endanger the right of other members to enjoy the use of these as a 'safe space' or violate the right to staff to work within a safe environment.
- 6 In the event that access to all Association buildings may endanger students or compromise Edinburgh University Students' Association's position as a welcoming and safe space, right of access may be withdrawn. The decision on withdrawal shall rest with the Chief Executive of the Association.
- 7 Where right of access is withdrawn, if there is a need for access to Edinburgh University Students' Association's representation services (including the Advice Place), alternative means of accessing these services will, where appropriate, be provided. If no alternative means is possible or appropriate, it is within the purview of the Manager of the relevant service, in consultation with the Chief Executive, to deny access to the relevant service.
- 8 Where a decision is made to deny access to buildings or services by a manager or by the Chief Executive, the member shall have a right of appeal.
- 9 The Appeal Committee shall consist of:
  - 9.1 The Chief Executive of the Association, where the original decision did not involve the Chief Executive. In the event that the Chief Executive cannot sit

on the Appeal Committee they shall nominate a senior staff member who was not involved in the original decision.

9.2 The President of the Association, or, in the event that they are unable to sit on the Committee, one other Sabbatical Officer as nominated by the President.

9.3 Two members nominated by the Board of Trustees.

9.4 *The University Rector or nominee.*

## Regulation 9

### Discipline Regulations

**Approved: Trustee Board, May 2019**

#### Section 1: General

- 1.1 This procedure outlines the steps Edinburgh University Students' Association will take to address alleged misconduct by any member, or student of the University of Edinburgh who has exercised the right not to be a member.
- 1.2 Procedures exist for resolving disputes which arise within Association venues, elections, and other activities at the frontline. Issues relating to conduct within Association venues, elections, or other activities should only be addressed to this Disciplinary Procedure where such frontline procedures have failed to provide satisfactory resolution, or where the matter is considered serious enough to warrant immediate referral to this level. The Chief Executive or their nominee may refer a matter back for consideration at the frontline where this has not been attempted.
- 1.3 Referral for consideration under this procedure may also be an outcome of a complaint received via the Association's complaints procedure.
- 1.4 Edinburgh University Students' Association will use this procedure to consider reports or allegations made by any person against any member in respect of:
  - 1.4.1 violent, indecent, disorderly, threatening or offensive behaviour or language (whether expressed orally, in writing or electronically on any digital platform).
  - 1.4.2 Bullying or harassment of students, staff, elected officers, or members of the public on Association premises, or at events or activities organised by the Association (including Association societies) elsewhere; or whilst representing the Association elsewhere. The Students' Association understands harassment to include any form, whether expressed orally, in writing or electronically on any digital platform.
  - 1.4.3 Damage to Association property, or property of others while on our premises, or at activities organised by Association (including Association societies);
  - 1.4.4 Actions contrary to the Association's constitution (Articles of Association and regulations);
  - 1.4.5 Any other conduct which may be considered detrimental to the interests, operation, or reputation of Edinburgh University Students' Association.

## **Section 2: Temporary Exclusion of Members**

- 2.1 Any Association sabbatical officer, or an authorised member of staff, may temporarily exclude a member from any or all Association premises, services, or activities in respect of actions specified under clause 1.4 of this Regulation. The sabbatical officer or member of staff who imposed the exclusion shall then make a report to the President or their nominee regarding the matter, for follow-up in accordance with section 4 of this regulation. The exclusion shall be upheld pending a decision under clause 4.2 of this Regulation.
- 2.2 The President or their nominee may also temporarily exclude a member from any or all Association premises, services, or activities where the member is under investigation for, or has been penalised for, misconduct under the University's Code of Student Conduct, or subject to a charge in a court of law. Such exclusion will be upheld until the conclusion of University or legal proceedings.
- 2.3 Temporary exclusion shall only be imposed upon a member where it is deemed necessary to protect members, staff, or other interests of the Students' Association.

## **SECTION 3: Licensed Premises**

- 3.1 Specific arrangements exist for the handling of misconduct within licensed premises.
  - 3.1.1 Authorised staff will always have the right to refuse admission and to exclude members on the basis of their behavior, intoxication from alcohol or illegal substances as part of our duties/obligations under licensing law.
  - 3.1.2 Where an alleged breach of this code occurs beyond the standard right to refuse admission, authorized staff shall have the authority to exclude the member from the venue or to take any other reasonable action to prevent further immediate breaches of the code.
  - 3.1.3 Members who have been asked to leave or removed from the building will be informed of why they have been excluded and given the right to appeal.

## **Section 4: Initial Consideration of Complaints about Conduct**

- 4.1 On receipt of a report relating to misconduct by a member, the President or their nominee shall refer the matter to the Chief Executive or her/his nominee.
- 4.2 Where there has been an allegation of harassment, or where reported misconduct indicates a potential risk to the safety or wellbeing of members or staff, the Chief Executive or their nominee may exclude a member from any or all Association premises or activities, pending the conclusion of disciplinary proceedings.. Where a member is already subject to a temporary exclusion under clause 2.1 of this Regulation, the Chief Executive or their nominee may extend the exclusion pending the conclusion of disciplinary proceedings, reduce the exclusion, or terminate the exclusion.
- 4.3 Following consideration of any reported misconduct, the Chief Executive or their



nominee shall then take one or more of the following actions:

- 4.3.1 Dismiss the matter;
- 4.3.2 Investigate the matter further and take action as at section 5 of this procedure;
- 4.3.3 Refer the matter to the Discipline Panel;
- 4.3.4 Refer the matter to the University under the Code of Student Conduct. In particular, all cases of serious sexual harassment, and sexual violence, shall be referred to the University.

4.4 The Chief Executive or their nominee shall contact the subject of the report of misconduct in writing to notify them of the decision taken under section 4.3, above.

## **Section 5: Investigation**

5.1 Where the Chief Executive or their nominee decides further investigation is required, s/he will contact the member to whom the report of misconduct relates, requiring them to meet her/him, giving at least five days' notice of the meeting unless otherwise agreed by both parties. The respondent shall be entitled to bring to the meeting, or send as their representative, another member, student, or staff member of the University of Edinburgh.

5.2 The Chief Executive or their nominee may also contact or seek to meet with other relevant parties in order to gather further information on the matter, prior or subsequent to meeting with the respondent.

5.3 At the meeting, the Chief Executive or their nominee shall inform the respondent of the content of the report of misconduct relating to them, and any other information on the matter gathered as part of their investigation. The respondent shall then be given the opportunity to comment.

5.4 If the respondent fails to attend the meeting, the Chief Executive or their nominee may choose to consider the case in their absence.

5.5 The Chief Executive or their nominee shall then take one or more of the following actions:

- 5.5.1 Dismiss the matter;
- 5.5.2 Caution the respondent on their future conduct;
- 5.5.3 Require the respondent to pay compensation in order to make good any loss or damage arising from the offence;
- 5.5.4 Exclude the respondent from any, or all, Association premises, services, or activities for a period not exceeding one month;
- 5.5.5 Remove the respondent's right to stand as a candidate for all or any of the positions in Association Elections, or NUS Conference delegate elections;
- 5.5.6 Refer the matter to the Discipline Panel;
- 5.5.7 Refer the matter to the University under the Code of Student Conduct.

5.6 The Chief Executive shall contact the respondent in writing within 24 hours following the meeting to inform them of their decision, and the respondent's right to appeal

## **Section 6: Discipline Panel**

6.1 The President shall convene a Discipline Panel as required by the Chief Executive or their nominee within 15 days of the request being received by the President.



- 6.2 The Discipline Panel for each case shall consist of one Sabbatical Officer (as Chair), one student trustee, and three of our elected student representatives. No member of the panel shall have been involved in the matter under consideration.
- 6.3 The Chief Executive or their nominee shall attend the hearing to present the evidence relating to alleged misconduct on the part of the respondent.
- 6.4 The Chair of the Discipline Panel shall contact the respondent at least 10 days in advance of the hearing requiring them to attend, including details of the time and location for the hearing, and advising them of their right to provide any written statements, evidence or witnesses, to bring to the meeting, or send as their representative, another member, student, or staff member of the University of Edinburgh. It shall be the responsibility of the respondent to make arrangements for the attendance of any witnesses whom they wish to call, or any member they wish to bring in support or as their representative.
- 6.5 Any written statements or evidence shall be provided to the Chair of the Discipline Panel at least five days prior to the hearing. The Chair shall ensure that these are provided to all parties due to attend the hearing three days prior to the hearing. In order to comply with Data Protection legislation, it may not always be possible to provide every item of evidence to all parties.
- 6.6 A summary of the proceedings and the decision of the Discipline Panel shall be recorded by a member of Association staff, who shall attend the hearing. The summary shall be made available to the respondent.
- 6.7 If the respondent and/or her/his representative fails to attend the hearing, the Discipline Panel may consider the matter in her/his absence.
- 6.8 The hearing shall operate in accordance with the following procedure:
  - 6.8.1 The Chair shall introduce all present, outline the procedure for the hearing, and state the allegation(s) against the respondent;
  - 6.8.2 The Chair shall ask the respondent whether s/he wishes to challenge the allegation of misconduct as outlined. If the respondent does not wish to challenge the allegation of misconduct, the Discipline Panel should move immediately to the stage outlined in 5.8.9 of this procedure. If the respondent wishes to challenge the allegation, the hearing shall proceed as below;
  - 6.8.3 The Chief Executive or her/his nominee shall present the evidence relating to the matter, and introduce any supporting statements or witnesses;
  - 6.8.4 The Discipline Panel, the respondent, and her/his representative shall have the opportunity to question the Chief Executive or her/his nominee, and any witnesses presented;
  - 6.8.5 The respondent shall be given an opportunity to contest the allegation of misconduct, and introduce any supporting statements or witnesses;
  - 6.8.6 The Discipline Panel and the Chief Executive or her/his nominee shall have an opportunity to question the respondent, her/his representative, or witnesses;
  - 6.8.7 The Chief Executive or her/his nominee shall be given the opportunity to make a final statement;
  - 6.8.8 The respondent shall be given the opportunity to make a final statement;
  - 6.8.9 The Chair shall ask the respondent and the Chief Executive or her/his nominee to leave the hearing, and explain that they will be notified of the Discipline Panel's decision in writing;



- 6.8.10 The Discipline Panel shall reach a decision as to whether to dismiss the matter, or uphold the allegation of misconduct against the respondent;
- 6.8.11 If the Discipline Panel upholds the allegation of misconduct, they may then be informed of any previous offences committed by the respondent- no information about any such offences shall have been made available to the Discipline Panel prior to this stage;
- 6.8.12 In upholding the allegation of misconduct, the Discipline Panel will decide what course of action to take from the options listed in 5.10, below.
- 6.9 The hearing shall be adjourned for not more than 30 minutes if requested by the respondent or any member of the Discipline Panel. The hearing may be adjourned for not more than 5 days, in order to obtain further information or hear further witnesses, with the agreement of the Discipline Panel.
- 6.10 On upholding an allegation of misconduct, the Discipline Panel shall take one or more of the following courses of action:
  - 6.10.1 Caution the respondent on their future conduct;
  - 6.10.2 Require the respondent to pay compensation in order to make good any loss or damage arising from the offence;
  - 6.10.3 Exclude the respondent from any, or all, Association premises, services, or activities for such a period as is deemed appropriate, or permanently;
  - 6.10.4 Remove the respondent's right to stand as a candidate for all or any of the positions in Association Elections, or NUS Conference delegate elections;
  - 6.10.5 Refer the matter to the University for consideration under the University's Code of Student Conduct.

The respondent shall be given written notification of the Discipline Panel's decision, and of her/his right to appeal against that decision, within five days of the hearing.

## **Section 7: Appeals**

- 7.1 The respondent may appeal against the decision of the Discipline Panel, or of the Chief Executive or their nominee, on one or more of the following grounds:
  - 7.1.1 New evidence is available in relation to the misconduct offence which for good reason was not available at the time of the hearing;
  - 7.1.2 Evidence of irregular procedure or improper conduct in pursuing the disciplinary process;
  - 7.1.3 The penalty was inappropriate to the offence for which the respondent was found responsible.
- 7.2 If the respondent wishes to appeal, they should send written notification providing information about their grounds to the President within five days of receiving the Discipline Panel's decision in writing.
- 7.3 On receipt of written notification of appeal, the President shall convene a Discipline Appeals Panel. The Discipline Appeals Panel shall be convened within 15 days of the request being received by the President.
- 7.4 The Discipline Appeals Panel shall consist of one sabbatical officer (as Chair), 1 student Trustee and 3 students drawn by lot from the pool constituted according to clause 7.1 of this procedure, at least two of whom must be women. No member of the Discipline Appeals Panel shall have been involved in the matter under consideration, or in the Discipline Panel whose decision is the subject of the appeal.



The Chair of the Discipline Appeals Panel shall contact the appellant at least 10 days in advance of the hearing requiring them to attend, including details of the time and location for the hearing, and advising them of their right to provide any written statements, evidence or witnesses, to bring to the meeting, or send as their representative, another member, student, or staff member of the University of Edinburgh. It shall be the responsibility of the appellant to make arrangements for the attendance of any witnesses whom they wish to call, or any member they wish to bring in support or as their representative.

- 7.5 The Chair of the Discipline Panel whose decision is the subject of the appeal shall also be invited to attend the hearing, or to send a representative.
- 7.6 Any written statements or evidence shall be provided to the Chair of the Discipline Appeals Panel at least five days prior to the hearing. The Chair shall ensure that these are provided to all parties due to attend the hearing three days prior to the hearing. In order to comply with Data Protection legislation, it may not always be possible to provide every item of evidence to all parties.
- 7.7 A summary of the proceedings and the decision of the Discipline Appeals Panel shall be recorded by a member of Association staff, who shall attend the hearing. The summary shall be made available to the appellant.
- 7.8 A hearing of the Discipline Appeals Panel shall operate in accordance with the following procedure:
  - 7.8.1 The Chair shall introduce all present, outline the procedure for the hearing, and state the grounds for appeal;
  - 7.8.2 The appellant or her/his representative shall present details of the appeal, and introduce any supporting statements or witnesses;
  - 7.8.3 The Discipline Appeals Panel, and the Chair of the Discipline Panel whose decision is the subject of the appeal, shall have the opportunity to question the appellant, her/his representative, or witnesses;
  - 7.8.4 The Chair of the Discipline Panel whose decision is the subject of the appeal shall be given an opportunity to contest the appeal, and introduce any supporting statements or witnesses;
  - 7.8.5 The Discipline Appeals Panel, the appellant and her/his representative, shall be given an opportunity to question the Chair of the Discipline Panel whose decision is the subject of the appeal, or witnesses;
  - 7.8.6 The appellant shall be given an opportunity to make a final statement;
  - 7.8.7 The Chair shall ask the appellant and the Chair of the Discipline panel whose decision is the subject of the appeal to leave the hearing, and explain that they will be notified of the Panel's decision in writing;
  - 7.8.8 The Discipline Appeals Panel shall reach a decision on the appeal;
- 7.9 The Panel may accept or reject the appeal in full or in part and, as a consequence, may remove or reduce any penalties imposed by the Discipline Panel, but may not increase the penalties imposed by the Discipline Panel.
- 7.10 The hearing shall be adjourned for not more than 30 minutes if requested by the appellant or any member of the Discipline Appeals Panel. The hearing may be adjourned for not more than five days, in order to obtain further information or hear further witnesses, with the agreement of the Discipline Appeals Panel.
- 7.11 The appellant shall be given written notification of the Discipline Appeals Panel's

decision within five days of the hearing.

7.12 The decision of the Discipline Appeals Panel shall be final.

## **Section 8: Selection of Panels**

- 8.1 Discipline Panel and Discipline Appeals Panel members shall be drawn from a pool consisting of all student representatives elected in the Association elections
- 8.2 The President shall draw members of the Discipline Panel and the Discipline Appeals Panel by lot from members of the pool. Members of the pool chosen by lot may decline to join the Discipline Panel or Discipline Appeals Panel; where this occurs, the President shall draw a further name from the pool.
- 8.3 The respondent or appellant may request reconsideration of any Discipline Panel or Discipline Appeals Panel member on grounds of partiality. Such a request shall be considered by the Chair of the Discipline Panel or the Chair of the Discipline Appeals Panel, who shall decide to replace the member, or to reject the request; this decision shall be final.

## **Section 9: Jurisdiction of Panels**

- 9.1 If any respondent refuses to accept the jurisdiction of the Discipline Panel or Discipline Appeals Panel, the President may refer the case to the appropriate University authority for consideration under the University's Code of Student Conduct.
- 9.2 If any member breaches the terms of any exclusion from premises, services, or activities of the Students' Association, the President shall be empowered to extend the exclusion for a period not exceeding the full length of the original exclusion.

## **Section 10: General Arrangements for Panels**

- 10.1 Members may be accompanied by another member, or a student or staff member of the University of Edinburgh, at Discipline Panel or Discipline Appeals Panel hearings, but may not have external or legal representation.
- 10.2 The summary of proceedings of the Discipline Panel and Discipline Appeals panel shall be confidential to those in attendance at the hearing. Anonymised data about the decisions of Discipline Panels and Discipline Appeals Panels may be published in such a way as they determine.

# **Regulation 10**

## **Complaint Regulations**

### **Approved: Trustee Board, May 2019**

1. Any student or group of students has the right to make a complaint if they are dissatisfied with their dealings with Edinburgh University Students' Association.
2. We also welcome feedback which members can bring us through a variety of routes,

including directly to the relevant sabbatical officer, or to the manager of the service concerned. Routes for feedback will be published on the Students' Association website.

3. This regulation articulates the scope, route and timescales for the handling of complaints by the Students' Association.
4. The mechanisms for submitting complaints will be published on the Students' Association website, along with further guidance and information.
5. Complaints will be referred as follows:
  - a. Complaints regarding a service, or interaction with staff, or student groups will be referred to the relevant Head of Department.
  - b. If a complaint regards a head of department, it will be referred to the relevant SMT member.
  - c. If a complaint regards an SMT member it will be referred to the Chief Executive.
  - d. Complaints regarding the Chief Executive will be referred to the President.
  - e. Complaints regarding sabbatical officers, trustees, or elected student representatives will be referred to the President. Section 12 of the

Democracy Regulations and Section 11 of the Articles of Association also relate to conduct of reps, and Trustees respectively.

6. Complaints will be acknowledged, within 5 working days, with complainants given a named person who will handle/investigate the complaint, interact with them as part of the information gathering process, and respond.
7. Complaints will be investigated and responded to in full within 15 working days, in accordance with our complaint handling guidance. If for any reason it becomes necessary to extend this period, we will communicate this as soon as possible.
8. During the investigation, the complainant and others involved may be required to provide verbal evidence and any additional information for clarification and context.
9. Complaints should be raised as close to the event/incident as possible. Only in exceptional circumstances will we consider complaints raised more than 6 months after the event.
10. Depending on the outcome of the complaint investigation, the matter may result in:
  - Resolution and Conclusion
  - Referral to our Staff Disciplinary Procedure, Member Disciplinary Procedure, or Sabbatical Officer Disciplinary Code.
  - Referral to section 10 of the Articles of Association (in the case of Trustees)
11. On communicating with a complainant at the conclusion of the investigation, complainants will also be informed of their right, if dissatisfied, to raise the issue to the University Secretary, under the terms of the 1994 Education Act.

## **Regulation 11**

### **Process for considering Trustee conduct issues.**

#### **Approved: Trustee Board, September 2021**

- **Originally created 15 September 2021**

#### **1. Purpose and Principles.**

- 1.1 This procedure outlines how the Association will handle allegations relating to the conduct of Student and External Trustees. (Sabbatical conduct would currently be handled under separate sabbatical and/or employee disciplinary procedures.) The process is outlined in detail to enable consistency and fairness in handling of conduct issues.
- 1.2 At the time of taking up the Trustee role, Trustees sign a declaration agreeing to uphold the Trustee Code of Conduct and other Association policies and procedures. It is therefore important that we have a process to manage instances where this may be called into question. Further there may be issues not specifically covered by policy which still require consideration.
- 1.3 The process enables a range of potential outcomes and solutions, appropriate to the nature and severity of each case. This includes the possibility of removal of a Trustee, ultimately via the mechanism outlined in section 11 f of the Articles of Association.
- 1.4 Conduct allegations and resolving them are a sensitive matter. This process aims to ensure due care and consideration for those directly involved, and retaining confidentiality so far as possible to avoid prejudicing the outcome, or the process itself.
- 1.5 Trustees and others involved with the process must refrain from any public comment, unless this has been agreed with the Chair of the Trustee Board. All documentation used in this process is confidential.

## **2. Receipt and review of concerns about conduct**

- 2.1 Concerns regarding conduct may come via our complaints or grievance processes, or through a direct report by a member of staff, a member, a member of the public, or a Trustee following experience or observation.
- 2.2 Where the Association is made aware of concerns regarding Trustee conduct, these shall be reviewed in the first instance by the Chair of the Trustee Board and CEO as formal secretary to the Board, (or their respective nominees).
- 2.3 The Chair of the Trustee Board and CEO will determine if the concerns require further action/investigation. They may request that the person highlighting the concerns provide further information or evidence if this is needed in order to make this initial assessment. It may be that the person making the report asks to remain anonymous during the process. If this is the case the CEO and Chair will discuss any potential impact or limitation this may present to progressing the case fully, with the person making the report. In some cases, preserving anonymity may limit the ability to fully discuss and consider things in full with the Trustee.
- 2.4 The CEO and Chair of the Trustee Board may together conclude that there is no further action required, if it is apparent that this is vexatious, irrelevant, or outwith the jurisdiction of the Association.

2.5 If **either** the Chair of the Board or CEO, or both, consider that the concerns are relevant and are within the scope of this policy, then they will refer the concerns for consideration under Stage 1 of this process.

2.6 Criminal activity: If the concerns relate to potential criminal activity, the Chair of the Board and CEO may seek legal advice and/or determine that the conduct in question is beyond the scope of this procedure and warrants police reporting. This will also be discussed with the person who brought the concerns, particularly if they relate to conduct towards that person. In that case, appropriate 3<sup>rd</sup> party support and advice will be offered. Where conduct is being reported to the police or other agency or organisation, any further action under this procedure may be paused pending their investigation.

2.7 Suspension: The Chair of the Board and CEO may determine that it is appropriate in relation to any conduct issue to put in place a temporary suspension whilst the case is ongoing. This is not a punitive measure. It is a measure that may be necessary to manage any risk for those involved, and avoid any prejudicing of the process or the outcome. It should only be used where absolutely necessary. It must not extend for any longer than absolutely necessary and will be reviewed regularly. This initial receipt and review process will be concluded within 10 working days.

### 3. Stage 1: Informal stage

3.1 The Chair and the CEO (or their nominee) will be responsible for managing the informal stage of the process. They will speak to the Trustee concerned to highlight the concerns, and how they are relevant to the Trustee role, and give them an opportunity to respond. If the concerns are referred to Stage 1 following initial receipt and review the Chair and CEO will normally conclude Stage 1 within 10 working days.

3.2 Options available at this stage include:

- a. **Dismissal:** with the benefit of further information, it may be appropriate for the complaint to be dismissed.
- b. **Escalation to Stage 2:** If it becomes apparent from the initial discussion that resolution at this stage is not feasible, or may not be appropriate, then the chair and CEO may immediately escalate to Stage 2
- c. **Resolution:** this stage provides an opportunity to resolve the concerns, noting that some conduct issues may appropriately be resolved with coaching, mediation or other support, and may appropriately be concluded here. The Chair and CEO will agree appropriate action to be taken with the Trustee – examples include but are not limited to training/coaching; request and commitment to cease the behaviour that led to the report; to 'make good' the behaviour – e.g. by removing online material, and/or an apology to the person concerned.

intended outcomes (for example there are further instances of the behaviour), then the CEO and Chair may review and immediately escalate the case to Stage 2. 65

3.3 If it becomes apparent that the agreed resolution under 3.2c has not resulted in the

3.4 Unless dismissed, cases considered and resolved at Stage 1 will be retained on file until the end of a Trustee's term, and reported in brief to the People and Culture subcommittee, maintaining the anonymity of the Trustee and without going into detail regarding the nature of the issue.

#### **4. Stage 2: Conduct investigation.**

4.1 Conduct investigations at this stage will be carried out by an independent 3<sup>rd</sup> party (independent from the Association or the University), appointed by the Chair of the Trustee Board. They will be selected on the basis of professional experience and might be for example a senior staff member or trustee from another student union, or an external HR professional. The CEO or their nominee will assist with identifying a suitable candidate. The complainant and the Trustee will be informed of who the investigator is and there will be an opportunity to flag any potential conflict of interest prior to the investigation starting. Potential conflicts of interest could include but are not limited to: A current or previous personal relationship/connection with any of the parties (e.g. partner, relative, friend); a current or previous professional relationship with any of the parties (e.g. employer/employee); a declared public interest in or membership of a group associated with a particular campaign issue or view point where it is a factor in the case.

4.2 The purpose of the investigation is to gather the facts of the case and produce any recommendations on the appropriate outcome and actions.

4.3 The Chair of the Board may put in place a suspension whilst the investigation takes place. This is not a punitive measure. The length of the suspension will take into account the time required for investigation, consideration and outcomes to be known, and should be reviewed at regular intervals. It should only be used where absolutely necessary. It should not be extended for any longer than absolutely necessary.

4.4 The process for the investigation will be:

- (i) Formal notification to the complainant (where relevant) and respondent, detailing the complaint being investigated, details of the procedure being followed, timeframe of the investigation, and name and contact details of the investigator. The investigator should offer to meet, separately, with the complainant and the respondent. This meeting may be online.
- (ii) Collection of written statement and any related documents from the respondent, within 10 working days of the formal notification of investigation. The investigator can exceptionally extend this timescale if there are extenuating circumstances. If the respondent does not engage with the process, the investigation may continue.
- (iii) The investigator may also need to contact 3<sup>rd</sup> parties where relevant. The investigator may determine further investigation and information is required once they have the information from the respondent.
- (iv) Delivery of report, which should include recommended outcomes. The target for delivery of the report will be within 15 working days of the formal notification (i). If adjustments are necessary to allow for a full investigation then this can be approved by

Chair of the Board and all parties will be informed of revisions to the timeframe of the investigation.

#### 4.5 Recommended outcomes may include:

- a. Dismissing the complaint
- b. The complaint is upheld and resolution should be via a commitment to e.g. mediation/coaching/ education/change in behaviour. Removal is not being recommended. Case will be kept on file for the remainder of the Trustee's term.
- c. The complaint is upheld and removal may be an appropriate outcome for the Board to consider in line with our Articles of Association, on the basis that the Trustee shall have 'acted in such a way as would bring the Association into disrepute and that in all the circumstances their removal from office is justified to preserve the reputation of the Association which, for the avoidance of doubt, would include a material breach of the Trustees' Code of Conduct'.<sup>1</sup>

#### **5. Stage 2: Consideration of investigation report**

5.1 The investigation report will be considered by the Board of Trustees. The purpose of this hearing is not to re-investigate the matter, but to determine the outcome based on the investigation material.

5.2 The investigation report, will be circulated to the Trustee Board at least 5 days prior to the hearing, along with a written response from the Trustee if they wish to submit one.

5.3 Trustees should declare any particular conflict of interest. The Board would consider those conflicts ahead of the consideration of the report, and conclude how to manage any conflicts, in line with section 13 of our Articles of Association.

5.4 At the disciplinary hearing the appointed investigator will present the complainants case and the charges that have been put to the respondent [together with their findings and recommendations] at the disciplinary hearing.

5.5 The respondent will then have an opportunity to state their case and answer the allegations that have been made, and respond to the findings and recommendations.

5.6 The Board will be able to question the Trustee and the investigator.

5.7 The investigator and Trustee will then leave the meeting.

5.8 The Board will then discuss the case and agree on an outcome, which may be one of the following:

- a. Dismiss the Complaint
- b. Uphold the complaint and progress the proposed actions, or others, which may include mediation, training, agreement over future behaviours.
- c. Uphold the complaint and support removal of the trustee, in accordance with section 11f of our Articles.

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<sup>1</sup> Articles of Association section 11f

All outcomes require a 2/3 majority vote in favour and this vote will be conducted by secret ballot. In line with the rules for votes on removal, for all possible outcomes the Trustee who is the subject of the process does not have a vote as per section 11f and is not included in the quorum in line with section 12.2 of our Articles of Association. The Chair of the Board will have a vote but will not have an additional casting vote.

5.9 In the instance of some proposed remedial action or support, the panel shall reconvene at some stage in the future should any undertaking by the respondent not have materialised in the opinion of the Chair of the Board or the CEO (as formal secretary to the Board).

5.10 The Trustee will be informed of the outcome of the secret ballot by the Chair of the Board in writing within 2 working days.

5.11 If the outcome of the Board consideration is a vote in favour of removal, this will be followed by the submission of a motion to Student Council by Association Executive.

5.12 If the Trustee resigns their position at any stage of the entire process, the process will not proceed further.

## **6. Appeals**

6.1 Appeals may be submitted following the panel consideration, within 10 working days of being informed of the judgement of the Board, on the basis of:

- a. Substantial new information, material to the consideration of the case, which was not available at the time of the investigation or panel consideration.
- b. Improper conduct of these procedures – a material breach of the process outlined in this regulation.
- c. Bias in the investigation.
- d. Bias in the judgement.

6.2 Appeals will be heard by an independent panel comprising: a Sabbatical Trustee from another student union, an External Trustee from another student union, and a Student Trustee from another student union.

6.3 The Appeal Panel will review a written submission from the Trustee, the investigation report and final report from the Board hearing.

6.4 An appeal hearing will be convened at which the Trustee can outline their case, and the Chair of the Board can respond, and the panel may ask questions.

6.5 Appeal outcomes require a 2/3 majority in favour.

## **7. Communication with the person who informed us of the conduct issue.**

7.1 The Chair of the Board and CEO will be responsible for ensuring that communication to the person who brought the initial complaint is timely. Depending on the nature of the complaint, they may be involved on an ongoing basis, for example, spoken to as part of the investigation stage. In other instances they may not. They should be

informed in writing of the likely timescale and provided with an update if the time is likely to extend. They should be informed of the outcome when the process is concluded.

## **8. Reporting and monitoring of conduct cases.**

8.1 Instances of conduct requiring further investigation will be reported to the People and Culture subcommittee at the next scheduled meeting. The details of the case will remain confidential. An anonymised summary of conduct cases: how many, at what stage they were concluded, and whether they were upheld/not upheld will be provided to the People and Culture committee on an annual basis and will be noted at the full Trustee Board.