



Bye-Laws

CONTENTS

1. [Bye-Law \(1\): Referenda](#)
2. [Bye-Law \(2\): Student Led Democracy](#)
3. [Bye-Law \(3\): Elections](#)
4. [Bye-Law \(4\): Student Groups](#)
5. [Bye-Law \(5\): Trustee Board Committees](#)
6. [Bye-Law \(6\): Officers of the Union](#)
7. [Bye-Law \(7\): Protecting Our Members](#)
8. [Bye-Law \(8\): Membership](#)

BYE-LAW (1): REFERENDA

- a. For all referenda, there will be a Returning Officer who will oversee their conduct to ensure they are run in a free and fair manner. The Board of Trustees shall appoint the Returning Officer who shall be responsible for organising any referenda called in accordance with the Articles of the Association.
- b. For the avoidance of doubt, where the referenda concerns affiliation to an external body, the Returning Officer cannot come from that external body.
- c. The Returning Officer will nominate a Deputy Returning Officer who will be a member of UWSU staff in order to assist the Returning Officer to carry out their role.
- d. The Returning Officer, upon consultation with the UWSU President and Referenda Proposer, will set a referendum timetable to enable the largest possible number of members to vote, bearing in mind the following:
 - i. Polling should be open for at least 48 hours.
 - ii. No referendum question will be put to the student members for a second time until at least 12 months has passed.
- e. To assist the setting of the referenda question, members will be invited for a meeting with UWSU Officers and Staff. For the avoidance of doubt, members have the right to remove the request for a referenda as a result of this meeting.
- f. In the case of any dispute regarding the wording of proposals, or if it deems necessary, Chair of Student Council (with support from their Deputy Chair) shall be empowered to revise the wording of proposals in order to ensure that those voting in Referenda are presented with clear choices and decisions.
- g. An alternative or related proposal shall be considered on receipt of a Secure Petition as outlined in the Articles of Association.
- h. The Returning Officer shall actively seek statements for and against Referenda proposals to assist those voting to consider the issues involved. If more than one statement is submitted, the Union Returning Officer shall decide upon which one is published, or may prepare a new statement combining different statements.
- i. No member shall have more than one vote per referenda.
- j. The rules and regulations for each referendum will be set by the Returning Officer and published 15 working days before the referendum is opened for voting.
- k. The option to spoil ballot will be offered on all ballot papers. This shall be included within the turnout figure and any spoilt ballots will be considered in determining a simple majority decision
- l. For a referendum to be valid, at least 1000 or 10% of members (whichever is lower) must cast a vote.

Bye-Law (2): Student Led Democracy

Student Council

- a. In accordance with the Articles of Association the duties of Student Council shall be to:
 - i. Represent the views of students within the University, locally and nationally in setting Union positions.
 - ii. Jointly with the Trustee Board, set the position of the Union and make, repeal and amend the Bye-Laws.
 - iii. Hold the Elected Officer team to account.
- b. All student members may attend, vote and speak on agenda items.
- c. The minimum quoracy for Council shall be:
 - i. At least two sabbatical officers.
 - ii. At least two campaign organisers; or identified substitutes from two different liberation communities
 - iii. At least five non-sabbatical student members
- d. Remote attendance of Student Council members via conferencing arrangements shall count towards quorum when made available.
- e. If the meeting becomes inquorate at a point throughout the meeting, it is at the acting Chair's discretion as to whether the meeting can continue and be deemed quorate.
- f. The Acting Chair shall be a sabbatical officer until a student facilitator (or Chair) has nominated themselves for the role.
- g. Students can nominate themselves to facilitate (or Chair) by making their interest known to the Acting Chair.
- h. At least two rotating student facilitators (or chairs) will be nominated at the start of term. They will be nominated via a simple majority vote, usually in the first student council of the academic year. Facilitators (or chairs) may change during the academic year.
- i. There should be at least four meetings throughout the academic year.

- j. Meeting dates should be publicised at the start of the academic year
- k. Additional meetings shall be convened on the written request of:
 - i. The Board of Trustees.
 - ii. The Sabbatical Officer Team.
 - iii. At least 30 student members, made up of members from at least 5 different student groups or representative groups including but not limited to sports teams, societies or academic representatives.
 - iv. 75% of attendees at an existing council meeting.
- l. Agenda items must be submitted to the Student Council Clerk at least 3 working days before the meeting.
 - a. For additional meetings, agenda items must be submitted to the Student Council Clerk at least 5 working days before the meeting.
- m. At the discretion of the Student Council facilitators, emergency items may be added to the agenda if the Chair deems there was a legitimate reason why it could not meet the deadline for agenda items and the content of the motion is a sufficient emergency.
- n. Following NUS National and Extraordinary Conferences, the ex-officio attendee will provide a report to Student Council.
- o. Suggested Union positions shall be debated and require the approval of a simple majority of voting members to be carried and passed as a Students' Union position statement.
- p. Position statements will be subject to ratification by the Board of Trustees if they:
 - a. Have or may have financial, reputational or legal implications for UWSU
 - b. are, or may be, in breach of, or inconsistent with, charity or education law, or other legal requirements.
- q. Any member can propose an amendment. If an amendment is accepted by the proposer of the position statement, it shall be included in the motion.
- r. If an amendment is not accepted by the proposer of the position statement, it shall require the approval of a simple-majority of student council attendees to be carried and included in the position statement, following a simple debate.
- s. Any voting member can raise a procedural motion. These require debating and voting on before returning to the motion debate. They shall be (in order of precedence):
 - i. No confidence in the facilitator (or chair).
 - ii. Move to a vote.

- iii. Refer the item to a later student council
- t. The agenda should be publicised to all members at least three working days before each council meeting.
 - a. For extraordinary meetings, agenda should be publicised to all members at least five working days before each council meeting.

Minutes of Student Council meetings will require the approval of a simple majority of meeting attendees to be carried and passed as an accurate record. This can take place via an online vote before, during or after the following council meeting.

- u. Position statements passed in Student Council meetings will be publicised to all members once passed. Positions requiring ratification from the Students' Union Board of trustees will be publicised after this has taken place.
- v. Position statements will automatically lapse after 2 years.
- w. For the avoidance of doubt, if a member wishes a position statement to remain, they should resubmit the idea at the next opportunity to submit agenda items.
- x. A member may, at any time, bring position statements that are considered to be out of date to the attention of Student Council. Student Council may then debate the position again.

Student Member Meetings

- a. The Student Members meeting (SMM) will be held once a year in accordance with the Articles of Association.
- b. In communications, this meeting may also be called an All Members Meeting.
- c. Additional meetings shall be convened on the written request of:
 - i. The Board of Trustees.
 - ii. The Sabbatical Officer Team.
 - iii. At least 200 student members.
- d. The SMM shall be called by at least 10 working day's written notice and notice of the SMM shall be given to every member.
- e. The notice shall include:
 - a. The date and time of the meeting
 - b. The venue of the meeting
 - c. The agenda and any associated papers in advance
- f. The SMM agenda shall include (but is not limited to):
 - i. Ratification of minutes of previous SMM.

- ii. Receiving the report of the Trustees on the Union's activities since the previous SMM.
 - iii. Receiving the accounts of the Union for the previous financial year.
 - iv. Noting the list of affiliations of the Union.
 - v. Overview presentation by the Officer Trustees.
 - vi. Open questions to the Trustees by members.
- g. The SMM is open to all student members. Every student member has the right to attend the SMM and the right to vote. A resolution put to the vote of the SMM shall be decided on a show of hands, and every member shall have one vote.
 - h. Every resolution put to the vote of the SMM shall be decided by a simple majority of the votes cast.
 - i. Quorum shall be 50 student members (excluding trustees). No business shall be transacted unless a quorum is present.
 - j. If quorum is not present within half an hour from the time appointed for the SMM, the SMM shall be adjourned to another such time and place which the trustees deem appropriate, giving at least 5 working days' notice.
 - k. If at the adjourned SMM a quorum is not present within half an hour from the time appointed for the SMM, the members present shall be considered a quorum.
 - l. The President shall preside as Chair of the SMM. In the absence of the President, the members present and entitled to vote shall choose one of their number to be chair.
 - m. Remote attendance of members via conferencing arrangements shall count towards quorum when made available.

Bye-Law (3): Elections

General Arrangements for Elections

- a. The regulations of the elections shall be set out in the Election Handbook, including (but not limited to) information regarding nominations, hustings, polling, publicity, manifestos, the count, voting,

complaints and conduct. For the avoidance of doubt, this Elections Bye-Law should be read in conjunction with the Election Handbook.

- b. Voting shall be by secret ballot using a transferable vote system as described by the Electoral Reform Society of Great Britain & Northern Ireland and shall include re-open nominations as a candidate.
- c. Should re-open nominations be the elected candidate, then the post in question shall remain vacant until a by-election is held.
- d. Should re-open nominations be elected in a multi-seat election, proceedings will be at the discretion of the Returning Officer
- e. No member shall have more than one vote per position per election.
- f. The University of Westminster Students' Union (UWSU) Board of Trustees shall nominate and appoint an Independent Returning Officer. Following guidance from the Union CEO, the Returning Officer will annually appoint a member of Students' Union staff with the relevant experience to act as the Deputy Returning Officer.

Powers and Duties of the Returning Officer

- a. The Returning Officer will set and administer the election regulations.
- b. The Returning Officer shall decide and agree upon the scheduling of the election period.
- c. The Returning Officer shall be responsible for the conduct of all matters regarding the elections.
- d. The Returning Officer is the sole official competent to deal with complaints about the conduct and administration of the Elections Bye-Law and Election Handbook.
- e. The Returning Officer shall produce a report on the conduct of the Elections which shall be presented to the Court of Governors and Board of Trustees
- f. The Returning Officer may delegate powers to the Deputy Returning Officer.
- g. The Returning Officer will determine a fair process in the instance of a tie with the advisement of the Deputy Returning Officer

Electable Positions

- a. The following posts shall be elected by cross-campus ballot:

- i. Sabbatical Trustees. The nominee for Postgraduate Education Officer must be a postgraduate student and the nominee for Undergraduate Education Officer must be an undergraduate student.
 - ii. National Union of Students (NUS) representatives who will attend all national and extraordinary conferences in that academic year. NUS may specify the composition of the delegates to ensure the representation of protected diversity types. If they have the policy to do so then the counting of the ballot shall ensure that we reach the required quota first before counting the remainder of the ballots.
- b. Officers elected in by-elections and co-options shall hold office from the date that the result is declared for the remainder of that period in office.

Voting

- a. Elections shall be conducted on-line, unless otherwise specified in the Articles of Association or these Bye-Laws, or where directed otherwise by the Returning Officer because of hardware or software limitations, elections shall be conducted on-line.
- ~~b.~~

Bye-Law (4): Student Groups

Recognition

- a. The process for recognising student groups affiliating to the Students' Union and reaffiliating to the Students' Union will be set out in the Student Groups & Volunteers Code of Practice.

Membership of Clubs and Societies

- a. Membership of affiliated clubs and societies will be open to all Members of the Union.
- b. Student groups shall be required to register their members through the Students' Union website.

Student group committee members

- a. Only currently enrolled University of Westminster students and members of the Union can become student group committee members. If the status of a committee member changes and they are no

longer a member of the Students' Union that person will have deemed to have resigned with immediate effect

Dealing with breaches of order or disciplinary matters within Student Groups

- a. All student group committee members will be expected as part of the affiliation process to sign a Student Groups Code of Conduct by which they and their members must abide. If any student group and/or its members are found to have breached this, or if allegations are made against a student group, the Students' Union will initiate the investigation, and if necessary disciplinary procedures outlined in the *Student Groups & Volunteers Code of Practice*.

Grant Funding

- a. The Students' Union will have a process by which student groups can apply for grant funding to enable their aims and objectives. This process is set out in the *Student Groups & Volunteers Code of Practice*.
- b. Grants will be given to student groups periodically, and all grants given to student groups will be published online to Students' Union members.

Bye-Law (5): Trustee Board Committees

Delegated Committees of the Board of Trustees

- a. The meetings and proceedings of any committee shall be governed by the Articles regulating the meetings and proceedings of the Trustees so far as they apply and are not superseded by any Bye-Laws.
- b. The Trustees may establish such other committees as they see fit, from time to time, and determine the terms of reference and membership of those committees subject to the provisions of the Articles of Association (and in particular Article 30.1). For the avoidance of doubt, all such committees may include elected Officer Trustees and non-elected Members of the Union.
- c. Subject to any resolution of the Trustees, all committees of the Board of Trustees shall operate within the relevant terms of reference set out in this Bye-Law.
- d. Members of Union staff may be invited to attend committee meetings to advise or support the committee at the request of the chair of the relevant committee.
- e. All committees of the Board of Trustees shall report regularly to the Trustees in accordance with Article 31.1.

- f. The Trustees shall have the power to revoke in whole or in part or to amend any delegation of their powers to any committee and to require any such committee (other than the Appointments and Human Resources Committee, Membership Engagement Committee, Finance, Audit and Risk Committee and Executive Committee) to no longer meet and therefore cease to exist.
- g. The Board of Trustees shall annually review the terms of references for its subcommittees on an annual basis. The terms of reference shall include the purpose, composition, quorum, functions and reporting arrangements. All current subcommittee terms of reference shall be provided as an appendix to these Bye-Laws.

Bye-Law (6): Officers of the Union

Officer Types

- a. There shall be five major office holder sabbatical trustees (major office holders):
 - i. President.
 - ii. Vice President (Activities).
 - iii. Vice President (Undergraduate Education).
 - iv. Vice President (Postgraduate Education).
 - v. Vice President (Welfare).

Duties of Officers

- a. The collective duties of all officers shall be to:
 - i. Promote and defend the rights of the members.
 - ii. Work in accordance with, and in furtherance of, the Policy of the Union.
 - iii. Work with the permanent Union staff to deliver effective student representation and to coordinate the Union's representation of students to the University of Westminster through meetings, lobbying and campaigning.
 - iv. Liaise with external organisations as required and as appropriate to their individual roles.

- v. Regularly hear from and represent, students from marginalised communities, including but not limited to: Black, Asian and Minority Ethnic Students, Disabled Students, LGBTI Students, International Students, Trans and Non-Binary Students and Women Students
 - vi. Attend Student Council and other internal UWSU meetings.
- b. The additional collective duties of the sabbatical trustees shall be to:
- i. Be trustees of the Union.
 - ii. Raise issues of student concerns with the rest of the Board of Trustees and develop appropriate responses acting always in the interest of the entire student population and the Union, not just for the interest of the portfolios that they represent.
 - iii. Represent students on University committees. Attendance at committees (except the Court of Governors) will be decided on an annual basis, giving regard to the relevance to specific officer portfolios, interests and expertise.
 - iv. Communicate to students about the work of UWSU and the Officer team, including progress on meetings, lobbying and campaigning
 - v. Coordinate activity and campaigns relating to equality, diversity, inclusion and liberation in partnership with students from marginalised and liberation backgrounds
- c. The President's duties will include:
- i. Being the principle spokesperson and figurehead of the Union, acting as key representative to external organisations.
 - ii. Being a full and active member of the University Committee structure. The President shall be ex-officio a Governor on the University Court of Governors.
 - iii. Liaising closely with the University Management Team and senior University of Westminster staff, acting as key representative.
 - iv. Chair the Board of Trustees.
 - v. Interpreting the Union's Articles of Association and Bye-Laws.
 - vi. Coordinating the activities of the Union Chief Executive, and through the CEO, the permanent Union staff.
 - vii. Coordinating the work of the sabbatical trustees.
 - viii. Liaising with the National Union of Students.

- ix. Being an ex-officio Delegate and Delegate Leader to NUS National and Extraordinary conferences.
- x. Leading on the Union's long-term planning.

d. The Vice President (Activities)'s duties will include:

- i. Representing the student body on matters relating to sports, societies, volunteering and employability.
- ii. Ensuring the effective implementation of representation networks and student voice gatherings for sports, societies, volunteering and employability.
- iii. Coordinating activity and campaigns relating to sports, societies, volunteering and employability.
- iv. Informing policy within the University and Students' Union on matters relating to sports, societies, volunteering and employability.

e. The Vice President (Undergraduate Education)'s duties will include:

- i. Representing the student body on matters relating to the undergraduate academic affairs and widening participation
- ii. (Jointly with the Vice President (Postgraduate Education)) Oversight and development of the academic representation system.
- iii. Coordinating activity, the student voice and campaigns relating to undergraduate academic affairs.
- iv. Informing policy within the University and Students' Union on matters relating to undergraduate academic affairs.

f. The Vice President (Postgraduate Education)'s duties shall include:

- i. Representing the student body on matters relating to postgraduate academic affairs and widening participation.
- ii. (Jointly with the Vice President (Undergraduate Education)) Oversight and development of the academic representation system.
- iii. Coordinating activity, the student voice and campaigns relating to postgraduate academic affairs.
- iv. Informing policy within the University and Students' Union on matters relating to postgraduate academic affairs.

g. The Vice President (Welfare)'s duties shall include:

- i. Representing the student body on matters relating to wellbeing, including student support, welfare, equality and diversity
 - ii. Ensuring effective implementation of representation networks including part-time officers for student wellbeing, equality and diversity matters.
 - iii. Coordinating activity and campaigns relating to student wellbeing
 - iv. Informing policy within the University and Students' Union on matters relating to student wellbeing, welfare, equality and diversity.
- h. Duties of the sabbatical trustees may be reallocated by the Board of Trustees.
 - i. If the President can no longer carry out their duty as a Governor on the University of Westminster Court of Governors, the Trustee Board shall recommend another Officer Trustee as a replacement
 - j. If the President is unable to attend NUS National or Extraordinary Conferences, they will nominate another sabbatical trustee or sabbatical trustee elect to attend in their place.

No Confidence in Officers

- a. Any student member may raise a vote of no confidence in an officer of the union by submitting an online petition.
- b. A referendum shall be triggered if the petition of no confidence receives 200 signatures from current members within three weeks
- c. If the referendum results in no confidence in the officer, that position will become immediately vacant.
- d. The terms of employment for officers, including instances of votes of no confidence, will be outlined within employment contracts.

Officer Vacancies

- a. If a vacancy occurs before the start of an officer's term, the election results for that role shall be re-run, at the discretion of the Returning Officer, for those elections.
- b. Should a sabbatical trustee role become vacant during the course of the term of office, their duties shall be reallocated to other sabbatical trustees by the Board of Trustees.
- ~~c. Should a part time officer role become vacant during the course of the term of office, officers may be co-opted at the discretion of the President.~~

- d. Should there be a delegate vacancy at the point of registering for NUS conferences, delegates may be co-opted at the discretion of the Board of Trustees.
- e. All co-options shall follow the provisions in the UWSU Co-option Process.

Bye-Law (7): Protecting Our Members

- a. There may be times that individuals or groups within the Union do things which cause upset to others in the Union. This process outlines fair procedures for issues to be raised and everyone to be treated fairly.

Scope

- a. This Bye-Law sets out the steps to be followed where issues concerning the conduct of an individual member are raised.
- b. For the avoidance of doubt this policy does not cover matters of misconduct by employees of UWSU. Individuals wishing to make a complaint about the conduct of UWSU employees should refer to the complaints policy.
- c. For the avoidance of doubt, this members code of conduct refers to matter of misconduct when members are; on UWSU premises, using UWSU facilities or at an event provided by UWSU, when representing or acting on behalf of UWSU, and when accidents or incidents take place between two or more representatives of UWSU regardless of location or medium.
- d. UWSU believes that rules and procedures are necessary for promoting orderly relations as well as fairness and consistency in the treatment of individuals. It is important that all members understand the standards of conduct and performance that are expected of them and full details of this procedure will be given to members as appropriate.
- e. For the purpose of this procedure, members are defined in accordance with the memorandum and articles of UWSU and include each and every student fully enrolled at the University of Westminster who has not opted out by notifying UWSU of their wish not to be a member of UWSU, and the sabbatical officers of UWSU.

Expected Behaviours

- a. All members will:
 - i. Conduct themselves in a reasonable and responsible manner at all times.
 - ii. Treat others with respect and dignity and without unfair or illegal discrimination.

- iii. Not offend others with foul language, anti-social or discriminatory behaviour.
- iv. Treat the environment with respect.
- v. Not interfere with other people's enjoyment of UWSU facilities or activities.
- vi. Not engage in activity or behaviour likely to bring UWSU into disrepute.
- vii. Comply with the reasonable requests of staff and officers of UWSU.
- viii. Respect the confidentiality of others.
- ix. Adhere to the UWSU policies.
- x. Use UWSU resources responsibly and honestly.
- xi. Undergo any training required as a result of any roles undertaken.
- xii. Not act dishonestly or with intent to commit fraud.

b. In addition to the above, members who hold elected office will:

- i. Actively support the mission, vision and values of UWSU.
- ii. Respect the confidentiality of any meetings where confidentiality is required.
- iii. Not knowingly misrepresent the views of UWSU.
- iv. Carry out the duties and responsibilities of their elected role in good faith
- v. Seek to be accountable for their role.
- vi. Make every reasonable effort to be punctual and reliable.
- vii. Uphold the democratic principles and all other policies and procedures of UWSU.
Comply with any relevant conflict of interest policies.
- viii. Participate in induction and training to carry out their responsibilities.
- ix. Not behave recklessly in the discharge of their duties.

Complaints about Members and Student Officers

- a. In accordance with the Articles of Association, The Board of Trustees will establish and monitor a “code of conduct” that all Student Members shall be required to adhere to, including when Student Members are involved in activities or at events that are administered or organised by the Union.
- b. The code of conduct or disciplinary procedure for Student Members may include a range of sanctions for breach of the code of conduct by a Student Member, including the suspension or removal of some of the rights and privileges of Student Membership, including the holding of office.

Complaints about Student Groups, Student Leaders and Student Volunteers

- a. The Students’ Union expects all our student leaders, in all roles to meet our expected behaviours.
- b. All student leaders will be expected to sign up to a Student Groups & Volunteers Code of Practice when accepting their roles. Failure to do so will mean that they will not be allowed to accept this role.
- c. If a complaint is received by the Students’ Union that suggests the Student Groups & Volunteers Code of Practice has been broken, then the process outlined in the Code of Practice will be initiated.

Bye-Law (8): Membership

Benefits of Membership: Student Members

- a. Student members shall have the following benefits, including those listed within the Articles of Association:
 - i. To be represented by the Union on academic issues
 - ii. To have access to the service and support facilities provided by the Union;
 - iii. To be eligible to join registered clubs and societies of the Union, subject to the conditions of membership of such clubs and societies;
 - iv. To utilise the social facilities administered by the Union;
 - v. To be eligible to eligible to vote at Student Members Meetings and Students’ Union Council meetings
 - vi. To be eligible to vote in elections or referenda that are conducted by the Union, subject always to the regulations governing elections and referenda;
 - vii. To be eligible for participation in Union committees and the committees of clubs and societies;

- viii. To be nominated as a candidate and / or a proposer for any of the offices of the Union which are subject to election subject to the rules governing elections;
- ix. Students who withdraw their membership may lose these benefits except access to academic advice.

Associate Members

- a. Associate members shall have the following benefits:
 - i. To be eligible to join registered clubs and societies of the Union, subject to the conditions of membership of such clubs and societies;
 - ii. To utilise the social facilities administered by the Union;
 - iii. Associated members are expected to act within the same behavioural expectations as Student members, as outlined in Bye-law (6).
 - iv. For the avoidance of doubt, associated members must still act within The Code of Conduct and may be subject to the same disciplinary procedure as outlined in Bye-law (6).