

Bye-Laws

Leeds University Union Bye-Laws

General

1. Leeds University Union ("LUU" or "the Student's Union" or "the Union") is a company limited by guarantee.
2. These Bye-Laws are made in legal agreement with Article 60 of the Memorandum and Articles of Association of the Union.
3. These Bye-Laws cover the following:
 - (1) Ideas
 - (2) Union Forums
 - (3) Referendum
 - (4) Petitions
 - (5) Policy
 - (6) Elections
 - (7) Voting
 - (8) Campaigning
 - (9) Returning Officer and Appeals
 - (10) The Student Executive
 - (11) Student Activities
 - (12) Union Representatives
 - (13) Annual General Meetings
 - (14) Sub-Committees of the Board
 - (15) Complaints Procedure
 - (16) Disciplinary Procedure
 - (17) Discipline and Appeals
 - (18) Changes to the Articles and Bye-laws
 - (19) Trustee Code of Conduct
 - (20) Board of Trustees

Definitions and Interpretations

Words and phrases used in these Bye-Laws have the meaning as ascribed to them in the Memorandum and Articles of Association of the Union.

The Memorandum and Articles of Association shall take precedence over these Bye-Laws and these Bye-Laws shall not be interpreted or applied in any way which is inconsistent with the Memorandum and Articles of Association of the Union. The Returning Officer, as defined by Bye-Law 9, shall take sole responsibility for interpreting these Bye-Laws within this framework.

As outlined in Article 10, a member is any person who is a registered student at the University of Leeds, who has not opted out of Union membership and has not yet graduated.

Bye-Law (1): Ideas

1. Any member of the Union can submit an idea to the Political Engagement Team¹ at any time. This submission must be in writing and include the name and student number of the member who is proposing the idea.
2. Ideas must state two things: firstly, what the member wants to change and secondly why.
3. The idea must have a title. The title of the idea must reflect the proposed changes.
4. The title of the idea must be a question that can be answered yes or no.
5. Ideas must not be longer than 400 words. This word limit does not include the title.
6. The member proposing the idea must specify the aim of their Idea as one of the following:
 - (i) Make the University better for students
 - (ii) Make Leeds better for students
 - (iii) Make the Union better for students
7. Ideas must clearly state any relevant changes proposed to Articles or Bye-Laws either within the idea or as supporting information. Such supporting information will not be included in the word limit.
8. These ideas will be published in line with Bye-Law 2.16, a minimum of five working days before they are discussed at the relevant Union Forum.
9. For their idea to be discussed the student who submitted it must:
 - (i) Still be a member of the Union at the date of the relevant forum at which it is proposed that their idea be discussed.
 - (ii) Attend the relevant forum to explain their idea or, if they are unable to attend, nominate another member of the Union to speak on their behalf
10. If the student who proposed the idea notifies the Political Engagement Team that they cannot attend in advance of the relevant forum and they're unable to nominate a spokesperson, then their idea will be deferred to the next relevant Union Forum. If the student does not attend, nominate a spokesperson or notify the Political Engagement Team before the relevant forum then their idea will be withdrawn.
11. Ideas can be implemented, without advancing to Union Forum and becoming Policy if the Officer Trustees, and the Chief Executive, agree

¹ Political Engagement Team refers to that team or its equivalent throughout these Bye-Laws

unanimously that the proposal falls within the ordinary business of the Union.

- (i) In relation to those Ideas agreed to under the paragraph above the proposer has the right to request their idea be heard at Forum if they are unhappy with either progress or the way the idea is being implemented. This right can be exercised a minimum of three months after the idea was submitted.
12. Ideas can be deferred from being discussed at a Union Forum if the idea is identified by Officer Trustees as:
 - (i) Posing a financial threat to the Union
 - (ii) Posing a legal threat to the Union
 13. If an idea has been deferred under Bye-Law 1.12 then the extent of the threat will be investigated. During this investigation, the Union member who submitted the Idea will be given the option to:
 - (i) Change their Idea so that it is no longer acknowledged as a threat under Bye-Law 1.12 before it is submitted to a Forum
 - (ii) Withdraw their idea
 - (iii) Require that their Idea is submitted to a Forum unchanged.
 14. If an idea proceeds to Forum that was deferred under Bye-Law 1.12, any concerns regarding legal and/or financial risk will be summarised by one of the attending Officer Trustees.
 15. No idea with materially the same content can be discussed at Union Forums twice in one academic year unless it has been deferred from a previous forum. The Student Panel will decide whether an idea is unacceptable as materially the same as those submitted previously and therefore whether this rule applies. This decision will be made before the Idea is discussed, by a simple majority of the student panel using a secret ballot. If the panel decide that the idea is acceptable then it will proceed according to Bye Law 2.37. If the panel decide the idea is not acceptable then it will be removed from the forum agenda and not discussed.
 16. Ideas will become Union policy in line with Bye-Law 5.
 17. Ideas that have not been discussed at a Union Forum by the end of term 3 will be discussed at a relevant forum in term 1 of the next academic year as long as the student who proposed the idea is still a member of the Union.

Bye-Law (2): Union Forums

1. Union Forums will operate in accordance with the functions outlined in Article 59 of the Memorandum and Articles of Association and Bye-Law 4 on Policy.

Composition

2. There will be three Union Forums:
 - (i) Better Union
 - (ii) Better University
 - (iii) Better Leeds
3. The following representatives will be required to attend Better Union:
 - (i) Union Affairs Officer
 - (ii) Activities Officer
 - (iii) Culture Rep
 - (iv) Faith Rep
 - (v) General Interest Rep
 - (vi) Political and Campaigning Rep
 - (vii) Performing Rep
 - (viii) Media Rep
 - (ix) Sport Rep
 - (x) Outdoor Activities Rep
 - (xi) Martial Arts Rep
 - (xii) Dance Rep
 - (xiii) Academic Rep
 - (xiv) Volunteering Rep
4. The following representatives will be required to attend Better Leeds:
 - (i) Community Officer
 - (ii) Welfare Officer
 - (iii) One Community Rep from each constituency
5. The following representatives will be required to attend Better University:
 - (i) Education Officer
 - (ii) Equality and Diversity Officer
 - (iii) One rep from each University School or Institute
6. Liberation Coordinators (LibCos) are expected to attend each of the Union Forums to offer feedback (alongside the Reps) from students who identify into their Liberation grouping

7. Any member may attend any Union Forum and speak. The Facilitator may at their discretion agree to non-members attending a Forum and speaking. Without the Facilitator's agreement non-members are not permitted to attend or speak.
8. Quorum for Union Forum meetings shall be a majority of the representatives entitled to attend.

Student Panel

9. A different student panel of 16 randomly selected members will attend each forum meeting.
10. Quorum for this panel will be 12 members.
11. As far as practical it will be ensured this panel will be demographically representative of LUU's membership.
12. The student panel will vote using a secret ballot. Ideas will become Union policy in line with Bye-Law 5.
 - (i) Decisions of the panel for or against Ideas must be made by a three quarters majority of those present
 - (ii) Decisions of the panel regarding appeals or whether an Idea is materially the same as those submitted previously must be made by a simple majority of those present.
13. Before being asked to vote the panel members must declare that they feel able to make a decision for or against the Idea:
 - (i) If the panel members declare that they feel able to make a decision then they may proceed to a vote
 - (ii) If the panel members declare that they feel unable to make a decision then they may use any of the rights outlined in Bye-Law 2.25 to help them make a decision.
14. If the panel declare that they are unable to make a decision then the Forum Facilitator will have the power to:
 - (i) Repeat the process outlined in Bye-Law 2.13 until the panel members declare they are able to make a decision.
 - (ii) Refer the decision to the next Union Forum

Timings

15. Union Forums will be held during a week day of term time
16. Each of the three Forums will take place a minimum of three times per academic year.

17. The agenda for Forums will be published online, within the Union building and, if possible, by the Leeds Student Newspaper at least five working days before the Forums are due to be held.

Duties of Representatives and LibCos

18. Representatives and LibCos will communicate with students prior to Union Forums so that they can voice the different viewpoints held amongst the students that they represent.
19. Representatives and LibCos must actively seek to promote Union Forums and themselves to the students that they are expected to represent.
20. Representatives and LibCos must encourage members to propose Ideas to Union Forums.
21. For the avoidance of doubt if representatives or LibCos have not properly communicated with students prior to Union Forums this shall not in any way invalidate any process or decision at the Forum.

Changes

22. Any member may propose a change to another student's Idea.
23. Changes will be accepted at the discretion of the member who proposed the Idea.
24. Officer Trustees have the power to adjourn an Idea to a subsequent Forum meeting if it has been changed to such an extent as to contravene Bye-Law 1.11

Discussion at Union Forums

25. Subject to Bye-Law 2.7, Anyone in attendance at the forum has the right to speak in order to:
 - (i) Ask a question
 - (ii) State a practical point of clarification
 - (iii) Make a comment
 - (iv) Propose a change to an Idea
26. The following exception will be made to Bye-Law 2.25: The Forum Facilitator will refrain from making comments in order to remain impartial.
27. Students will identify themselves to the Facilitator if they wish to speak.
28. Every student will reserve the right not to answer another student's question.
29. Any student may nominate another Member to speak on their behalf.

Powers of Union Forums

30. In addition to the powers outlined elsewhere in the Bye-Laws and Memorandum and Articles of Association Union Forums will hold the power to:
- (i) Create Union Policy
 - (ii) Remove any representative from any committee with the exception of the student executive and board of trustees.
 - (iii) Nominate members to serve as representatives on bodies outside the Union.

Forum Facilitator

31. The Forum Facilitator will ensure Forums are well run, productive and participative. To this end, the Forum Facilitator may choose to:
- (i) Deepen the quality of the discussion by grouping students into smaller groups and ask one member to act as a spokesperson.
 - (ii) Temporarily remove any person present from the forum who is preventing the meeting from proceeding in a fair and democratic manner or otherwise in accordance with these Bye-Laws.
 - (iii) Decide the order of speaking and the length of the discussion to allow all the agenda points to be considered.
 - (iv) If necessary, ask a student if they have a comment, question, clarification or proposal before allowing them to speak.
32. The Forum Facilitator will support the student panel in their duties by:
- (i) Regulating the flow of discussion in line with the Union's Bye-Laws
 - (ii) Clarifying and summarising points made by students whilst remaining impartial
 - (iii) Outlining the implications of different decisions for the student panel
 - (iv) Help deal with conflicts and identify opportunities for mutual agreement
 - (v) Keep the meetings on time.
33. Once appointed the Forum Facilitator may not submit Ideas to Union Forums.
34. The Forum Facilitator will be a Union member.
35. The Forum Facilitator will be appointed using a process overseen by the Union Affairs (UAO) Officer.

36. The Political Engagement Team will ensure Union Forums are facilitated effectively through a substitute if the Forum Facilitator is ill or unable to attend.
37. The Forum Facilitator's work will be reviewed regularly by the Political Engagement Team department using feedback from students who have attended Union Forums.

Standing Items on the Agenda at Union Forums

- (i) Apologies for absence
- (ii) Minutes of previous Union Forum meetings checked as an accurate record of the meeting
- (iii) The discussion of each Idea in turn:
 - a. The Student who submitted the Idea (or a nominated spokesperson) to explain what they want and why
 - b. Clarifications, questions, comments and change proposals from Forum attendees
 - c. The Forum Facilitator to establish if the Student Panel are able to make a decision
 - d. Secret ballot of the Student Panel
- (iv) Formal reports from two Student Executive Officers detailing progress with regard to implementation of Policy and allowing questions from Forum attendees
- (v) Announcements and reports from Forum attendees
- (vi) Announcement of Student Panel Verdict(s).

Bye-Law (3): Referendum

1. Referendum voting shall take the form of a secret cross campus ballot in which members are asked to vote either yes, no or abstain to an Idea or Ideas.
2. Referendum shall be held if:
 - (i) In accordance with Bye-Law 4, a petition is signed by the required number of members.
 - (ii) In accordance with Bye-Law 5.6, an Idea is referred to Referendum from Union Forums
3. Referendum voting shall begin a minimum of one week after either of the events outlined in Bye Law 3.2 (i) or 3.2 (ii) occur.
4. Once submitted to referendum, Ideas cannot be changed and can only be withdrawn by the member who submitted it or the Returning Officer.
5. Provisions must be made for members to debate the Ideas before the beginning of voting. This may take the form of a physical meeting or be hosted online.
6. The quorum for a Referendum is 1500 members voting per Idea, except when the Idea is to remove a Student Executive Officer in which case the quorum is 2500 members.
7. Campaigning for or against individual Ideas must be conducted in accordance with the campaign rules outlined in Bye-Law 8. Therefore, campaigning may only commence once the Returning Officer has completed a campaign briefing.
8. Referendum voting will last for four working days.
9. A count shall not commence any earlier than 24 hours after closing of voting.

Bye-Law (4): Petitions

1. A petition can be requested by any member who wants to trigger a Referendum on any of the following:
 - (i) To appeal a decision made at a Union Forum
 - (ii) To remove a Student Executive Officer
 - (iii) To change Bye-Laws concerning the Leeds Student Newspaper
2. A petition may also be requested by a member who wants to trigger a General Meeting to approve a change to the Articles in accordance with Bye-Law 18.
3. A request for a petition can be made at any point to the Political Engagement Team. This office will ensure the petition is open and available to sign by members within two working days. A petition will close at the same time, on the same day that it opened exactly one week later.
4. A request for a petition must include a full copy of the Idea proposed. This Idea is subject to Bye-Laws 1.1 to 1.7 and 1.13 to 1.14
5. Quorum for petitions is 600 member signatures except in the case of bye-law (4):2 in which case the quorum will be 1500.
6. The Returning Officer will seek to ensure that Petitions are accessible for all members of the Union to sign.
7. Members may campaign to encourage other students to sign the petition. This campaigning must be conducted in accordance with the campaign rules outlined in Bye-Law 8. Therefore, campaigning may only commence once the campaigner has been briefed on the campaign rules.
8. When the petition closes the Returning Officer will confirm the total number of students who have signed the petition. If duplicate or invalid student numbers or names are discovered then they shall be removed and discounted from the petition.

Bye-Law (5): Policy

1. Policy (as defined in Article 68.1.28) shall be set by:
 - (i) Union Forums in accordance with Article 59.1.2 of the Memorandum and Articles of Association. or
 - (ii) Referendum of the Members in accordance with Article 13
2. Policy shall exist for three years unless it is overturned. Decisions made using referendum cannot be overturned at Union Forums. Referendum can overturn a decision made at Union Forums and Referendum can overturn Referendum.
3. Policy (as defined in Article 68.1.28) remains subject to the authority of the Board of Trustees in accordance with Article 40.3. For example Policy may be blocked if there are serious concerns with regard to financial considerations, acts of ultra vires or breaches of law.
4. If at least three quarters of the student panel vote for an Idea then the Idea will become policy.
5. If at least three quarters of the student panel vote against an Idea then the Idea will not become Policy.
6. If an Idea does not achieve three quarters of the votes of the student panel then it will be referred to a cross campus referendum defined in Bye-Law 3.
7. An Idea taken to referendum will become policy if it is quorum in line with Bye-Law 3.6 and the majority of the votes cast are in favour of the Idea.
8. If a policy requires a change to the Articles then it will be subject to Bye-Law 18. If the Policy also requires a change to the Bye-Laws, these changes will not come into effect until changes to the Articles have been approved.

Bye-Law (6): Elections

1. The following posts shall be elected by cross-campus ballot:
 - (i) Student Executive Officers
 - (ii) NUS National and Extraordinary conference representatives
 - (iii) Leeds Student Newspaper Editor
2. The following posts shall be elected by specific groups of members.
 - (i) Activities Executive – The members of activity groups in each activities assembly (as outlined in Bye-Law 11) will elect an assembly representative to the Activities Executive
 - (ii) Liberation NUS conferences – Self-defining members of relevant activity groups will elect delegates to NUS liberation conferences.
 - (iii) Demographic specific NUS conferences – The members of relevant activity groups will elect delegates to demographic specific NUS conferences such as international, mature or postgraduate NUS conference.
3. The quorum for the Student Executive Officers election is 1500 members voting per position. All election procedures relating to Student Executive Officers shall be subject to review by the University's Appointed Officer.

By-Elections

4. By-elections will be held to fill any vacant posts following an election.
5. Subject to Article 39 of the Memorandum and Articles of Association Officer Trustees elected in by-elections shall hold office from the date that the result is declared.

Nominations

6. All nominations shall be submitted using an accessible process declared by the Returning Officer.
7. The nomination must include the name and student number of the nominee.
8. A receipt must be issued to confirm the submission of each completed nomination.
9. Nominees must comply with the terms and conditions of the election.
10. No member may stand for more than one position in the same election.
11. Officer Trustees may only stand for NUS conference election or Student Executive positions outlined in Bye-Law 10.2.
12. A candidate's meeting must be held following the close of nominations at a time specified by the Returning Officer. At this meeting the Returning

Officer will provide a campaign rules briefing and other relevant guidelines for those involved.

Question Time

13. An opportunity shall be provided for members to question candidates for Student Executive and The Gryphon² Editor positions before the beginning of voting.
14. Candidates must attend this event unless:
 - (i) The event clashes with part of programme of study e.g. a lecture, group work, lab work, tutorial, seminar or practical class, and/or
 - (ii) They are ill, and/or
 - (iii) They are experiencing serious personal difficulties.
15. Candidates must inform the Returning Officer (in writing via the Political Engagement Team) if they are unable to attend, stating their reasons for non-attendance before the beginning of the event. The Returning Officer may disqualify any candidates who fail to comply with Bye-Law 6.14.

The Count

16. The count shall be supervised by the Returning Officer or their nominee.
17. Complaints about the count must be made in writing to the Returning Officer no later than one working day after the announcement of the result.
18. The results of Union voting will only come into effect once the Returning Officer has certified that the result is the accurate outcome of a free and fair democratic procedure.
19. All results will be announced a minimum of 24 hours after a complaint ruling by the returning officer to allow time for campaigners to appeal the decision in line with Bye-Law 9.11. Any results pending an appeal against the returning officers ruling will not be announced until the appeal is resolved.
20. A count shall not commence any earlier than 24 hours after closing of voting.

² The Gryphon refers to a Leeds student newspaper throughout these Bye-Laws

Bye-Law (7): Voting

1. Each member shall have one vote. No member shall have more than one vote per election or referendum.
2. Students must prove that they are Members of the Union in order to vote.
3. The Returning Officer will seek to ensure that cross campus voting is accessible for all members of the Union.
4. Voting in elections shall be by secret ballot using the single transferable vote system as described by the electoral reform society and shall include re-open nominations as a candidate.
5. In elections, the names of candidates for each position shall be placed in a random order on the ballot paper.
6. If re-open nominations is elected in a multi-seat election its surplus of votes shall be transferred to a new re-open nominations candidate.
7. If re-open nominations is elected in a single-seat election then the post shall remain vacant until nominations can be re-opened and a by-election held.
8. If the result of voting in an election or referendum is a tie then the result is decided in line with the electoral commission's rules by the drawing of lots (i.e. a method of selection by chance such as tossing a coin or picking a name out of a hat). The method of selection will be decided and conducted by the returning officer or their nominee.

Bye-Law (8): Campaigning

1. Campaigning begins on a date specified by the Returning Officer, and only once the relevant members have been briefed on the campaign rules outlined in Bye-Laws 8.2 to 8.22
2. Campaigners must take reasonable steps to ensure that their supporter's actions comply with the campaign rules at all times and must be able to demonstrate this in the event of a complaint against them.
3. Campaigners may only alter, move or remove their own campaign materials.
4. Campaigners may only use mailing lists where lawful to do so. In most cases this will require the consent of the members on the list to use their details.
5. In the case of activity groups mailing lists are deemed to be owned by the membership of the group so committee approval is required in order to allow use of the list.
6. Campaigners must not prevent free and easy access to and within the Union Building when campaigning.
7. Campaigners must not seek to influence a member's vote once they have begun to complete their ballot.
8. Bribes must not be offered as part of any campaign.

Endorsements & Impartiality

9. Candidates may be endorsed by other Union members, societies or sports clubs. Society and sports club endorsement requires committee approval.
10. These endorsements can only be announced during the campaign period outlined in Bye-Law 8.1.
11. The student newspaper, television and radio stations may not endorse candidates and shall remain impartial.

Expenses

12. The campaign budgets will be announced by the Returning Officer at the beginning of each academic year. These will be reimbursed by the Union in line with Bye-Laws 8.13 to 8.17.
13. Campaigners must not exceed their budget limits.
14. All campaigners must submit their receipts in a form and by a time determined by the Returning Officer and confirmed with candidates at the

- candidate briefing. If candidates do not spend any money during the course of their campaign this must be made clear on the submission.
15. All materials used by a candidate or their campaign team for the purposes of campaigning must be included within their statement of expenditure with an estimated market rate.
 16. Items freely and readily available to all candidates or their campaign teams can be used without itemisation.
 17. Items that candidates or their campaigns team already own can be valued using a minimum price list available from the Political Engagement Team. The Returning Officer will value items not on this list within one working day of the request for an evaluation.

Conduct & Complaints

18. All candidates and campaign teams must adhere to the rules of behaviour on any LUU or University of Leeds premises.
19. Election complaints are handled by the Returning Officer as outlined in Bye-Law 9.
20. A complaint may be made by any member of the Union
21. Complaints must specify the name of the candidate and which of Bye-Laws 8.1 to 8.21 the campaigner is said to have broken.
22. Candidates may be disqualified if they are found to have broken any of the rules outlined by Bye-Laws 8.1 to 8.21, or they may be subject to another penalty at the Returning Officer's discretion such as:
 - (i) A private caution, which cannot be appealed
 - (ii) A public warning, for which a right of reply will be given but no appeal
 - (iii) Disqualification, for which an appeal may be made using the process outlined in Bye Law 9.11 to 9.16
23. These Bye-Laws only apply to campaigning that is taking place as part of an LUU election, referendum or petition.

Bye-Law (9): The Returning Officer and Appeals Process

1. The Board of Trustees will appoint and have the sole power to dismiss the Returning Officer.
2. The Returning Officer will take sole responsibility for interpretation of the Bye-laws. Where there is non-compliance the Returning Officer shall see that the matter is taken to be addressed through any formal procedures that exist under these Bye-Laws. If the act of non-compliance is not covered by any procedure then the Returning Officer may take action. Unless otherwise stated the Returning Officer's decision shall be subject to appeal to the Board of Trustees.
3. If the Returning Officer is unable to fulfil this role then a nominee of the Returning Officer will administer the Bye-Laws in their place.
4. The Returning Officer role may be carried out by any of the following:
 - (i) An NUS staff member
 - (ii) The Presiding or Deputy Returning Officer of Leeds City Council
 - (iii) A nominee of the University of Leeds
 - (iv) A senior staff member of another students' union
5. For a complaint regarding an alleged breach of the Bye-Laws to be investigated, it must be made to the Returning Officer. The complaint must be in writing and specify the grounds for complaint.
6. All complaints must be submitted to the Union's Political Engagement Team. A written response from the Returning Officer will be issued within one working day.
7. If the complaint is upheld then the Returning Officer has the right to take disciplinary action in accordance with Bye-Law 8.22.
8. If the Returning Officer believes the offence to have fundamentally damaged the integrity of a vote then they may also call for referendum, petition or election to be rerun as soon as is considered reasonably practical by the Political Engagement Team.
9. All complaints regarding campaigning must be made within one hour of the close of voting.
10. The Returning Officers rulings shall take immediate effect.
11. Appeals against the Returning Officer's rulings regarding election, petition or referendum campaigning must be made within 24 hours of the ruling being made. This appeal must be made in writing to Political Engagement Team stating the desired outcome and the grounds for appeal.

12. These appeals will be heard at an extraordinary Union Forum following the process outlined in Bye-Law 2.9.
13. The student panel will vote to decide whether or not to uphold the appeal using a secret ballot.
14. The Forum Facilitator will use their discretion to decide who should be present at the hearing and provide those in attendance the opportunity to identify a conflict of interest on the student panel
15. The appeal will be upheld if a simple majority of the Student Panel vote in favour of doing so.
16. The decision of a student panel on an appeal is final and cannot be appealed further within LUU.

Bye-Law (10): The Student Executive

Definition

1. The Student Executive is made up of the following roles:
 - (i) Activities Officer
 - (ii) Community Officer
 - (iii) Education Officer
 - (iv) Equality & Diversity Officer
 - (v) International Officer
 - (vi) Union Affairs Officer
 - (vii) Welfare Officer
2. The Student Executive shall include all the Officer Trustees as defined in the Memorandum and Articles of Association, but will not be exclusive to Officer Trustees.
3. The Student Executive is the name in these Bye-Laws given to the Executive Committee in the Memorandum and Articles of Association.

Conditions

4. Student Executive Officers shall take office for 1 year from July 1st and remain in office for a term of twelve months. The term of office may be shorter or longer on a transitional basis to coincide with an alteration of the year start or end. A Student Executive Officer may be re-elected for a maximum further term of twelve months. For the avoidance of doubt, a Student Executive Officer's terms of office may be either consecutive or non-consecutive.
5. Once elected, Student Executive Officers shall be granted all the privileges of Union membership, except that they may only stand for positions as outlined in Bye-Law 12.
6. Student Executive Officers must be a Member at the time of their election.
7. If Student Executive Officers wish to campaign for other students during an election they must do so in their own time using only their personal resources.

8. Unless stated otherwise, the Student Executive will make decisions using a simple majority of the seven members.

Collective Duties of Student Executive Officers

9. To be trustees in the capacity of Officer Trustees on the Board of Trustees (subject to the terms of the Articles of Association).
10. To campaign and consult members on their views and speak on their behalf.
11. To promote, defend and extend the rights of members.
12. To interpret, implement and uphold Union policy.
13. To be responsible both to and for the Student Executive as a whole.
14. To ensure the Union membership are kept up to date on the actions of the Student Executive.
15. To fulfil their roles as outlined in the Student Executive role descriptions and to support, where appropriate, other student representatives in the fulfilment of their roles.
16. To liaise with external organisations appropriate to individual roles.
17. To appoint an officer or officers to take a lead on environmental and sustainability issues.
18. To steer the work of the Senior Leadership Team to ensure the Union works for students.
19. To act as the spokespersons for the Union.

Purpose of Individual Officer Roles

Activities

20. To make sure that clubs & societies are both relevant to students and help them to feel happy, healthy and develop as people. They will ensure University sports and co-curricular activities are well supported to meet the needs of students.

Community

21. To make accommodation better and raise awareness of, and support crime reduction initiatives so that students can focus on their degree and stay safe. They will represent student interests to make sure that

public services meet their needs and enable students to get active in their city so that they get more out of living in Leeds.

Education

22. To help students run the University in partnership with staff, shaping how the institution works. They will represent students to the University and work with representatives to make sure that education at Leeds is shaped by students and meets their expectations.

Equality & Diversity

23. To make sure that the University takes reasonable steps to adapt their services to suit every student. They will ensure that all members have the opportunity to input into University and Union decisions so that students get the experience they want of University.

International

24. To make sure the Union and the University are ensuring we have a truly international and global campus. They will ensure all members feel part of one international diverse community with opportunities for representation, sharing culture and views, so that all students have an international experience whilst studying at Leeds.

Union Affairs

25. To chair the Board of Trustees, hold staff to account and oversee Union finances to make sure the Union works for students. They will help govern the University and ensure that students can make the Union, University and City of Leeds better through the Union's democratic system.

Welfare

26. To ensure the Union and University help students identify and deal with their problems so that they enjoy their time at University. They will also support and lead welfare campaigns to ensure students are as happy and healthy as possible.

Removal of Student Executive Officers

27. Student Executive Officers can be removed in the following manners:

- (i) by a vote of no confidence by the members
- (ii) through disciplinary action arising from their employment by LUU

28. A member of the Student Executive can be removed by a member vote of no confidence through referendum. The decision will be made by simple majority and a quorum of 2,500 members. A no confidence

referendum can only be triggered by a petition signed by at least 600 members, in line with the process detailed in Bye-law (4): Petitions.

29. A member of the Student Executive fulfilling the role of Officer Trustee can be removed from their Trustee role by the Board of Trustees through a majority resolution of no confidence, in accordance with Article 37.1 of the Memorandum and Articles of Association. This does not affect their role as a Student Executive Officer.

Bye-Law (11): Student Activities

Definition of Student Activities

1. The Student Activities of LUU comprises student Groups formed and co-ordinated under the direction of LUU and monitored by Student Activity Executive including the following assemblies: Cultural; Faith; General Interest; Political and Campaigning; Performing; Media; Sport; Outdoor Activities; Martial Arts; Dance; Departmental and Volunteering.

The Activities Executive

2. The members of activity groups shall elect a representative to the Activities Executive. The Activities Executive will :
 - (i) Attend the Better Union Forum
 - (ii) Attend a minimum of five executive meetings per academic year chaired by the Activities Officer, or by another member of the Activities Exec in the officer's absence.
 - (iii) Represent their assembly's views at all meetings
 - (iv) Give guidance and support to the Activities Officer
 - (v) Monitor and receive reports from the Activities Officer
 - (vi) Hold the Activities Officer to account
 - (vii) Assist in the organisation of events and campaigns
3. The Activities Executive shall have the power to:
 - (i) To oversee the discipline of Student Activities Groups as detailed by Bye-Law 16.
 - (ii) To agree the subsidy grants for the groups in their category and approve all grants along with the other members of Activities Exec, subject to the ruling of Audit and Risk Committee outlined by Bye-Law 14.
 - (iii) Approve the setting up of new groups and closure of existing ones.

Guidelines for Clubs and Societies

4. Groups will always remain constituent parts of the Union and are subject to the day to day rulings of Union Forums, Referendum and the Board of Trustees.
5. Groups shall have the right to use space in the Union building.
6. Groups shall be eligible to receive financial assistance from the Union in the semester following their creation.

7. Groups shall have a constitution which includes all the provisions in the sample Constitution and which cannot be amended to counter the spirit and intentions of these provisions.
8. The Activities Officer will approve changes to the sample constitution. The Activities Officer's decision can be appealed to the Activities Executive.
9. Membership of Groups shall only be open to members of the Union except at the discretion of the Student Activities Executive and on payment of an appropriate fee.
10. Non-members joining Groups shall be specifically excluded from holding office on a committee. Non-members will be excluded from this rule where a specific level of experience or qualification is required that no member holds to lead the activity safely.

Formation of Activities

11. Activity formation applications must be presented to the Activities Executive for approval
12. Applications for formation must state the name, aims and objectives of the proposed Group and include the name, address, student number and signatures of the students who want to start the group.
13. A petition in support of the group listing the names, student numbers and signatures of 20 Union members who would wish to join that group will accompany applications for formation.
14. Any new activity Group will be expected to hold an initial event that would demonstrate their aims before they submit their application to the Activities Executive.
15. Any Group whose membership falls below 15 members will have their activities and funds frozen until their activity membership exceeds that number. If after six months the Activity Group still has fewer than 15 members then the Activities Executive may rule that the Group will no longer be recognised by the Union.
16. On dissolution all assets and monies of the Group revert to the Union.
17. Any data held by the Union about the Group will adhere to LUU's data policy and the Data Protection Act.

Responsibilities of the Club/Society

18. The Union will keep membership lists in order to assess Groups' viability. This information will not be disclosed to any third party without consent.

19. Every group must have a committee. Membership of up this committee must be decided democratically by the members of the group. The group must provide the Union with the names of its committee members including a key contact person and their details.
20. The Group must have an elected president/captain, secretary and treasurer in office.
21. Committee members will be held accountable for the actions of their Group under the remit of Bye-Law 16.
22. Groups must use the appointed Student Activities cash office for all financial transactions and must abide by the Union's financial procedures.
23. Groups may not hold any external bank account.
24. Groups must promote the views, interests and organise activities of common concern for members of the group.
25. The Group's committee will consult the members of their group and appoint a person to attend assembly meetings to speak on their behalf.

The Gryphon Newspaper

26. There shall be a Gryphon Newspaper.

Bye-Law (12): Union Representatives

Union Representatives on University Committees

1. University Council
 - (i) Education Officer
 - (ii) Union Affairs Officer
2. University Court
 - (i) Five members of the Student Executive
3. University Senate
 - (i) One taught student representative from each of the University's nine faculties
 - (ii) The six members of the Student Executive
 - (iii) Two research postgraduate representatives
4. Other University Committees
 - (i) Union representatives on all other University Committees shall be nominated by the Student Executive who shall retain a publicly accessible list of these representatives.

Union Representatives at NUS National, and Extraordinary Conference

5. The delegation is open to all Members and shall be decided by cross campus ballot.
6. Delegates will vote in line with Union Policy
7. Following the election of LUU representatives, the delegates will elect a Delegation Leader.
8. Following NUS National Conference the Delegation Leader will provide a report to the relevant Union Forum(s).
9. Should there be a delegate vacancy at the point of registering for NUS conferences, delegates may be approved at the Better Union Forum.

Union Representatives at NUS Liberation Conferences

10. Liberation Conference delegations shall be elected by the self-defining members of the relevant activity groups.
11. The members of relevant activity groups will elect delegates to demographic specific NUS conferences such as international, mature or postgraduate NUS conference.

12. Following a Conference the delegates shall provide a report to the relevant Union Forum.

Community, School, Hall & Activity Reps

13. Community Reps will take office on the 1st of July and work for a year to make where they live better for students.
14. School Reps will take office on the 1st of July and work for a year to make their school and the University better for students
15. Hall Reps will take office in October and work for a year to make their hall better for students
16. Activity Reps will take office on the 1st of July and work for a year to make Clubs, Societies and the Union better for students.

Bye-Law (13): Annual General Meetings

Regulations for Annual General Meetings

1. Annual General Meetings shall be called and conducted in accordance with Articles 14-30.
2. The agenda must be published at least five working days before the date of the meeting and must be made generally available.
3. The order of business shall not be subject to suspension and business shall be dealt with in the prescribed order.
4. No member who can show their current Union card may be excluded from the meeting nor any part of it except those with suspended privileges at the time of the meeting. The Chair shall have the power to remove any Member who is preventing the meeting from proceeding in a fair and democratic manner or otherwise in accordance with these Bye-Laws.
5. Persons who are not members of the Union or Trustees may only be present at a general meeting at the discretion of the Chair.
6. The Chair shall have the authority to give a ruling on the provisions of the Standing Orders set out in rules 9 to 13 of this Bye-Law and shall decide the right of priority in speaking.
7. Members shall address speeches and comments through the Chair.
8. Points of information may be made at the discretion of the member speaking.

Standing Orders for Annual General Meetings

- (i) Minutes of the previous Annual General Meetings for ratification as a true and accurate record.
- (ii) Trustees' Report
- (iii) Receiving the Accounts
- (iv) Appointment of the Auditors
- (v) Open questions to the Trustees by the Members

Bye-Law (14): Sub-Committees of the Board

1. The Board of Trustees shall be supported by the subcommittees defined within this Bye-Law in line with the LUU Delegation of Authority.
2. The purpose of the subcommittees is :-
 - (i) To provide challenge to the LUU Senior Leadership Team around strategic and operational delivery
 - (ii) To make decisions and create direction for the areas within the remit of the subcommittee
 - (iii) To scrutinise strategic and operational project plans
 - (iv) To offer expert advice in line with the remit of the subcommittee
 - (v) To represent LUU culture and best practice
 - (vi) To make recommendations to the Board, and be delegated business by the Board
 - (vii) To oversee LUU business within the remit of the subcommittee
3. The membership of each subcommittee will be :-

Full Members

 - (i) At least 3 Trustees who are nominated by the Board
 - (ii) A minimum of 2 and maximum of 3 external members of appropriate skill and expertise
 - (iii) External members will have a standard term of two years
 - (iv) External members may serve a maximum of three terms
 - (v) The Chair of each subcommittee shall have the power to appoint and remove members, in line with the guidance of the Appointments & Governance subcommittee

Additional Attendees

 - (vi) In addition to the full membership, the University may appoint experts in line with the requirements of the Code of Practice. These experts have no limit to their appointment while they are employed by the University, and are not counted for quorum
 - (vii) Any Trustee may attend a subcommittee for as long as they remain a Trustee
 - (viii) Subcommittees may invite additional attendees where specific expertise is required on a certain subject
 - (ix) At least one member of staff from the Senior Leadership Team will attend each subcommittee meeting, but are not entitled to vote
4. The proceedings of each subcommittee will be :-
 - (i) The Board will appoint the chair of each subcommittee from amongst its members
 - (ii) Where the chair is unavailable for any reason, another trustee may step into the chair with agreement from the chair of the Board

- (iii) The quorum of the subcommittee will be 3 full members, at least one of whom shall be a Trustee
- (iv) The subcommittee will meet a minimum of 3 times per year, in line with the LUU governance cycle
- (v) Where a non-member Trustee attends a meeting, they are not entitled to a vote
- (vi) University appointed attendees are not entitled to a vote

5. Each subcommittee has their own remit as detailed below

Appointments & Governance

- (i) To oversee the appointment, induction and development of trustees and subcommittee members
- (ii) To maintain oversight of skills and diversity within LUU governance, ensuring that the composition of LUU governance effectively represents the membership and their needs
- (iii) To review LUU compliance with all relevant charity legislation, legal duties, and codes of practice, and to assure the Board of this compliance
- (iv) To oversee and scrutinize the Officer Trustee election process, including setting engagement targets
- (v) To maintain a watching brief on all governance activity within LUU

Audit & Risk

- (i) To oversee and scrutinize the internal and external audit processes of LUU, including appointment of auditors, receiving proposals, approving process, and reviewing reports for Board recommendation
- (ii) To keep under review the financial control environment of LUU
- (iii) To analyse and review the LUU risk profile and appetite
- (iv) To offer an ultimate port of call for the more urgent or sensitive concerns raised in respect of the integrity of LUU, financial and otherwise, and to instigate investigative activity around these concerns as appropriate
- (v) To maintain a watching brief over auditable activity, in particular legal, financial and tax management, investment policies and performance, health and safety, insurance, information systems and data security

Engagement & Development

- (i) To direct marketing and communication strategies to LUU members and external stakeholders, ensuring these strategies reflect LUU values and strategic goals
- (ii) To scrutinise the efficacy of marketing and communication strategies in engagement of members

- (iii) To define the cycle of strategic review processes, and receive reports concerning the changing operating environment which may impact LUU strategic goals
- (iv) To develop, monitor and advise upon engagement interventions across all segments of LUU membership
- (v) To provide oversight and scrutiny of all partnership initiatives developed by LUU working with external organisations

Finance

- (i) To review, advise and approve the approach to financial affairs and oversight in conjunction with the delegated authority of the LUU Board and in line with the agreed Financial Strategy
- (ii) To review and consider appropriate methods of controlling the Union's financial activities, considering return on investment and management of commercial and fundraising activity
- (iii) To approve the scope and profile of capital investment in line with the LUU Delegation of Authority, and to monitor the return on investment
- (iv) To monitor performance of income generating services and activities, and to advise the Board in respect of any opportunities which may carry financial or commercial benefit for LUU
- (v) To oversee and scrutinize all contractual relationships with external organisations carrying financial impact for LUU

People & Values

- (i) To recommend and oversee the implementation of the HR strategy, including amendments to and implementation of employee policies
- (ii) To define and scrutinise delivery of activity around embedding LUU culture and values
- (iii) To oversee the Union-wide Pay Award, and all pay and reward structures including remuneration of the Chief Executive
- (iv) To review, advise and approve the approach to skills development at LUU, considering both paid and voluntary roles
- (v) To receive regular updates and provide guidance on delivery of work to support the equality, diversity and inclusion policy of LUU.
- (vi) To maintain a watching brief over People activity, including recruitment and retention, grievances and cases and pay bill management

Bye-Law (15): Complaints Procedure

1. Any student or group of students dissatisfied with their dealings with LUU has the right to make a complaint.
2. Students also have the right to make a complaint if they claim to have been unfairly disadvantaged as a result of opting out of LUU membership.
3. All complaints will be dealt with fairly and promptly and will be investigated according to the following stages:

Informal complaint

4. We expect that most complaints will be resolved via an informal discussion about the matter at the earliest opportunity. A student should therefore bring the matter to the attention of the Manager of the service, or Officer Trustee responsible for the area in question. This may be orally or in writing, including by electronic format or via the LUU Your Comments scheme.
5. The recipients of informal complaints are responsible for responding to them promptly and fairly. This would normally be within seven working days of receiving the complaint.
6. This is an informal stage and as such no written records would be kept if the matter is resolved at this point.

Formal complaint

7. If the complaint has not been satisfactorily resolved informally or if the nature of the complaint is serious, the complainant has the right to raise the matter as a formal complaint. Formal complaints may be made about a service or an individual or group within the Union.

Making a complaint

8. A formal complaint must be made in writing:
 - (i) by personal letter or
 - (ii) via email or
 - (iii) by completing a standard complaint form.
9. Complaints should be addressed as follows:
 - (i) Where the complaint relates to the Chief Executive or an elected officer, other Trustee, or other elected representative of the Union, the complaint should be addressed to the Union Affairs Officer. A

complaint concerning the Union Affairs Officer must be addressed to the Supervising Trustee.

- (ii) All other complaints must be addressed to the Chief Executive, who may delegate responsibility for dealing with the complaint to an appropriate person.

10. Complaints will be considered valid if the complainant:

- (i) provides details of their name, address and telephone number
- (ii) provides details of the event or occurrence giving rise to the complaint
- (iii) raises the complaint within 10 working days of the event or occurrence giving grounds for complaint, unless there are exceptional circumstances.

Investigation of complaints addressed to the Chief Executive

- 11. Valid complaints will be investigated within 15 working days of receipt.
- 12. During the investigation stage the complainant and others involved may be asked to provide verbal evidence for clarification and additional information but no formal hearings will take place.

Investigation of complaints addressed to the Union Affairs Officer, or Supervising Trustee

- 13. Valid complaints will be investigated within 15 working days of receipt.
- 14. The Union Affairs Officer, or the Supervising Trustee, will investigate and during the investigation stage the complainant and others involved may be asked to provide verbal evidence for clarification and additional information but no formal hearings will take place.

Outcome of an investigation

- 15. The person conducting the investigation will determine:
 - (i) all findings of fact and
 - (ii) any mitigating circumstances and
 - (iii) appropriate further action if any.
- 16. Where complaints are not upheld the complainant will be advised within five working days after completion of the investigation and informed of the right to raise the matter with the Independent Complaints Officer of

the University of Leeds in accordance with the Education Act 1994 and as outlined in the in the Students Union: Codes and Procedures.

17. Where complaints are upheld, confirmation of this and that appropriate action will be taken will be confirmed in writing to the complainant.
18. Any disciplinary action to be taken will be done so according to the relevant LUU procedures which may include:
 - (i) staff disciplinary procedures
 - (ii) Bye-Law (16): Disciplinary Procedures
 - (iii) Article 35 of the Memorandum and Articles of Association, Removal of Trustees

Bye-Law (16): Disciplinary Procedure

1. This procedure outlines how LUU may take disciplinary action against individual members and/or Activity Groups. Punitive action taken against LUU Activity Groups or individual LUU members as a result of upheld complaints under Bye-Law (15): Complaints Procedure, will be in line with this disciplinary procedure.
2. Areas not covered by this procedure:
 - (i) Alleged misconduct by LUU trustees will be dealt with under Articles 35, 36 and 37 of the Memorandum and Articles of Association
 - (ii) Alleged misconduct in relation to elections or referendum will be dealt with under Bye-Laws 6, 8 and 9
 - (iii) Alleged misconduct that is subject to investigation by the Police may not be considered until that process has come to a conclusion
 - (iv) Alleged misconduct by LUU staff will be dealt with under the staff disciplinary procedures
3. Types of misconduct falling within this procedure:
 - (i) Threats of, or actual, physical or verbal abuse or harassment of staff, students, elected officials or members of the public on LUU premises
 - (ii) Damage to LUU property or property of others whilst under LUU's control or on its premises
 - (iii) Contravening LUU policy or procedures, or agreed protocols or procedures of the University of Leeds where these relate directly to LUU
 - (iv) Any other conduct that may be considered detrimental to the interests, operation or reputation of LUU

Summary procedure

4. LUU Staff, who have responsibility for certain spaces within LUU, have the right to exclude a member or Activity Group from LUU premises when there is a genuine fear for the safety or wellbeing of staff and/or other members or customers or where there has been an allegation of harassment. When this happens, the Chief Executive, or their nominee, must be informed of the incident in writing at the next available opportunity and a decision will be made whether to continue this exclusion whilst the matter is investigated. At this stage the Chief Executive, or their nominee, will also consider whether this exclusion

needs to be extended to other services or facilities within LUU. The matter will then be referred for investigation. The excluded member or Group will be informed of the outcome of this stage immediately.

Investigation

Alleged misconduct involving individual members

5. The Chief Executive, or nominee, will investigate the matter within ten working days of being notified of an incident. The member concerned will be given an opportunity to put his/her case to the Chief Executive or their nominee.
6. The Chief Executive, or nominee, will then make a recommendation on the matter to the Union Affairs Officer as follows:
 - (i) To dismiss the case or
 - (ii) To impose a penalty as outlined in Bye-Laws 16.11 to 16.14 or
 - (iii) To report the matter to the University to be dealt with under the University disciplinary procedures
7. The Union Affairs Officer will consider the recommendation and come to a decision. The member concerned will be informed of the decision in writing within fifteen working days of the date the matter was raised with the Chief Executive. The written notification will include details of the opportunity to appeal.

Alleged misconduct involving activity groups

8. The Student Activities Manager, or their nominee, will investigate the matter within ten working days of being notified of an incident and will prepare a case to be heard by the Activities Executive. The Activity Group's committee will be interviewed as part of this process. The Activity Group will be given the opportunity to put their views in writing for the Activities Executive.
9. The Student Activities Manager, or their nominee, will make a recommendation to the Activities Executive as follows:
 - (i) To dismiss the case or
 - (ii) To impose a penalty as outlined in Bye-Law 16.15 and 16.16. Or
 - (iii) To refer individual group members to be considered under Bye-Laws 16.5 to 16.7

- (iv) To report the matter to the University to be dealt with under the University disciplinary procedures
- 10. The Activities Executive will consider the recommendation at their next scheduled meeting and come to a decision. The Group will be given written notification of this decision in by the Chair of the Activities Executive within two working days of the date of the meeting. The written notification will include details of the opportunity to appeal.

Penalties relating to individual members

- 11. For minor offences penalties may include an apology and a short exclusion from use of a service or activity.
- 12. For more serious offences penalties may include an apology, a ban from use of a service or activity and a fine to cover any direct costs incurred to LUU for example from damage to property.
- 13. In the most serious cases there may also be consideration of expulsion from membership of LUU under article 11.4 of the Memorandum and Articles of Association.
- 14. When Bye-Law 16.13 is being invoked the incident will be reported to the University of Leeds for consideration under the Student Disciplinary Procedure which can ultimately result in exclusion from the University.

Penalties relating to Activity Groups

- 15. For minor offences penalties may include an apology and a short exclusion from use of rooms, venues and/or transport.
- 16. For more serious offences, penalties may include:
 - (i) Exclusion from (and cancellation of) use of rooms, venues and/or transport and/or
 - (ii) Freezing of activity group accounts and/or
 - (iii) Fines and/or
 - (iv) In respect of sports groups, match bans and/or
 - (v) Other penalties that are deemed relevant and appropriate to the offence

Bye-Law (17): Discipline and Appeals

Disciplinary Appeals Body

Purpose

1. To act as an appeals body for those individual members (or Activity Groups) dissatisfied with the action taken under Bye-Law (16): Disciplinary Procedure.

Composition

2. The Welfare Officer (Or if the Officer is unable to fulfil this role another Officer Trustee)
3. One other Officer Trustee
4. One Student Trustee

Convocation

5. The chair of the meeting shall be the Welfare Officer.
6. The Welfare Officer must call a meeting within seven days of any decision being brought before Disciplinary Appeals Body.

Duties

7. To have jurisdiction over members of the Union and over persons using Union facilities and resources.
8. To have final jurisdiction over the decisions of Activities Executive affecting individual members.
9. To report all decisions of the Disciplinary Appeals Body to Better Union Forum.

Powers

10. To uphold or repeal disciplinary decisions following a decision made in accordance with Bye-Law (16): Disciplinary Procedure.
11. To require the attendance at Disciplinary Appeals Body of any Member.
12. Non-compliance is an offence and may lead to further disciplinary action.

Regulations

13. All Members must declare any interests that they have regarding the case.
14. No Member may sit on the committee if the issue under consideration concerns activities or person that they may be involved with.
15. Quorum is a full complement of members as outlined above.

Procedures

16. Any member of the Union may appeal against a decision made in accordance with Bye-Law (16): Disciplinary procedure.
17. The appellant must be informed of:
 - (i) The relevant sections of the Articles or Bye-Laws
 - (ii) The factual details of the decision
 - (iii) The time, date and place of the hearing
 - (iv) The necessity to produce all witnesses at the time of the hearing
18. Both the appellant and the LUU Representative must be present for the meeting to proceed.
19. In the absence of either party the meeting shall adjourn and the Chair shall investigate the reasons for absence.
20. Following an investigation by the Chair the meeting shall be reconvened and may proceed at the discretion of Disciplinary Appeals Body and any of the parties may have the right to appoint another member as their representative.
21. The appellant, or their representative, will present the case. Legally qualified representatives will not normally be permitted.
22. All parties have the right to question each other under the direction of the Chair.
23. Disciplinary Appeals Body will consider their decision in camera.
24. Disciplinary Appeals Body shall reach its decision by simple majority.
25. The Chair shall notify the parties immediately of the Body's decision.

Appeal of Removal as a Trustee – Appeals Body

26. In accordance with Article 38 of the Memorandum and Articles of Association, a Trustee removed in accordance with Article 37 shall be entitled to appeal the decision to remove him or her to an Appeal Body. The Trustee appealing shall be called “the Appellant”.
27. The Appellant has the right to appeal against a decision of the Trustees provided s/he lodges his or her appeal in writing with the Chief Executive not more than 14 days after the receipt of the written notice of the decision of the Trustees.

28. The appeal should contain a statement of the grounds upon which the appeal is brought and of the facts and matters relied upon.

29. If an appeal is lodged within time the decision to dismiss the Appellant shall not take effect until the final determination of the matter.

Notification of hearing and exchange of information

30. The Appellant shall be given at least 21 days' written notice of the date, time and place of the appeal hearing.

31. At least 14 days prior to the date of the hearing, the Appellant shall confirm:

- (i) whether or not they intend to attend the hearing and, if so, the name of any person who will be accompanying or representing them
- (ii) if they intend to seek the agreement of the Appeals Body to submit any such fresh evidence that they wish to rely upon

32. At least 7 days prior to the date of the hearing, the Union shall provide the Appellant with any further evidence which it wishes to rely upon.

33. Neither party shall without the consent of the other or the permission of the Appeals Body rely on any statement of document other than those provided or identified under Bye-Laws 17.28 and 17.31.

Composition of the Appeals Body

34. The Appeals Body shall be made up as constituted under Article 38.2. The membership of the Appeals Body shall be decided by the Returning Officer outlined in Bye-Law 9 and a University nominee. The members of The Appeals Body should not have had any substantive involvement in the matter under appeal. Their relationship with the Appellant should not give rise to any conflict of interest.

The parties in proceedings before the Appeals Body

35. The Appellant shall be entitled to be accompanied or represented by one other person of his or her own choice except where, in the opinion of the Chair of the Appeal Body, such person has a conflict of interest.

36. The Chair of the Trustees shall act on behalf of the Union as the Respondent to the appeal and for this purpose may instruct a representative.

Procedure before the Appeals Body

37. The function of the Appeals Body is to review the reasonableness of the decision to dismiss the Appellant. On the appeal, the Appeals Body will consider the documents, statements and other evidence produced to the original Trustee meeting. The Appeals Body shall not interview or cross examine any witnesses.
38. The hearing of an appeal shall be conducted in accordance with Bye-Laws 17.35, 17.36 and 17.37 except where to do so would be inconvenient or unjust, in which case the Chair of the Appeals Body may modify the procedure to the extent that s/he deems necessary provided that the result is fair to the Appellant.

Courses of action which the Appeals Body may take

39. The courses of action which the Appeals Body may take are:
- (i) To uphold the appeal; or
 - (ii) To reject the appeal.
40. Within seven days, the Chief Executive will notify the Appellant, in writing of the decision of the Appeals Body.

The absence of the Appellant

41. If at the Appeal hearing, the Appellant is not present or represented, the Appeals Body may proceed to consider the matter in the Appellant's absence if it is satisfied that notice was properly served upon him or her in accordance with Bye-Law 17.30.

Order of proceedings

42. The order of proceedings for the Appeals Body meeting, unless the Chair otherwise directs, will be as follows:
43. Submissions by or on behalf of the Appellant.
44. Submissions by or on behalf of the Respondent.
45. Consideration of the evidence by the Appeals Body.
46. Closing submissions by or on behalf of the Appellant.
47. Closing submissions by or on behalf of the Respondent.

Bye-Law (18): Changes to the Articles

Changes to the Bye-Laws

1. These Bye-Laws may be varied by the Trustees or the Union's members at Better Union Forum or Referendum in accordance with Article 60 and Bye-Laws 1 and 5; such changes must be approved by both the Trustees and members of LUU. In accordance with the Students' Union Code of Practice any changes to these Bye-Laws must also be approved by the University's Appointed Officer. The Appointed Officer is nominated by the University's Council.

Changes to the Articles

2. The Articles are subject to change in the following circumstances:
 - (i) By recommendation of the Board of Trustees
 - (ii) Where Union Policy is passed by the members that cannot be enacted without changing the Articles.
3. As a company, LUU is subject to the Companies Act 2006 which only allows changes to the Articles to be made by special resolution. Special resolutions can be passed in two ways
 - (i) By general meeting
 - (ii) By written resolution.
4. Changes to the Articles must also be approved by the University of Leeds (in line with Article 9.2) and, in some instances, the Charity Commission as LUU is a registered charity.

Changes Via General Meeting

5. Members who wish to change the Articles will be required to submit the Idea to a Forum. If the Idea becomes Policy, in line with Bye-Law 4, then it will become a special resolution as outlined in Bye-Law 18.3.
6. In line with Article 15, the Board of Trustees can decide whether or not to call a general meeting to hear the special resolution
7. If the Board of Trustees chooses not to call a general meeting, in line with Article 15.1, members can request a general meeting using the petition process outlined in Bye-Law 4.2
8. The general meeting will be organised as outlined in Articles 15 to 23
9. Members wishing to vote by Proxy will be able to appoint a Trustee, normally the Chair of Trustees, to cast their vote. They will specify their wishes regarding the vote in accordance with Bye-Law 3

10. Members wishing to appoint another Proxy will be required to complete a proxy notice and return it to Political Engagement Team as outlined in the notice published when the general meeting was called.
11. Members who have used their Proxy vote will not be able to vote at the General Meeting should they decide to attend.
12. The special resolution will be passed where 75% of those entitled to vote in person or by Proxy, vote in favour.

Changes via a Written Resolution

13. In line with the Companies Act 2006, changes to the Articles could only be passed via a written resolution if at least 75% of all the Members voted in favour.

Bye-Law (19): Trustee Code of Conduct

Trustee Code of Conduct

1. This Bye-Law outlines the process by which LUU shall deal with matters concerning the conduct of its Trustees and, if necessary, the process that the Board of Trustees will undertake in order to bring a resolution to remove a Trustee as set out in Article 37. This provision allows for disciplinary action against a Trustee. For clarification, Article 36 confirms the right of Members to remove a Trustee, which would be achieved by a petition to hold a referendum. This is referred to in Bye-Laws 3 and 4.
2. The Board of Trustees have powers to remove a Trustee to address a situation where problems of conduct are raised and this procedure is necessary to ensure fairness and consistency in the treatment of the Trustees. A copy of this Bye-Law will be given to all LUU Trustees as part of their induction.

Scope

3. Disciplinary action may be taken in respect of any breach of discipline:
 - (i) on LUU premises;
 - (ii) while the Trustee is using LUU facilities or at an LUU event; or
 - (iii) while a Trustee is representing or acting on behalf of LUU

Meaning

4. In this Bye-Law, a breach of discipline means (but is not limited to):
 - (i) threatening or harassing any other person, whether physically or verbally;
 - (ii) assaulting any other person;
 - (iii) damaging any property, whether deliberately or negligently;
 - (iv) acting in contravention of any relevant policies, procedures or guidelines, which for an employed Trustee would include the LUU HR policy and relevant staff operational procedures;
 - (v) acting without due regard for the safety of others;
 - (vi) acting with dishonesty or with intent to defraud;
 - (vii) acting in a manner detrimental to the reputation of LUU;
 - (viii) contravention of legal standards of behaviour required as a trustee of a charity.

Panel and Supervising Trustee

5. The Trustee Board shall annually appoint an external trustee to supervise this procedure, the “Supervising Trustee”. The Supervising Trustee shall annually report to the Trustee Board via the Appointments and Governance Committee on the operation of this code
6. The Appointments and Governance Committee shall appoint a Panel of five people to deal with disciplinary hearings, which will consist of:
 - (i) three students, who do not hold office in LUU;
 - (ii) two members of University Staff
7. The students appointed to the Panel shall be selected at random from the membership. Students who hold office shall be ineligible to sit on the Panel.

Complaints

8. Complaints and grievances should be made to the Supervising Trustee c/o the Chief Executive of LUU or their nominee, the Complaints Manager. The Complaints Manager will advise on the operation of this code.

Criminal Acts

9. Where an allegation is made and this Code is engaged, if the allegation were to be upheld and would constitute a criminal act, then careful consideration will be given to the early involvement of the Police. The decision on whether to involve the police will be made by the Complaints Manager in conjunction with the Supervising Trustee.

Investigation

10. This procedure will come into effect when a complaint is brought to the attention of the Chief Executive or Trustees
11. The Supervising Trustee shall first determine whether the issue(s) being raised fall(s) under the scope 19.3 and meaning 19.4 of this Bye-Law. In making the judgement the Supervising Trustee will be careful to ensure that matters of misconduct are handled through this procedure, but that matters of political performance, such as the fulfilment of manifesto promises, are rightly referred to the appropriate accountability procedures.

12. The decision to use the code may be appealed to the relevant recognised body within NUS.
13. If this procedure is used, the Supervising Trustee will appoint an independent third party to investigate the matter. The investigation is to establish the facts and where appropriate obtain statements from any available witnesses. Having carried out an investigation, the investigator will make a report to the Supervising Trustee. The Supervising Trustee will then decide how to proceed, which could include;
- (i) dropping the matter;
 - (ii) arranging for informal coaching, advice or counselling; or
 - (iii) arranging for the matter to be dealt with further under this procedure.
14. At the start of the investigation, the complainant and respondent will receive a letter of formal notification detailing the complaint being investigated and the name and contact details of the person dealing with the investigation.
15. Respondents are encouraged to submit a written statement in response to the complaint. The deadline for doing so is seven working days after the date of formal notification of the investigation. The statement should attach copies of any other documents on which the respondent wishes to rely unless he or she believes this will assist the investigation.
16. Should the respondent not respond to communications or refuse to engage with the investigation process, s/he will be deemed to have nothing to add to the investigation.
17. The investigator will consider statements and any other documents received from the complainant and respondent as soon as practicable. LUU aims to confirm the outcome of its investigation to the complainant, the respondent, and other interested parties within 14 working days of the date of the formal notification of the investigation, subject to having been able to contact all relevant parties within this time. If it is not practicable to comply with this timetable, for example due to relevant parties being on holiday, they may be extended by discretion of the Supervising Trustee.
18. It should be recognised that being the subject of a complaint can be a difficult time for an individual, and so LUU will undertake the investigation with appropriate discretion, care and consideration. LUU will endeavour

to ensure all steps in the process remain fair and in line with the appropriate LUU policy and procedures.

- 19.No LUU officer or representative shall comment publicly on any incident that is being dealt with under this procedure, without first obtaining the approval of the Director of Development with a view to avoiding comments which are likely to prejudice a fair outcome for all parties. Failure to observe this requirement will result in disciplinary action being taken under this Bye-Law or other appropriate procedures.

Informal Procedures

20. Minor cases of misconduct and poor performance may be dealt with informally outside of this Code.

Stages of Disciplinary Action

- 21.The Supervising Trustee will decide whether a matter should be dealt with informally (e.g. through coaching, counselling or other informal support), or formally under the disciplinary procedure. Disciplinary panels and appeal panels will be made up of different people for fairness.
- 22.There are different types of action that can be taken that vary in their severity. The Panel will decide if misconduct has occurred and the appropriate action.
- 23.Appropriate action might be:
- (i) no action to be taken, although a recommendation may at that stage be made by the Panel for further coaching or guidance.
 - (ii) drafting of a resolution for the removal of the Trustee, to be voted on by the Board of Trustees, which in the case of Officer Trustees would result in the termination of their contract of employment and their office as a Director.

Disciplinary Hearings

- 24.Before a decision is reached or any disciplinary action taken there will be a disciplinary hearing before the Panel at which the Trustee will have an opportunity to state their case and answer the allegations that have been made. The appointed investigator will present the complainants case and the charges that have been put to the Trustee [together with their findings] at the disciplinary hearing.

25. The Panel will hear the case. The Trustee will be notified in advance of the hearing of the complaint [and charges] against them. The Trustee will be notified of the proposed hearing. Hearings will be arranged as far as possible at a mutually convenient time and place and the Trustee will have the right to be accompanied by a colleague or lay representative of their choice.

26. During a disciplinary hearing, the case against the Trustee will be presented in detail by the appointed investigator. The Panel will decide how to conduct the hearing bearing in mind the need to meet standards of natural justice and fairness for all concerned.

Outcome of disciplinary hearing

27. Following the conclusion of the hearing the Panel may in particular resolve to:

- (i) recommend that no further action is necessary and that the matter is concluded;
- (ii) impose or require disciplinary action in accordance with 19:29.

28. Where disciplinary action is necessary the Trustee will be informed of the decision. This will be in writing and will state:

- (i) the detail of the misconduct that has resulted in the disciplinary action;
- (ii) any recommendations/action required to prevent future disciplinary action which may include a recommendation to the Board of Trustees that a resolution be tabled to remove the Trustee as set out in Article 37;
- (iii) the consequence of failure to follow any disciplinary requirements imposed by the Panel or to carry out any actions mandated by the Panel;
- (iv) details of the appeal mechanism;
- (v) the length of time of any formal written warning recommended by the Panel shall remain on the records pertaining to the Trustee before it is disregarded.

Suspension pending outcome

29. In certain circumstances for example cases involving gross misconduct or where it is considered there are risks to property or LUU's responsibilities

to other parties, the Supervising Trustee shall give consideration to requiring a period of exclusion from any or all of LUU premises or events, or compliance with such other restrictions as the Supervising Trustee should require whilst an unhindered investigation is conducted, subject to the requirements of that investigation.

30. Such an exclusion should only be imposed after careful consideration and should be reviewed regularly to ensure that it is not unnecessarily protracted. Excluding a Trustee from participation in LUU activities is not in itself a form of disciplinary action whilst the investigation is progressing.

31. Acts that may constitute gross misconduct are:

- (i) theft, fraud and deliberate falsification of records;
- (ii) physical violence or threats;
- (iii) deliberate damage to organisational or personal property;
- (iv) serious incapability whilst representing LUU brought about through alcohol or illegal drugs;
- (v) misuse of organisations property or name;
- (vi) bringing the organisation into serious disrepute;
- (vii) serious infringement of health and safety rules;
- (viii) serious bullying or harassment;
- (ix) sexual misconduct;
- (x) serious infringement of LUU policy.

Appeals

32. A Trustee will notify the Panel of their intention to appeal against disciplinary action within six working days of receipt of the confirmation letter. The appeal should be made in writing stating the grounds upon which the appeal is to be made and be received by the Panel within a further 10 working days.

33. An appeal hearing will normally be held within ten working days of receipt of the letter of appeal. An appeal will be heard in accordance with Article 38 by an Appeal Body, (see below), who have previously had no involvement in the case. The Appeal Body shall be made of the following:

- (i) An independent student selected at random from the membership. Students who hold office shall be ineligible to sit on the Appeal Body.
- (ii) a nominee of the University of Leeds;
- (iii) a Chief Executive/General Manager from another students' union;

(iv) an Officer of another students' union.

34. The Trustee will have the right to be accompanied by a colleague or a lay representative of their choice. The Trustee will be notified of the results of the appeal in writing within five working days of the hearing.

35. An appeal is designed to remedy any defects in the disciplinary process rather than repeat the investigation of the disciplinary process. Therefore grounds for appeal are:

- (i) unfairness of judgement;
- (ii) the severity of the penalty;
- (iii) new evidence coming to light;
- (iv) procedural irregularities;
- (v) extenuating circumstances;
- (vi) bias of disciplining officer;
- (vii) unfairness of the interview.

36. Possible outcomes of an appeal include:

- (i) the appeal is upheld and the disciplinary sanction reduced or removed; or
- (ii) the appeal is upheld and there is a request for a re-investigation or rehearing; or
- (iii) the appeal is denied and the original decision is upheld.

Bye-Law (20): Board of Trustees

Commencement of Term of Office for LUU Trustees

- (iv) The appointment and retirement of LUU Trustees is outlined in Articles 31 to 39. The Trustee Code of Conduct is outlined in Bye-Law 19.
- (v) Commencement of Term of Office for Officer Trustees is outlined in Bye-Law 10:3.
- (vi) Student Trustees shall only hold office so long as they are registered members of LUU. Student Trustees are appointed through the Trustees in accordance with Article 33.1. Their term of office will commence by agreement of the Chair of the Board and Appointments and Governance Committee as a vacancy is approaching or already exists.
- (vii) External Trustees are appointed through the Trustees in accordance with Article 34. Their term of office will commence by agreement of the Chair of the Board and Appointments and Governance Committee as a vacancy is approaching or already exists.

The Student Executive

- (viii) Officer Trustees shall be members of the Student Executive.
- (ix) The Student Executive shall have formal meetings at least five times per academic year [session] at a time that allows them to review the legal and financial risk of Ideas as outlined in Bye-Law 2:11. For those who are Officer Trustees, this shall be considered to be an exercise of part of their duties as Trustees.
- (x) For clarity, Bye-Law 10:7 confirms that unless otherwise stated, the Student Executive will make decisions using a simple majority of all seven members, and no member shall be excluded from Student Executive level decision-making on the basis that they are not an Officer Trustee.

Leeds University Union
Lifton Place
Leeds, LS2 9JZ

Telephone: 0113 380 1400
Email: luuhelpdesk@leeds.ac.uk
Twitter: @LeedsUniUnion

Leeds University Union is a registered charity
no. 1136742 and a company limited by guarantee
registered in England and Wales no. 7284768.



luu.org.uk