



# Aberystwyth University Students' Union Code of Practice

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**Policy contact:** Geraint Pugh, [gop2@aber.ac.uk](mailto:gop2@aber.ac.uk) / 01970 62 2114

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## **ABERYSTWYTH UNIVERSITY STUDENTS' UNION CODE OF PRACTICE**

The Education Act 1994 Part II ('Students' Unions) requires that Council, as Aberystwyth University's governing body, prepares, issues, and where necessary revises, a Code of Practice as to the manner in which the requirements of the Act are to be carried into effect in relation to any Students' Union for students at the University.

The Act requires Council to take such steps as are reasonably practicable to secure that any Students' Union for students at the University operates in a fair and democratic manner, and is accountable for its finances. Aberystwyth University Student's Union (AberSU) will encourage lawful freedom of expression. Both Aberystwyth University (AU) and AberSU are committed to these principles.

The Act also identifies specific matters which the Council is required to put into effect, including the right of any student not to be a member of the Students' Union.

### **1. Students' Union**

1. AberSU is an unincorporated association, and as such it is a body which is independent of AU. It is a Registered Charity with reference number 1150576. AberSU's Board of Trustees are responsible for the proper conduct of its financial affairs and ensuring that its funds are only used in accordance with the Education Act 1994, this Code of Practice and other charitable and statutory legislation.
2. The Chair of AberSU's Board of Trustees shall be a Sabbatical Officer elected in accordance with the requirements set out at 5 below.

### **2. Appointed Officer**

The Clerk to the Council shall act as the 'Appointed Officer' on behalf of Council in all matters as prescribed in the Code of Practice. The Clerk to the Council may designate another person or group to act on their behalf in this regard. In such cases the Clerk to the Council remains responsible as Appointed Officer in all matters as prescribed in this Code of Practice.

### **3. Students' Union Constitution**

1. There shall be a written constitution for AberSU which is approved by Council, and reviewed by the Council at intervals of not more than 5 years.
2. AberSU's Constitution, Schedules, Regulations, and By-laws shall remain in written form and shall be made available to all students through AberSU's website.
3. It shall be the responsibility of AberSU's Board of Trustees to ensure that the Constitution, Schedules, Regulations and Bye-laws are made available to any student of AU on request and free of charge.
4. The Appointed Officer shall review AberSU's Constitution every five years in consultation with the Chair of AberSU's Board of Trustees and the Chief Executive.
5. Any revisions proposed to AberSU's Constitution, once formally endorsed by AberSU in accordance with the provisions of the existing Constitution, shall be subject to the approval of AU's Council. No amendments shall be applied to the existing Constitution without the prior written consent of AU's Council via the Appointed Officer.

6. Amendments to AberSU's other governing documents – including any Schedules, Regulations, or By Laws – shall not require the approval of AU. However, copies of any amendments to such documents shall be provided to the Appointed Officer for information.

#### 4. Membership

1. Every student registered as pursuing a course at AU shall be a member of AberSU, unless they have advised AberSU of their wish to opt out of membership. All full-time elected Sabbatical Officers of AberSU shall also be members of AberSU.
2. It will be the responsibility of AU, via the Student Handbook and website, to draw to the attention of students the right to opt out of AberSU membership, and the consequences of doing so. A student opting out of AberSU membership shall not be unfairly disadvantaged with regard to the provision of services or otherwise.
3. Students who are not members of AberSU shall not be entitled to any rights or privileges granted to AberSU members. The consequences of opting out of membership shall be:
  1. A student may not participate in any of the democratic processes of AberSU;
  2. A student may not hold office in any AberSU club or society, because of the need for financial accountability to AberSU (but registered students of AU may join any AberSU club or society as associate members subject to payment of the appropriate membership fees);
  3. A student will not be represented by AberSU in any disciplinary, grievance or academic procedures; and
  4. A student may only attend official AberSU events in the status of a guest.
4. Once a student has exercised the right to opt-out of AberSU membership, they will remain a non-member for the remainder of the academic year unless they apply to re-join in accordance with the AberSU's By-laws.
5. It will be the responsibility of AU to publicise amongst all students via the website the benefits of membership of AberSU and the arrangements for registration as AberSU members.

#### 5. Sabbatical Officers

1. All AberSU Sabbatical Officers shall be elected each year by secret ballot with every AberSU member entitled to equal voting entitlement. Such ballots may be conducted electronically.
2. Where ballots are not conducted electronically in their entirety, in accordance with the requirements of the Education Act 1994, the Appointed Officer or their nominated representative shall be invited to attend the counting of hardcopy ballots to ensure that it is conducted in a fair and transparent manner.
3. No person shall hold a Sabbatical or other elected AberSU office for more than two years in total, elected annually.

#### 6. Financial matters

1. AberSU, through its Board of Trustees, is responsible for the proper conduct of its financial affairs and ensuring that funds provided to it by AU are used only in accordance with the

Education Act 1994; this Code of Practice; other statutory requirements; and other conditions that AU may from time to time prescribe.

2. AberSU is, in any case, required to:

1. keep accounts and accounting records, and prepare accounting information, in accordance with normal professional accounting principles;
2. maintain a sound system of internal financial management and control;
3. plan and conduct its financial affairs so as to ensure that its total income is at least sufficient, taking one year with another, to meet its total expenditure and that its financial solvency is maintained;
4. maintain adequate insurance cover for AberSU's assets and public employer's liabilities; and
5. report regularly to AU's Director of Finance and Corporate Services in an agreed format to permit AU to approve annual budgets.

3. Budgets

1. AberSU's Chief Executive will provide AU's Resources and Performance Committee with annual forecasts and projected budgets; following consultation and review with AU's Finance department, on the basis of which AU will agree the block grant to AberSU.
2. The Chair of AberSU's Board of Trustees and the Chief Executive will submit the annual audited financial statements to the Resources and Performance Committee, normally by the end of the first semester of the subsequent academic year.

7. Allocation of resources to sports clubs and cultural societies

The procedure for allocating resources to sports clubs and cultural societies shall be fair and shall be set down in writing and will be available for all students to access via the AberSU website or from the Union building on the Penglais Campus.

8. Affiliation of external organisations to the Union

AberSU shall publish, as part of the annual audited financial statements, the names of external organisations with which AberSU is or proposes to be affiliated, and details of the subscriptions, fees or donations made or proposed to be made to any external organisation to which the AberSU is affiliated.

9. Complaints Procedure

1. AberSU shall have a written complaints procedure, which shall be made available to all students via AberSU's website. This procedure shall allow students or groups of students who are dissatisfied with their dealings with AberSU to have their complaints dealt with promptly and fairly and, if a complaint is upheld, secure effective remedial action.
2. The complaints procedure shall include provision for a stage during the procedure whereby the complaint can be referred to an independent person appointed by the University's Council to investigate and report on complaints.

3. The complaints procedure shall be made available to all students upon request and free of charge.
4. Any member of AberSU who has a complaint relating to the affairs of AberSU shall complain either to the Chair of AberSU's Board of Trustees, or alternatively to the AberSU Chief Executive, who shall arrange for the matter to be considered in accordance with the established complaints procedure and in accordance with the requirements of the AberSU Constitution.

10. General

1. AU shall bring to the attention of all students, at least once a year via the Student Handbook and website, this Code of Practice.
2. AberSU's members are bound to observe the AU's Code of Practice in relation to Freedom of Speech drawn up pursuant to Section 43 of the Education (No. 2) Act of 1986.
3. Changes to this Code of Practice may be made by agreement between AU and AberSU. AU reserves the right, after consultation with AberSU, to make such changes to the Code of Practice as AU Council deems necessary in order to ensure continued compliance with the provisions of section 22 of the Education Act 1994.