

Code of practice for the University of Wolverhampton Students' Union

1. The Code of Practice

1.1 This code of practice sets out the steps which the Board of Governors (The Board) of the University of Wolverhampton (The University) has taken, in so far as is reasonably practicable, in observance of the requirements of the Education Act 1994, Part II (The Act), to secure that the University of Wolverhampton Students' Union (The Union) operates in a fair and democratic manner and is accountable for its finances.

1.2 The University of Wolverhampton Students' Union is a company limited by guarantee with company number 7275807 and is a charity registered with the Charities Commission with registered number 1136470.

The University is a Higher Education Corporation formed under the provisions of the Education Reform Act 1988. It is an **exempt charity**.

<http://www.wlv.ac.uk/default.aspx?page=25240>

2. The Students' Union

2.1 The Union is the recognised association of students at the University.

2.2 The Union represents its members, both within the University and more widely, and promotes their general interests as students.

2.3 The President of the Union is a member of the Board of Governors of the University and the Union is also represented on the Academic Board and its committees.

3. The Union Constitution

3.1 The Union operates under the **written constitution**:

<http://www.wolvesunion.org/pageassets/yourunion/policies/Memorandum-and-Articles-Fund.pdf> and

3.2 The Union is required to make copies of the constitution freely accessible online and in the Union Offices for inspection by all students, whether or not they are members of the union.

3.3 The Board reviews the constitution and bye-laws at intervals of not more than five years, and approves amendments as and when appropriate.

3.4 The Union is subject to the law relating to charities. It may undertake only those activities which further its purposes and which are authorised by its constitution. It may not incur any expenditure or take any other action which is inconsistent either with the law relating to charities or with the University's own status as an exempt charity. The Union is required to have due regard to such advice as may be issued from time to time by the Charity Commissioners and by the Law Officers of the Crown, particularly in relation to campaigning and political activities.

4. Membership of the Union

4.1 Membership of the Students' Union is regulated by **Bye Law 1** (<http://www.wolvesunion.org/pageassets/yourunion/policies/Bye-laws-Final-Complete-Set-Version>).

All present, registered students of the University of Wolverhampton shall be full members of the Union unless they opt out of membership.

Membership is not compulsory and every student has the right not to be a member of the Union.

4.2 A student who exercises their right to opt out of membership of the Union does so without prejudice and will continue to be have the right to access Union services, to participate in the activities of the Clubs and Societies, and to attend Union events. They shall not, however, be able to participate in the democratic and decision-making functions of the Union.

4.3 The right to membership of the Union may be exercised at any time in the academic year but, once taken; the decision to join shall remain effective for the remainder of that academic year.

4.4 Membership of the Union lapses automatically on ceasing to be a student on a course validated by the University of Wolverhampton or on ceasing to be an Officer Trustee.

4.5 In presenting its annual estimates of income and expenditure to the Board, the Union is required to inform the Board of the number of students currently in each category of membership of the Union.

5. Provision of Services

5.1 Students who are not full members are not entitled to represent or be represented by the Union, or to participate in its democratic processes, or to serve as officers of the Union or of clubs or societies within or affiliated to the Union.

5.2 Associate members are entitled to participate in such activities and use such amenities and services (including social, recreational, sports, catering, travel, shopping, welfare and accommodation services, access to banking and other commercial services operated on Union premises, and membership of clubs, societies, athletics union and sports groups within or affiliated to the Union) as are provided by the Union for the generality of students at the University, except that they might be specifically excluded from entitlement or eligibility to share in such offers, amenities, activities or services as are provided for the Union by such organisations whose purposes are to provide for full members represented by the Union through association or affiliation.

5.3 Access to licensed premises promoted or managed by the Union shall be open to all students at the University who are able to provide such proof of status as may be required by the relevant licensing authorities.

5.4 All students at the University, whether members or not, who participate in the activities of the Union or who make use of the amenities or services of the Union shall be bound by the disciplinary procedures of the Union, as set out in the bye-laws.

5.5 The Board considers that the range of services provided by the Union and by the University for the generality of students at the University, whether members of the Union or not, is sufficient to ensure that non-members are not unfairly disadvantaged by reason of their having exercised their right not to join the Union.

6. Elections

6.1 Union elections are conducted in accordance with the election regulations incorporated in **Bye-law 7** (<http://www.wolvesunion.org/pageassets/yourunion/policies/Bye-Laws-Final-Complete-Set-Version>) approved by the Board. The Union is required to publicise the election procedures widely within the Union and to make copies available for inspection by all students, whether members or not, within the Union premises.

6.2 The major offices of the Union are the Officer Trustees as set out in **Bye-Law 6** (<http://www.wolvesunion.org/pageassets/yourunion/policies/Bye-laws-Final-Complete-Set-Version>).

6.3 The Officer Trustees of the Union are elected annually by secret cross-campus ballot in which all full members of the Union are entitled to vote.

6.4 The Clerk to the Board of Governors (The Clerk) or the nominee of the Clerk acts as returning officer for Union elections in accordance with Bye-Law 7 and, acting on behalf of the Board, oversees the conduct of the elections to ensure compliance with S22 of the Education Act 1994 (the Act). If not satisfied that an election has been

fairly and properly conducted, the returning officer may declare such an election void.

6.5 The day to day administration of the elections is undertaken on behalf of the returning officer by a full-time (non-elected) official of the Union. They act as deputy returning officer and are determined by the Union's Trustee Board.

6.6 In accordance with Bye-Law 7 and the Act, no student may hold a sabbatical Union office or a paid elected Union office for more than two years at the University.

7. Union Finances

7.1 The financial affairs of the Union are conducted in accordance with the Act; the constitution and the bye-laws approved by the Board.

7.2 The Union is required to keep proper accounts and accounting records; maintain a sound system of internal financial management and control; plan and conduct its financial affairs so as to ensure that its total income is at least sufficient, taken one year with another, to meet its total expenditure and that its financial solvency is maintained; obtain prior written consent given by or on behalf of the Board to any transaction involving land, buildings or equipment in excess of such amount as may be determined from time to time by or on behalf of the Board; obtain prior written consent given by or on behalf of the Board to the borrowing of any money for a period in excess of twelve calendar months; not to give any guarantees or indemnities incurring contingent liabilities other than in the normal course of business; maintain such levels of insurance cover as may be deemed appropriate by the University's Director of Finance, acting on behalf of the Board.

7.3 The Union's budget is subject to approval by the Board and the Union is required to prepare annual estimates of income and expenditure for submission to the Board in such form and at such time as the University's Director of Finance, acting on behalf of the Board, prescribes.

7.4 The Union is required to appoint external auditors and to submit to the Board, at such time as the Board shall determine, the annual financial reports and audited accounts of the Union.

7.5 The Union is required to publish its annual financial reports and audited accounts within the Union premises and the University Library, and such accounts and reports are to be made available online and in the Union Offices for inspection by all students, whether or not they are members of the Union.

7.6 The Union is required to publish in its annual financial reports a list of the external organisations to which the Union has made donations in the financial year to which the report relates and details of those donations.

7.7 The Union is required to make a report to the University's Director of Finance at not less than quarterly intervals on its income and expenditure against the approved budget.

7.8 The Union is required to set out in its bye-laws a fair procedure for the allocation of resources to societies, clubs and other groups within or affiliated to the Union and to make this written statement of the procedure freely accessible in the Union offices and in the University Library for inspection by all students, whether or not they are members of the Union.

7.9 The Union's use and management of premises and related services which the University provides for the Union are subject to a lease, and the Union's provision and management of catering and licensed bar services (if any) will be undertaken in accordance with a memorandum of co-operation between the Union and the University.

7.10 If the Union fails to comply, to the satisfaction of the Board, with the requirements of this code or of the constitution or of the relevant statutes, the Board may withhold funding from the Union and/or may require the Union to repay in whole or in part funds which the University has made to the Union, together with interest in respect of any period during which a sum due to the University under this or any other condition remain unpaid.

8. Affiliations

8.1 If the Union decides to affiliate to an external organisation, the Union is required to publish within the Union premises and the University Library a notice of that decision, stating the name of the organisation to which the Union is to affiliate, and details of any subscription or similar fee paid or proposed to be paid, and of any donation made or proposed to be made, to that organisation. That notice is to be freely available to all students whether or not they are members of the Union.

8.2 If the Union is affiliated to any external organisation, the Union is required to publish, at least once in each academic year, a report containing a list of the organisations to which the Union is currently affiliated and details of the subscriptions or similar fees paid, and of any donations made, to such organisations in the past year or since the last report, and to make such reports freely available for inspection by all students, whether members of the Union or not, within the Union premises.

8.3 The Union shall submit a current list of affiliations to external organisations for approval by members of the Union by cross-campus referendum at least once in each academic year.

8.4 Once in every academic year a cross-campus referendum to determine, by a secret ballot in which all full member of the Union are entitled to vote, whether to continue affiliation to any particular organisation may, subject to the requirements set out in the Constitution and bye-laws, be requisitioned on presentation of a petition

signed by full members constituting not less than five per cent of the full membership of the Union.

9. Complaints

9.1 The University's formal complaints procedure is available to all students, whether or not members of the Union, and may be used by them, individually or in groups, if they are dissatisfied in their dealings with the Union or if they believe themselves to be unfairly disadvantaged by reason of their having exercised the right not to be a member of the Union. Details of the complaints procedure are published online http://www.wlv.ac.uk/PDF/ind_compl_proc.pdf and widely within the Union and the University.

9.2 Complaints under this Code of Practice should be submitted in writing to the Clerk

9.3 On receipt of the complaint, the Clerk will determine whether it can properly be resolved within the Union or the University or whether it should be referred for investigation and report (normally within 21 days) by an independent person appointed by or on behalf of the Board.

9.4 In the light of the report of the independent person to whom a complaint has been referred, the Board, or the Chair or Deputy Chair acting on behalf of the Board, shall, as soon as it reasonably practicable, take such action as is deemed appropriate to resolve such complaint effectively, and the decision given by or on behalf of the Board shall be final.

9.5 The President of the Union and the Clerk will liaise to ensure that complaints are dealt with promptly and fairly.

10. Information

10.1 The Union is required to supply promptly to the Clerk a copy of every notice, report and other statement published or issued by the Union in compliance with this code of practice and with the relevant statutory provisions.

10.2 The University draws the attention of all students to

(a) This code of practice relating to the University of Wolverhampton Students' Union:

(b) The restrictions imposed on the activities of the Union by the law relating to charities:

(c) The provisions of section 43 of the Education (2) Act 1986 and the University's Code of Practice on Freedom of Speech

(http://www.wlv.ac.uk/PDF/ind_freespeech_regs.pdf), in relation to the activities and conduct of the Union:

- (d) The right of every student not to be a member of the Union;
- (e) The arrangements it has made for services of a kind which the Union provides for its members to be provided for students who are not members.

10.3 The University's prospectus and information online (including this Code of Practice) informs persons who are considering whether to become students at the University of the right of students not to be members of the Union and of the arrangements it has made for services of a kind which the Union provides for its members to be provided for students who are not members of the Union.

11. Review

11.1 The Clerk will advise the Board if, in the light of the operation of this code of practice, any revision of the code appears necessary.

Approved and issued by the Board of Governors on 7 July 2011.

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