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BYE LAW ONE – RESPONSIBILITIES OF TRUSTEES

1. TRUSTEES

- 1.1. The Trustees of MMUnion are defined in Article 12.

2. KEY RESPONSIBILITY OF TRUSTEES

The Trustees shall:

- 2.1. At all times act in the best interests of MMUnion.
- 2.2. Ensure that the Union complies with its governing documents, all applicable laws and statutory regulations or any regulations of any governmental, quasi-governmental, supra-national or other competent agency (including, without limitation, all health and safety legislation) in force from time to time.
- 2.3. Ensure that MMUnions' governance is of the highest possible standard and quality, including (but not limited to):
- 2.3.1. ensuring that MMUnion has a governance structure that is appropriate to an organisation of its size, complexity, stage of development and its charitable objects and that enables the Trustees to fulfil their responsibilities;
 - 2.3.2. reflecting annually on the Trustee Board's performance and that of individual Trustee;
 - 2.3.3. ensuring that the Trustee Board has the skills required to govern MMUnion well and has access to relevant external professional advice and expertise;
 - 2.3.4. ensuring that there is a systematic, open and fair procedure for the Election or recruitment of Trustees;
 - 2.3.5. ensuring that there are succession plans for the Trustees and the Chief Executive where possible;
 - 2.3.6. participating in individual and collective development and training of Trustees;
 - 2.3.7. abiding by the code of conduct for Trustees;
 - 2.3.8. ensuring that major decisions and Board policies are made by the Trustees acting collectively;
- 2.4. Be guardians of all MMUnions assets, both tangible and intangible, taking all due care over their security, deployment and proper application, including (but not limited to):

- 2.4.1. ensuring that MMUnion has satisfactory control systems and procedures for holding in trust for the Members all monies, properties and other assets and to ensure that monies are invested to the maximum benefit of MMUnion, within the constraints of the law and ethical and other policies laid down by the Trustee Board;
 - 2.4.2. ensuring that the major risks to which MMUnion is exposed are reviewed annually and that systems have been established to mitigate or minimise these risks;
 - 2.4.3. ensuring that the income and property of MMUnion is applied for the purposes set out in the governing document and for no other purpose and with complete fairness between persons who are properly qualified to benefit;
 - 2.4.4. acting reasonably, prudently and collectively in all matters relating to MMUnion and always to act in the interests of MMUnion;
 - 2.4.5. being accountable for the solvency and continuing effectiveness of MMUnion and the preservation of its endowments;
 - 2.4.6. exercising effective overall control of MMUnion 's financial affairs and to ensure that the way in which MMUnion is administered is not open to abuse by unscrupulous associates, employees or volunteers; and that the systems of control are rigorous and constantly maintained through regular evaluation and improvement in the light of experience;
 - 2.4.7. ensuring that intangible assets such as organisational knowledge and expertise, intellectual property, MMUnion 's good name and reputation etc are properly valued, utilised and safeguarded;
 - 2.4.8. ensuring that all income due to MMUnion is received and that all tax benefits are obtained and all rating relief due is claimed.
- 2.5. Work in partnership with other Trustees, the Chief Executive and other senior staff in ensuring the MMUnion has a clear vision, mission and strategic direction and is focused on their delivery, including (but not limited to):
- 2.5.1. ensuring MMUnion has a clear vision, mission and strategic plan that have been agreed by the Trustee Board and that there is a common understanding of these by Trustees and staff;

- 2.5.2. ensuring operational and other plans support the vision, mission and strategic priorities;
 - 2.5.3. ensuring the Chief Executive's annual and longer term objectives and targets support the achievement of the vision, mission and strategic priorities;
 - 2.5.4. creating policies that support the vision, mission and strategic priorities;
 - 2.5.5. appointing the Chief Executive and ensuring that both the Chief Executive and MMUnion as a whole invest in their ongoing professional development;
 - 2.5.6. holding the Chief Executive to account for the management and administration of MMUnion.
- 2.6. Approve and monitor the annual engagement strategy to ensure there are effective mechanisms in place to:
- 2.6.1. listen to the views of current and future Members;
 - 2.6.2. ensure student views are at the heart of everything the University does;
 - 2.6.3. evidence the impact of MMUnion on the diverse student membership;
 - 2.6.4. review the external environment for changes that might affect MMUnion;
 - 2.6.5. continually re-assess the need for MMUnion and the services it does or could provide and review regularly against its strategic plan and charitable objectives.

3. OTHER DUTIES OF THE TRUSTEES

- 3.1. In addition to the above duties, each Trustee should use any specific skills, knowledge or experience they have to help the Board of Trustees reach sound decisions. This may involve:
- a. Scrutinising board papers;
 - b. Leading discussions;
 - c. Focusing on key issues;
 - d. Providing guidance on new initiatives;
 - e. Other issues in which the Trustee has special expertise.

BYE LAW TWO – SABBATICAL OFFICERS

1. SABBATICAL OFFICERS

The Sabbatical Officers shall at all times act in the best interests of MMUnion.

- 1.1. The responsibilities shared by the Sabbatical Officer team includes:
 - 1.1.1. being a Sabbatical Trustee (unless precluded by the Articles of Governance);
 - 1.1.2. being an effective representative and leader of representatives;
 - 1.1.3. proactively communicating and consulting with Members both formally and informally;
 - 1.1.4. meeting with key staff and decision makers in the University and outside to articulate the interests of students and seek change to enhance the student experience;
 - 1.1.5. being a campaigner for positive change;
 - 1.1.6. taking a lead role in Union campaigns, overall campaigns direction, supporting activists and campaigners;
 - 1.1.7. fulfilling democratic mandates;
 - 1.1.8. promoting democracy and Union governance;
 - 1.1.9. promoting encouraging and celebrating equality and diversity;
 - 1.1.10. encouraging environmental good practice and sustainability;
 - 1.1.11. ensuring that the interests of all sites and campuses within the University are properly reflected in the decision-making of the Students' Union;
 - 1.1.12. responding to local, national, international matters relating to Students as students;
 - 1.1.13. responsibility for achievement of Union-wide objectives;
 - 1.1.14. responsibility for the effective operation of Student Forums;
 - 1.1.15. responsibility for the implementation of campaigning and change strategy;

- 1.1.16. having collective responsibility for all decisions made by the Union Officers Group and Union Management Group;
- 1.1.17. active participation in Union Officers Group;
- 1.1.18. active participation in Union Management Group;
- 1.1.19. being accountable in the first instance to the Board of Trustees;
- 1.1.20. managing the dual role and responsibilities therein of a Trustee and representative of Members;
- 1.1.21. attendance at all other meetings and carrying out all other duties as appropriate or agreed by Trustee board from time to time;
- 1.1.22. liaison with the staff of the students' Union on matters affecting work related to specific portfolios.

2. PERIOD OF OFFICE

- 2.1. Sabbatical Officers shall serve the interests of the Union and its Members from the 1 July each year for a period of one year and one week. During this time they will maintain Membership of the Union.
- 2.2. Sabbatical Officers shall cease to hold office on the expiry of their term of office as set out in Bye-Law 2.1 above, or by way of resignation or dismissal.

3. REWARD

- 3.1. Sabbatical Officers shall be remunerated for the services they provide to the Union, throughout the period of elected office. The rate of remuneration will increase annually in line with NJC Scales and will be reviewed (if necessary) by the Finance Committee. Such rate must not be in contravention of any relevant law (including charity law) or MMUnion rule or policy.
- 3.2. Sabbatical Officers will receive comparable pro rata holiday entitlements to permanent staff in the Union.
- 3.3. Reasonable legitimate expenses incurred whilst on Union business will be reimbursed following the appropriate financial procedures and only to the level permitted by HM revenue and Customs (HMRC) before tax becomes payable.
- 3.4. Sabbatical Officers shall not be employed by the Union in any capacity other than their elected capacity during their term of

office, or until a period of two calendar years has elapsed since they ceased to be a Sabbatical Officer.

4. SPECIFIC PORTFOLIO RESPONSIBILITIES OF SABBATICAL OFFICERS

4.1. Sabbatical Officers shall also have the following portfolio roles, separate to their Trustee and Sabbatical team duties:

4.1.1. President

Overall leadership, representation and strategy:

- a. To lead the representation of student views and interests to the University, locally and nationally. Take a lead role in representing and promoting MMUnion and Manchester Metropolitan University students within the student movement, and other key partnership organisations;
- b. To be the lead officer responsible for all press and media;
- c. To consult with Members to inform future Union strategy and to be the primary point of communication with the Membership, liaising with senior management and key stakeholders to ensure effective planning of Union services and activities;
- d. To lead, support and line manage the Sabbatical team as is appropriate;
- e. To be the lead officer in maintaining day to day liaison with the Chief Executive on matters affecting the work of the Students' Union;
- f. To lead the delegation from the Union to NUS onference (if affiliated).
- g. To empower and inform students of their rights as students.

4.1.2. Vice President Cheshire

Site leadership, representation and strategy

- a. overseeing all Union activities at the Cheshire Campus
- b. Co-ordinate and support the officers and representatives based at the Cheshire campus as is appropriate;
- c. Act as the lead officer in day to day representation of the Students' Union to the Cheshire Campus and such other University committees as may be required;
- d. to deputise in the absence of the President, and to carry out all the duties and functions of the post in his/her absence.
- e. To empower and inform students of their rights as students.

- 4.1.3. Vice President Education
Leadership and strategy for education:
- a. To consult Students both formally and informally on their academic experience and aspirations, so as to inform future Union strategy;
 - b. To represent Student views on their academic experiences to secure provision of high quality academic provision in the University;
 - c. To take the lead role in campaigning on academic aspects within the University and beyond including but not exclusively fair access and fair funding for education;
 - d. To input into the University academic strategy at all levels, overseeing the Course Representative structure and promoting participation as appropriate.
 - e. To empower and inform students of their rights as students.
- 4.1.4. Vice President Student Activities (Cheshire)
Leadership and strategy for furthering Student development in Cheshire:
- a. To be responsible for the development of all Cheshire Sub-groups and their affiliate sports clubs, societies, campaign groups, volunteer groups or collectives with associated training, campaigns and support;
 - b. To lead promotion of social, cultural, educational, religious or political activities in Cheshire;
 - c. To take a lead role in developing partnerships both within the University and with other organisations to further develop Students and add value to their student experience in Cheshire;
 - d. To be responsible for developing a strong organising culture within Sub-groups and their affiliates;
 - e. To represent student activities to the University, local and national organisations as appropriate.
 - f. To represent student views and experiences and campaign on student health and general well being.
- 4.1.5. Vice President Student Activities (Manchester)
Leadership and strategy for furthering Student development in Manchester:
- a. To be responsible for the development of all Manchester Sub-groups and their affiliate sports clubs, societies,

- campaign groups, volunteer groups or collectives with associated training, campaigns and support;
- b. To lead promotion of social, cultural, educational, religious or political activities in Manchester;
- c. To take a lead role in developing partnerships both within the University and with other organisations to further develop Students and add value to their student experience in Manchester;
- d. To be responsible for developing a strong organising culture within Sub-groups and their affiliates;
- e. To represent Student activities to the University, local and national organisations as appropriate.
- f. To represent student views and experiences and campaign on student health and general well being.

4.1.6. Vice President Community
Leadership and strategy for involving and engaging Students in their communities:

- a. To leading initiatives in the interest of student community and the Union, in partnership with key University departments;
- b. To represent issues affecting all aspects of student life in the community, working with other officers to bring about positive change;
- c. To develop positive community relations and promoting Students within their communities, and maintaining strong links with community partners, taking the lead role on representing Students on community forums and other community groups;
- d. To be responsible for representation regarding halls, residences and with private landlords;
- e. To be lead campaigner on community issues.
- f. To represent and lead campaigns associated with students' safety and well being.

BYE LAW THREE- ELECTIONS REGULATIONS

1. PURPOSE OF ELECTIONS AND REFERENDA AT MMUNION

Elections are a vital feature of MMUnion:

- They secure for Members the right to elect Students to the principle Sabbatical posts outlined in Bye Law 2;
- They demonstrate to the Membership and the University that procedures are democratic and Student controlled;
- They are a key opportunity to promote MMUnion and its importance to Students from a variety of standpoints;
- They allow Students to gain an experience of the democratic process, whether this is standing as a candidate, questioning a candidate, or voting for a candidate;
- For many Students, Elections represent the first chance to participate directly in the democratic process.

Referenda are key to ensuring Student leadership of MMUnion:

- They ensure Students have the ability to direct and inform the work of the Union;
- They are a mechanism by which Members may hold the work of the Union to account;
- They allow Students to express their collective views about any issue;
- They retain the power of the Membership to remove any elected official from office.

Consequently Elections and referenda need to be well run, well promoted and well supported; but they also need to be fair, and be seen to be fair by the outside world.

The Returning Officer in any Election or referenda is appointed to ensure the Election or referendum runs fairly and smoothly. Associated rules are designed to create a level playing field for Members to participate.

2. THE RETURNING OFFICER

- 2.1. The Returning Officer shall act at all times in the best interests of MMUnion.
- 2.2. The Returning Officer, who shall not be a Member of the Union or employee of the Union, will be appointed by the Board of Trustees on an annual basis against a set of criteria defined by the Board of Trustees.
- 2.3. The Returning Officer shall be responsible for the good conduct and fair and compliant administration of all Union Elections and Referenda.

- 2.4. The Returning Officer shall arbitrate upon all disputes that may arise during the period of any Union organised Elections or Referenda, and may impose penalties up to, and including disqualification upon offending candidates or their campaign team.

3. POWERS OF THE RETURNING OFFICER

- 3.1. The Returning Officer shall have the power to suspend or disqualify a candidate or group of candidates from an Election or declare an Election void in the interest of the good conduct and fair administration of the Election.
- 3.2. The Returning Officer may appoint a Deputy Returning Officer and other officials to ensure the good administration and promotion of the Election in agreement with the Board of Trustees. The Deputy Returning Officer and Election officials shall be instructed by the Returning Officer on their duties and shall perform these in an impartial manner.
- 3.3. The Returning Officer may remove Election officials who are not carrying out the Returning Officer's instructions or acting in an impartial manner.
- 3.4. The Returning Officer shall not designate a Sabbatical Officer to carry out his/her duties.
- 3.5. The Returning Officer may recommend to the Board of the Trustees that the Union seek legal or other appropriate advice if he/she believes that any activity could leave the Union or the University open to legal action or that may bring the Union or University into disrepute.
- 3.6. The Returning officer shall have the power to suspend or disqualify an individual or a campaign team from Referenda or declare Referenda void in the interest of the good conduct and fair administration of the Referenda.
- 3.7. The Returning Officer shall have the power to issue supplementary guidance or advice to candidates or campaign teams in addition to those set out in these Articles of Governance and Bye Laws, where in his/her opinion such advice or guidance is required to ensure the fair conduct of Elections.
- 3.8. The Returning Officer shall have the sole right to interpret the meaning of these Election and Referenda Regulations.
- 3.9. Subject to Bye-Law 3.10, the ruling of the Returning Officer on the conduct of the campaign and execution of the Election and Referenda shall be final.

- 3.10. The Board of Trustees may review the decision of a Returning Officer and may (in exceptional circumstances) overturn his/her decision by a formal vote achieving a 2/3rd majority of all Trustees (not just those present at a meeting) if the consequence of any decision of the Returning Officer is deemed to fall outside of the scope and authority of these Election and Referenda Regulations.

4. DUTIES OF THE RETURNING OFFICER

- 4.1. The Returning Officer shall ensure that all Members can exercise their right to vote in Union Elections and Referenda and where possible the timing and duration of Election or Referenda is such that a reasonable person may expect maximum participation from Members.
- 4.2. The Returning Officer shall determine the timetable for and the rules that will govern the Elections of the Sabbatical Officer / Trustees and NUS Delegation (as appropriate) in agreement with the Board of Trustees and in accordance with the Articles and these Bye-Laws.
- 4.3. The agreed dates of Elections for Sabbatical Officers / Trustees and NUS Delegation, a copy of the Election timetable and a copy of the Election and Referenda Regulations shall be made widely available using appropriate Union media including the Union's website at least ten (10) academic days before voting is due to begin.
- 4.4. Once notice of Referenda has been given, the Returning Officer shall determine the timetable and regulations of the Referenda in agreement with the Board of Trustees.
- 4.5. The wording for the ballot paper for the Referendum shall be decided by the Returning Officer in agreement with the Board of Trustees and shall clearly define the choices available to the electorate.
- 4.6. Notice that a Referendum has been called, the date of Referendum, a copy of the Referenda a timetable, a copy of the Referenda regulations, and nature of the question to be put shall be made widely available using appropriate Union media including the Union's website at least five (5) academic days before voting is due to begin.
- 4.7. The Returning Officer shall provide a report to the Board of Trustees and the University with regards to each set of Elections.

5. ELIGIBILITY FOR ELECTION

- 5.1. All full Members of the Union are eligible to stand for Election to positions outlined in this Bye Law.

- 5.2. Students that have opted out of Membership of the Union may not stand for Election to any position.
- 5.3. Candidates must confirm their eligibility against the criteria contained within the consent to standing form issued by the Returning Officer as agreed with the Board of Trustees. Failure to do so, or provision of inaccurate information may lead to disqualification.
- 5.4. In the case of Elections to constituency linked positions, candidates must be Members of the constituency in question, at the time of standing and at the time of taking office.
- 5.5. Any full Member may stand for Election to the office of President, Vice President Education, Vice President Welfare or Vice President Community.
- 5.6. Only Full Members registered on a course of study at a Manchester Campus may stand for Election to the office of Vice President Activities (Manchester).
- 5.7. Only Full Members registered on a course of study at the Cheshire Campus may stand for Election to the office of Vice President Cheshire or Vice President Activities (Cheshire).

6. INCUMBENT OFFICERS

- 6.1. Incumbent Sabbatical Officers wishing to stand for re-Election must declare paid holiday, and time in lieu taken during the campaign period to the Returning Officer before the counting of the votes begins.
- 6.2. Incumbent Sabbatical Officers standing for Election may not use any of the resources of their current position (such as publicity, photos, materials, stationery or email addresses or any other resources that are not accessible to other candidates).

7. AVAILABLE POSITIONS

- 7.1. Positions available are:
 - a. President;
 - b. Vice President Cheshire;
 - c. Vice President Education;
 - d. Vice President Welfare;
 - e. Vice President Activities (Manchester);
 - f. Vice President Activities (Cheshire); and
 - g. Vice President Community.

8. NOMINATIONS FOR ELECTION

- 8.1. An Election Information Pack must be available at least ten (10) academic days before voting is due to begin. The pack shall contain a copy of the description of the role of each position available in the Election, a nomination form, consent to standing form, an Election timetable, a copy of the Election regulations and information on the facilities the Union will make available to each candidate.
- 8.2. Full Members of the Union can stand for Election and shall be considered for nomination provided that a nomination form, with the candidates name, student number, consent to standing signed by the candidate and a manifesto are received by the Returning Officer or their representative by close of nominations.
- 8.3. The Returning Officer shall have the sole responsibility of declaring a submitted nomination form valid. When the Returning Officer is satisfied, all valid nominations will be confirmed with the candidates.
- 8.4. Nominations will not be accepted from two or more Members of the Union seeking Election jointly for a single post.

9. REFERENDA CAMPAIGN TEAMS

- 9.1. There can only be one official campaign team for each of the Referenda options presented on any ballot.
- 9.2. In the event that more than one letter of intent is received by the Returning Officer, the Returning Officer shall determine the Official campaign team.
- 9.3. Prior to being declared Official campaign team, a representative of the team must sign a Letter of Intent. The Letter of Intent will be drafted by the Returning officer and shall indicate that as official representatives of the campaign team, the Union Member(s) will comply with all regulations set by the Returning Officer, and he/she will be subject to disciplinary action should he/she violate any of these regulations.
- 9.4. In a Trustee-initiated Referendum, or where the Union has taken a position they shall have right to form the official campaign team in favour of argument the Union supports without submission of Letter of Intent.

10. PUBLICITY ABOUT THE ELECTION OR REFERENDA

- 10.1. The Returning Officer and or their nominee shall make arrangements to ensure that Elections and Referenda are adequately publicised.
- 10.2. The Union will produce a Members guide to the Election including copies of approved candidates manifesto submissions.
- 10.3. The Union will produce a Members guide to Referenda which will include a statement from each campaign team.
- 10.4. Candidates will be supplied with an amount of publicity material, determined by the Returning Officer (which may be nil), in order to promote their candidacy in the Election.
- 10.5. Referenda campaign teams as recognised by the Returning Officer will be supplied with an amount of publicity material, determined by the Returning Officer (which may be nil), in order to promote their respective Yes or No campaign.
- 10.6. No candidate or campaign team may produce or distribute publicity without the prior approval of the returning officer or nominee.
- 10.7. Election Candidates and Referenda campaign teams cannot use any publicity materials that are not approved by the Returning Officer.

11. VOTER PARTICIPATION

- 11.1. All Full Members of the Union may vote, on the production of proof of identity deemed acceptable by the Returning Officer.
- 11.2. The Returning Officer shall ensure that all Full Members of the Union have reasonable access to vote no matter their location or time of study.
- 11.3. The Returning Officer and or their nominee shall make such arrangements as to ensure the electorate has the opportunity to make an informed Election decision.

12. METHOD OF ELECTION

- 12.1. Election Ballots shall bear the name of each candidate and the office being contested.
- 12.2. Re-open Nominations (RON) shall be a candidate in all Union Elections.

- 12.3. Voting shall be by secret ballot and conducted in accordance with the rules for the operation of the appropriate single or multiple transferable voting systems as defined by the Electoral reform Society.

13. METHOD OF REFERENDUM BALLOT

- 13.1. Ballots shall bear the question to be decided and the options available to vote.
- 13.2. Voting shall be by secret ballot in a method appropriate to the nature of the question put as determined by the Returning Officer.

14. COUNTING OF AN ELECTION OR REFERENDA BALLOT

- 14.1. The Count must be commenced within 7 (Seven) days of the close of ballot unless in the view of the Returning Officer to do so would materially affect the fairness of the ballot.
- 14.2. The Returning Officer shall inform the candidates of the time and venue of the Count.
- 14.3. Once the ballot has been counted the ballot data should be kept for a period of 3 (three) months in case of appeals against the result.

15. DECLARATION OF RESULTS AND COMPLAINTS

- 15.1. Results of individual Elections or Referenda ballot shall be declared by the Returning Officer when the Count has been completed and any related complaints have been resolved to the satisfaction of the Returning Officer.
- 15.2. A preliminary list of successful candidates or outcome of Referenda will be normally posted on the Union website and other appropriate Union media within 48 hours of the declaration of results.
- 15.3. The Returning Officer should send a copy of the results to the Board of Trustees and to the Vice Chancellor of the University once confirmed.
- 15.4. The result of the Election or Referenda will be confirmed if no complaint pertaining to conduct of the Count has been lodged with the Returning Officer within 48 hours of the close of the Count or after such complaint has been resolved.
- 15.5. All counters and scrutinisers are bound by strict confidentiality until such a time as the result has been made public by the Returning Officer.

- 15.6. In the event of such a complaint, as referred to in 15.4 above, being received by the Returning Officer the result shall be suspended until the complaint has been resolved.
- 15.7. Any challenge or complaint concerning the administration and good conduct of the Election will be heard and determined by the Returning Officer provided such a complaint is lodged in writing by any Full Member. Any such complaint will (wherever possible) be dealt with prior to the commencement of the Count.
- 15.8. Any challenge or complaint made during or following the Count, must only relate to the conduct of the Count, and be lodged in writing with the Returning Officer within 48 hours of the Count.
- 15.9. In determining a resolution to the complaint, the Returning Officer after hearing all the appropriate evidence may halt Elections for specified post(s) or disqualify specified candidate(s) if, in their view, a candidate(s) has breached Election regulations or guidelines set out by the Returning Officer.
- 15.10. Subject to Bye-Law 3.10 the ruling of the Returning Officer on any complaint shall be final.

16. REFERENDA GENERAL

- 16.1. All procedures concerning the conduct of Elections, of Election counts, and appeals, shall apply equally to the conduct of, and appeals concerning Referenda.
- 16.2. All procedures concerning the announcement of results of Elections shall apply equally to the announcement of the results of Referenda.

BYE LAW FOUR - STUDENT SUB-GROUPS

1. DEFINING STUDENT SUB-GROUPS

- 1.1. MMUnion shall establish a number of Union Sub-Groups to address and direct different activities of the Union or to address the needs of specific student communities which shall be recognised by the Board of Trustees according to Article 26.
- 1.2. For illustration only, this might include an academic and policy sub-group, a student development sub-group, a student media sub-group, a sports sub-group, a societies sub-group, and Athletic Union sub-group, a liberation sub-group, and an accommodation sub-group.
- 1.3. Each sub-group shall comprise of recognised affiliated clubs, groups, collectives or societies as appropriate.
- 1.4. The Union shall maintain a record of sub-groups recognised by the Board of Trustees and their respective annual plans.
- 1.5. The Trustees shall agree annually which affiliates will be included in each recognised sub-group and who shall be responsible for convening each sub-group.

2. COMMON ASPECTS OF ALL STUDENT SUB-GROUPS

- 2.1. All Student sub-groups will have a sub-group co-ordinating committee conforming to the profile outlined this Bye Law.
- 2.2. All Student sub-groups will be convened by a Sabbatical Officer as agreed by the Board of Trustees.
- 2.3. All sub-groups shall be resourced on the basis of an annual plan in accordance with Article 26.
- 2.4. All Student sub-groups are subject to all of the rules and policies of the Students' Union. The President of the Students' Union has ultimate discretion in the interpretation of these rules and policies.
- 2.5. All Student sub-groups are subject the laws and regulations of any bodies that they affiliate to.
- 2.6. All Student sub-groups should hold an Annual General Meeting of representatives of its affiliate clubs, groups, collectives or societies to elect a new chair and deputy chair and to present the sub-group budget and annual plan.
- 2.7. Training for the co-ordinating committees of sub-groups will be organised by the Sabbatical Officer convenors.

3. PROFILE OF SUB-GROUP COORDINATING COMMITTEES

- 3.1. Any sub-group coordinating committee of the Union shall comprise:
- a. The Sabbatical Officer Convenor for the sub-group;
 - b. The President or his/her nominee;
 - c. A Student chair to be nominated annually by a simple majority vote of representatives of affiliate clubs, groups, collectives or societies as appropriate.

In addition, the coordination committee may co-opt additional Members with the agreement of the Trustee board

4. POWER OF SUBGROUP CO-ORDINATING COMMITTEE

- 4.1. Sub-groups shall have the power to deploy resources as agreed and allocated by the Board of Trustees
- 4.2. Sub-groups shall be free to make all decisions within the scope of the agreed plan to achieve its stated goals and outputs with reference to Article 26.

5. DUTIES OF THE SUBGROUP COORDINATING COMMITTEE

- 5.1. To manage and implement the agreed Sub-group annual plan and budget as appropriate.
- 5.2. To organise an Annual General Meeting of representatives of affiliate clubs, groups, collectives or societies as appropriate.
- 5.3. To produce an annual evaluation and plan for the Board of Trustees' approval as per Article 26.
- 5.4. To keep appropriate administrative records in accordance with the policies and procedures of the Students' Union.
- 5.5. To ensure that all affiliated clubs, groups, collectives, societies and their respective officials and Members conduct their affairs in accordance with the Articles of Governance and associated Bye Laws.
- 5.6. To ensure that all affiliated clubs, groups, collectives, societies and their respective officials and Members conduct their affairs in accordance with the Financial Regulations and other policies and procedures set out by the Students' Union.
- 5.7. To ensure the charitable objectives of the Union are adhered to.

- 5.8. To determine budgetary allocations for properly constituted clubs, groups, collectives or societies in accordance with the sub-group plan approved by the Trustees.
- 5.9. To produce a short written progress report-and-plan for each Board of Trustees meeting with reference to Article 26.4.

6. RECOGNITION OF AFFILIATED CLUBS, GROUPS, COLLECTIVES OR SOCIETIES

- 6.1. The Union will maintain a model application process for the recognition of clubs, groups, collectives or societies. This will be agreed by the Trustee board and made available to all Members.
- 6.2. Clubs, groups, collectives or societies will be recognised by the Union provided they follow the stipulated application process and can demonstrate it will:
 - a. contribute to the furthering of the Union's aims and objectives;
 - b. have a Membership of not less than 2/3 full Members of the Union, with the remainder 1/3 comprised of associate Members as defined in the Articles of Governance;
 - c. have aims and objects that are sufficiently unique as to not be satisfied by any already recognised club, group, collective or society or MMUnion itself.
- 6.3. Recognition by the Union of a club, group, collective or society does not guarantee funding from the Union.
- 6.4. The Union shall maintain a record of recognised clubs, groups, collectives and societies.

7. DUTIES OF AFFILIATED CLUBS, GROUPS, COLLECTIVES OR SOCIETIES

- 7.1. The duties and responsibilities of all affiliated clubs, groups, collectives or societies shall include the following:
 - a. to be affiliated to the Union, and in so doing, to accept the aims and objectives of the Union and the provisions of its Articles of Governance and supporting Bye Laws;
 - b. to maintain a Membership of not less than 2/3 full Members of the Union, with the remainder 1/3 comprised of associate Members as defined in the Articles of Governance;
 - c. to adopt the Model Constitution set out in Bye Law Eight, which may not be changed without reference to the appropriate Sabbatical Officer convenor and the approval of the Trustee Board;

- d. to submit grant request forms, completed in the stipulated manner and by the stipulated time, to the appropriate sub-group coordinating committee;
- e. to submit equipment request forms, completed in the stipulated manner and by the stipulated time, to the appropriate sub-group coordinating committee;
- f. to hold all funds and monies in the bank account(s) maintained by the Union;
- g. to hold proper Elections for all office holders as appropriate;
- h. to be open to all relevant Members of the Union as detailed in the Articles of Governance and supporting Bye Laws.

8. COMPLAINTS BY OR AGAINST AFFILIATED CLUBS, GROUPS, COLLECTIVES OR SOCIETIES

- 8.1. Procedures for complaints by or against affiliated clubs, groups, collectives or societies (or any individual Member), shall be conducted in accordance with Bye Law 7 (Seven).

9. RESOURCING AFFILIATED CLUBS, GROUPS, COLLECTIVES OR SOCIETIES

- 9.1. Subject to the provisions of the Articles of Governance and supporting Bye Laws, the Union shall make financial and other resources available to sub-groups and publish such allocations.

BYE LAW FIVE - FINANCE

1. INTRODUCTION

- 1.1. There shall be written Financial Regulations that set out the framework for how the financial affairs of the Students' Union shall be conducted.
- 1.2. The Financial Regulations shall be approved by the Board of Trustees and shall be subject to periodic review.
- 1.3. The regulations identify the financial responsibilities of the Board of Trustees, elected officers, the Chief Executive Officer and other staff.
- 1.4. The Chief Executive Officer is also responsible for reporting, where appropriate, breaches of Financial Regulations to the Board of Trustees and/or to the President.
- 1.5. The Union will work in collaboration with the University in investigating any material breach of Financial Regulations and may request University support and resources to aid any such investigation.
- 1.6. All staff and officers have a general responsibility for taking reasonable action to provide for the security of the assets under their control, and for ensuring that the use of these resources is legal, properly authorised, provides value for money and achieves best value.

2. INTERNAL CONTROL

2.1. Checking Procedure

The Union shall work with the University to ensure that it is carrying out a satisfactory series of internal control procedures to protect against fraud, error or financial mismanagement. The detailed procedures will be determined from time to time by the Trustee Board and will be set out in the Financial Regulations.

2.2. Purchasing Procedures

The Board of Trustees shall determine procedures to be followed in relation to purchases in accordance with the Financial Regulations.

2.3. Cheques and Cash

The Board of Trustees shall determine procedures in relation to payments made by cash and cheque in accordance with the Financial Regulations.

All Cheques, or other direct transfers, drawn on the Union's accounts shall require two signatories who shall be drawn from the elected Trustees or the Chief Executive.

3. BUDGETARY CONTROL

3.1. Budget Allocations

- 3.1.1. The budget is the financial expression of the Students' Unions plans and policies.
- 3.1.2. The Board of Trustees shall determine budget allocations of the Union.
- 3.1.3. The revenue budget must be constructed so as to ensure that resource allocation properly reflects the service plans and priorities of the Students' Union. Budgets (spending plans) are needed so that the Union can plan, authorise, monitor and control the way money is allocated and spent.
- 3.1.4. Where the available resources are not sufficient to meet spending plans, then consideration needs to be given to prioritising to ensure resources to fulfil the Union's constitutional obligations.

3.2. Budget Control

- 3.2.1. Budget controllers shall be determined from time to time by the Board of Trustees, and shall be set out in the Financial Regulations.

4. MANAGEMENT REPORTING

- 4.1. The Union shall report regularly to the University in an agreed format to permit the University to approve the annual budgets and monitor expenditure on behalf of the Board of Governors.
- 4.2. The Board of Trustees shall receive regular monitoring reports on the financial performance of the Students' Union.

5. APPROVAL OF EXPENDITURE

5.1. Capital Expenditure

The Board of Trustees shall determine the capital budget and expenditure plans for the year in accordance with the Financial Regulations.

5.2. Contracts

Authority to determine and approve contracts shall be set out in the Financial Regulations.

6. VAT

- 6.1. All amounts stated in the Financial Regulations are inclusive of VAT regardless of whether all or part of the VAT can be reclaimed.

7. PROPERTY, EQUIPMENT AND STOCKS

- 7.1. The Board of Trustees shall have responsibility for safeguarding all property, equipment and stocks belonging to and owned by the Union.
- 7.2. The Board of Trustees shall ensure that the Union has adequate insurance cover for its stocks, equipment and property.

8. PRIVATE LIMITED COMPANIES

- 8.1. Where the Union seeks to establish a private limited company, in accordance with the provisions of the Articles of Governance, the Union shall seek the prior approval of the University as to the formation and purposes of the company before establishing any such company.

9. CHARITABLE TRUSTS

- 9.1. Where the Union seeks to establish and execute a charitable trust, in accordance with the provisions of the Articles of Governance, the Union shall seek the prior approval of the University as to the formation and purposes of the trust before establishing any such trust.

10. APPOINTMENT OF AUDITORS

- 10.1. The Union shall appoint an independent auditor who shall be a chartered accountant and registered auditor who shall prepare audited accounts on an annual basis.

BYE LAW SIX – ADDITIONAL REGULATIONS

1. STAFFING PROTOCOL

- 1.1. The Union shall have a Staffing Protocol that applies to all permanent and Student Staff members. The document outlines the relationship between elected officers and staff of the Union. It shall be made available to all staff Members and Trustees of the Union.
- 1.2. Trustees may delegate decision making to staff in accordance with the law and personnel procedures through the Chief Executive Officer. Staff can be held accountable through the Chief Executive Officer and the management structure and in accordance with the staff protocol. The Chief Executive Officer's reporting line is through the President.

2. DISCIPLINARY PROCEDURE

- 2.1. The Union shall have a Disciplinary Procedure that applies to all its Members. It shall be made available to all Members. It shall be reviewed at least every 3 years by the Board of Trustees.
- 2.2. The Disciplinary Procedure must include the following:
 - a. The ability to put forward a balanced argument;
 - b. The ability to appeal a decision within the Union;
 - c. Guidelines for a confidential procedure;
 - d. The ability to appeal to an external adjudicator.

3. STUDENT ENGAGEMENT STRATEGY

- 3.1. The Union shall have an annual student engagement strategy that is agreed by the Board of Trustees. It shall be made available to all Members.
- 3.2. The Student Engagement Strategy must include the following:
 - a. how the Union will evidence its impact on the diverse student Membership of Manchester Metropolitan University;
 - b. a proposed methodology for engaging with Members;
 - c. details of any specific campaigning or market research activity planned for the year;
 - d. budget and resource requirements.

4. MODEL TRUSTEE CODE OF CONDUCT

- 4.1. The Union shall have a model Trustee code of conduct that will define the minimum expected standards for Trustees to sign up to. It shall be made available to all Members.

- 4.2. The code of conduct shall be discussed by the Board of Trustees, amended and signed by all Trustees either annually or in the event it acquires a new Trustee or Trustees.
- 4.3. The code of conduct must include the following expectations:
 - a. Trustee Standards;
 - b. level of legal and organisational compliance;
 - c. conflicts of interest;
 - d. boardroom etiquette;
 - e. Board of Trustees development; and
 - f. examples of actions may constitute a breach of the code.

BYE LAW SEVEN MEMBERSHIP COMPLAINTS AND APPEALS PROCEDURE

1. INTRODUCTION

The Union is committed to providing high quality services and facilities to its Members. It is recognised that from time to time problems may occur and that provision is made for complaints to be made and any problems addressed to the students satisfaction.

The Union undertakes to take seriously any complaint that is made, and to deal with all complaints speedily and sympathetically. No student shall be disadvantaged by having made a complaint. The Union also expects that Members will not make frivolous or erroneous complaints.

This document is intended to provide a framework on how such complaints shall be dealt with by the Union.

This procedure available to any Member who:

- a. is dissatisfied in his or her dealings with the Union, or
- b. claims to be unfairly disadvantaged by reason of exercising the right to opt out of Union Membership.

The Union shall also adopt a Customer Care Policy that will provide an informal mechanism for resolving complaints on a day to day basis.

2. FORMAL COMPLAINTS PROCEDURE

2.1. Preamble

Where the complaint cannot be resolved informally, or the nature of the complaint is serious, this formal procedure may be invoked. A Member shall have the right to seek such advice as may be necessary to assist in making a complaint, and shall be entitled to be accompanied at any meetings that may be called in accordance with this procedure.

2.2. Making a Complaint

2.2.1. Complaints shall be in writing by way of:

- a. a standard form which shall be provided for this purpose;
or
- b. personal letter.

2.2.2. Complaints may be made about:

- a. the services and facilities of the Union; or
- b. an individual or group within the Union.

2.2.3. Complaints shall be addressed to:

- a. the Chief Executive, who may delegate responsibility for dealing with the matter to an appropriate person, or
- b. the President, but only when the complaint is about the Chief Executive or an elected officer or representative of the Students' Union.

2.2.4. Complaints shall be considered valid if the complainant:

- a. provides details of name, address and contact telephone number (if any);
- b. provides details of the event or occurrence which gave rise to the complaint;
- c. raises the complaint within 10 working days of the event or occurrence giving grounds for complaint, unless in exceptional circumstances.

2.3. Investigation of Complaints

All valid complaints shall normally be investigated within 10 working days of receipt, according to the following procedures:

- 2.3.1. investigations shall be conducted by the Chief Executive, except where it shall be a complaint about the Chief Executive or an elected officer or representative of the Union, where the President shall conduct the investigation;
- 2.3.2. complaints about the President shall in the first instance be addressed to the Chief Executive, and investigated by a nominee of the Trustee Board;
- 2.3.3. no person involved in the investigation of any complaint shall have a direct or vested interest in the outcome of the same;
- 2.3.4. all parties to the complaint shall be given an opportunity to state their case and present evidence of mitigating circumstances;
- 2.3.5. all parties to the complaint may be assisted by a representative or friend, without charge or cost to the Union;
- 2.3.6. any investigations concerning staff of the Students' Union shall be carried out in accordance with the policies and procedures of the Students' Union.

2.4. Outcome of an Investigation

The outcome of an investigation shall be determined after all parties to the complaint have presented their case and any supporting evidence.

The person(s) conducting the investigation shall determine:

- a. all findings of fact, and
- b. any mitigating circumstances, and
- c. appropriate further action, if any.

2.5. Complaints which are not Upheld

Where complaints are not upheld, they shall be deemed unsubstantiated complaints, and the following procedure shall apply:

- 2.5.1. all parties to the complaint shall be advised in writing within 5 (five) working days; and
- 2.5.2. all parties to the complaint shall be informed of their rights of appeal.

2.6. Complaints which are Upheld

Where complaints are upheld, they shall be deemed justified complaints, and the person(s) conducting the investigation shall proceed to consider whether the complaint is principally directed at:

- a. a service or facility, or
- b. a person or group.

2.7. Justified Complaints against a Service or Facility

In the event of a justified complaint against a service or facility, the following procedure shall apply:

- 2.7.1. the person(s) conducting the investigation shall consider how to prevent any future instances of the event or occurrence that gave rise to the complaint;
- 2.7.2. an appropriate course of remedial action shall be recommended;
- 2.7.3. all parties to the complaint shall be advised of both the outcome of the complaint and the proposed remedial action within 5 (five) working days.

2.8. Justified Complaints against a Person or Group

In the event of a justified complaint against a person or group, the following procedure shall apply:

- 2.8.1. the person(s) conducting the investigation shall consider whether a breach of the Union's policies or procedures may have occurred;

- 2.8.2. an appropriate disciplinary sanction may be imposed in accordance with the agreed policies and procedures of the Union;
- 2.8.3. the complainant shall not have the right to demand that any specific penalty be imposed;
- 2.8.4. the complainant shall be advised in writing within 5 (five) working days that the complaint has been upheld;
- 2.8.5. the complainant may be advised that the Union is to consider further action, but may not be advised specifically of the nature of that action;
- 2.8.6. the person or group against whom the complaint was made shall be advised of the outcome of the investigation, and of any disciplinary sanction to be applied, within 5 (five) working days;
- 2.8.7. where a disciplinary sanction is to be applied, the person or group against whom the complaint was made shall also be notified of any rights of appeal.

3. DISCIPLINE

Appropriate disciplinary remedies shall be determined in accordance with the provisions of the Articles and these Bye Laws; by the operational policies and procedures of the Union or the University Board of Governors.

4. APPEALS

4.1. Rights of Appeal

In the event of there still being a complaint against a Service or Facility and/ or a Person or Group, the following procedure shall apply:

- 4.1.1. the right of appeal shall be exercised within 21 (twenty-one) days of the outcome of the investigation;
- 4.1.2. notification of an intention to appeal shall be made in writing to the person(s) who conducted the investigation;
- 4.1.3. the grounds of appeal shall be stated within the written notification;
- 4.1.4. such an appeal shall be to the Complaints, Discipline and Appeals Committee convened by the Board of Trustees for this purpose.

4.2. Making an Appeal

Appeals shall be considered valid if the complainant is either a Full Member or an Opted Out Student as detailed in the Articles:

- a. has demonstrated that the complaint was not dealt with in accordance with the provision of the Articles or Bye Laws or any operational policies or procedures of the Students' Union; or
- b. has demonstrated that some other material irregularity has occurred.

Appeals brought on the basis that the complainant does not agree with the decision made by the original investigator shall not be considered.

4.3. Conduct of Appeals

- 4.3.1. Appeals shall normally be investigated within 28 days of receipt.
- 4.3.2. The Chief Executive shall inform the complainant of the arrangements for considering the appeal, and shall be invited to attend an appeals meeting of the Complaints, Appeals and Discipline Committee.
- 4.3.3. The person originally responsible for investigating the complaint shall also be invited to attend a meeting of the Complaints, Discipline and Appeals Committee.
- 4.3.4. After considering all the evidence the Complaints Discipline and Appeals Committee shall consider whether to uphold the appeal and that the complaint is justified, and what, if any, further action is required.
- 4.3.5. The Chief Executive shall inform the Complainant in writing of the outcome of the Appeal and of her/his Final right of appeal to the University.

5. FINAL RIGHT OF APPEAL

- 5.1.1. 5.1 Such an appeal shall be made in writing to the Vice Chancellor (or
- 5.1.2. nominee) within 28 (twenty eight) days of the appeal decision being communicated . This will be dealt with in accordance with
- 5.1.3. the University Students' Complaint Procedure.

6. REPRESENTATION RIGHTS

A complainant shall be entitled to representation at each stage of this procedure provided that this is at no cost or charge to the Union.

A complainant, except for Opted -Out students, may seek advice from the Union's advice service provided that there shall be no conflict of interest.

BYELAW EIGHT- MODEL CONSTITUTION

In accordance with the Articles of Governance of MMUnion, all clubs, groups, collectives or societies at both Manchester and Cheshire shall be required to adopt this Model Constitution, and shall conduct their affairs in accordance with this Model Constitution and the Articles of Governance and supporting Bye Laws of MMUnion.

1. NAME

The name of the club, group, collective or society shall be Manchester Metropolitan Students' Union [insert name here]

2. OBJECTS

The objects of the Club/Group/collective/Society shall be:

- 2.1. [insert stated aim or objective here]
- 2.2. [insert stated aim or objective here]
- 2.3. [insert stated aim or objective here]
- 2.4. [insert stated aim or objective here]
- 2.5. [insert stated aim or objective here]

3. MEMBERSHIP

There shall be two classes of Membership that shall be known as:

3.1. FULL MEMBERSHIP

Full Membership of the club/society shall be open to all full Members of Manchester Metropolitan Students' Union as defined in the Articles of Governance.

3.2. ASSOCIATE MEMBERSHIP

Membership of Clubs and Societies other than full Members shall be limited to those associate Members as defined in the Articles of Governance and opted our students. Associate Members of a club or society may not constitute more than one third of total membership and may not hold office.

4. COMMITTEE MEMBERSHIP

As a minimum there shall be the following office holders, who shall be full Members of the club, group, collective or society:

- a. Chairperson or Captain
- b. Treasurer

5. FEES

All terms of Membership shall commence only upon payment of the annual subscription payable as from 1st October until the end of that academic year.

