

**Bye-Laws of the  
University of Birmingham  
Guild of Students**

**May 2011**

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## BYE-LAW 1 – Interpretation

### 1. Definition

1.1 Terms defined in the Memorandum and Articles of Association shall have the same meaning within these Bye-laws unless otherwise defined in this Bye-law.

1.2 In these Bye-laws, the following terms shall have the following meanings

	Term	Meaning
1.2.1	“Alternative Transferable Voting System”	Voting procedure used for single seat elections. Voters rank candidates in order of preference. If no candidate achieves quota, the candidate with the least amount of votes is eliminated and his/her votes are redistributed to the second preferences. This process continues until one candidate achieves quota.
1.2.2	“Appeals Committee”	The Committee convened to hear the appeal of a Trustee who has been removed from office by the Trustee Board.
1.2.3	“Appointments Panel”	Sub-committee of the Trustee Board which oversees the appointments of the Trustee Board and the Chief Executive Officer.
1.2.4	“Associations of the Guild”	Collective bodies of defined groups of Full Members whose interests are deemed to need promoting.
1.2.5	“Audit and Risk Committee”	Sub-committee of the Trustee Board which ensures that the Guild meets its statutory and legal requirements and oversees the management of risk within the Guild.
1.2.6	“Autumn Term”	Period of required student attendance between the start of an Academic Year and the Christmas vacation, as specified in University of Birmingham calendar.
1.2.7	“Chairperson of Guild Council”	The person(s) elected by cross campus ballot to act as the presiding officer during Guild Council meetings.
1.2.8	“Corporate Member”	The University of Birmingham.
1.2.9	“Cross Campus Ballot”	Ballot of the entire Full Membership.
1.2.10	“Deputy Chairperson of Guild Council”	Person elected by cross-campus ballot to act as deputy to the Chairperson of Guild

Council.

1.2.11	“Discipline”	The good and proper conduct of Members and their guests in accordance with Guild Policy.
1.2.12	“Discipline Committee”	A committee appointed by Guild Council, for imposition of discipline of the membership.
1.2.13	“Discipline Policy”	The Discipline Policy as specified in the Guild Policy Documents.
1.2.14	“Elections Committee”	A sub-committee of Guild Council responsible for ensuring fair and open elections in the Guild.
1.2.15	“External Membership”	Members who have requested to join the Guild who are not registered students at the University of Birmingham.
1.2.16	“Finance Committee”	Sub-committee of the Trustee Board to oversee the Financial and Risk aspects of the Guild.
1.2.17	“First Year Student”	Full members of the Guild currently registered in the first year of undergraduate study.
1.2.18	“Full Member”	All registered students of the University of Birmingham who have not opted out, and all Sabbatical Officers.
1.2.19	“Guidance Documents”	Documents outlining the operational running of the Guild.
1.2.20	“Guild Committees”	Committees which report to and act on matters referred by the Trustee Board and/or Guild Council.
1.2.21	“Guild Councillor”	A recognised voting member of Guild Council.
1.2.22	“Guild Officer”	The Sabbatical and Non-Sabbatical Officers of the Guild elected by the Full Membership in a Cross Campus election, as defined in Bye-Law 7.
1.2.23	“Guild Officer Group”	Comprised of the Sabbatical and Non-Sabbatical Officers to give political leadership to the Guild.

1.2.24	“Guild Policy”	Policies of the Guild made by resolutions of the Trustee Board, Guild Council, Guild Committees, and the decisions of Referendums.
1.2.25	“Guild Student Group”	A body of Full Members recognised as a society, club or group of the Guild by Guild Council.
1.2.26	“Honorary Life Membership”	Life Membership of the Guild bestowed by Guild Council.
1.2.27	“International Student”	A student at the University whose permanent home address lies outside the European Economic Community.
1.2.28	“Liberation Officer”	Full Member of the Guild of Students elected to be a Guild Officer while continuing their studies at the University, as defined in Bye-Law 7.
1.2.29	“Life Member”	An alumnus of the University who has paid to join the Guild for life.
1.2.30	“Mini-Forum”	A meeting of Student Groups with shared aims and purposes as agreed by Student Groups Committee.
1.2.31	“Nominations Committee”	The Committee responsible for recommending Honorary Life Membership nominations to Guild Council.
1.2.32	“Non-Sabbatical Officer”	Full Member of the Guild of Students elected to be a Guild Officer while continuing their studies at the University of Birmingham, as defined in Bye-Law 7.
1.2.33	“NUS”	National Union of Students of the United Kingdom.
1.2.34	“NUS Delegate”	A Full Member of the Guild who has been duly elected to represent the Guild at an NUS conference.
1.2.35	‘NUS Observers’	Observers appointed by national student organisations, who may speak at the invitation of the NUS Conference on matters directly affecting the organisation which appointed them.
1.2.36	“Officer Code of Conduct”	Document outlining the proper conduct of Guild Officers.

1.2.37	“Officer Discipline Policy”	The Discipline procedure for Guild Officers as specified in the Guild Policy Documents.
1.2.38	“Officer Life Membership”	Life membership of the Guild offered to all Sabbatical and Non-sabbatical Officers at the end of their term.
1.2.39	“Officials of Guild Associations”	Full Members holding elected positions on Guild Associations.
1.2.40	“Officials of Guild Committees”	Full Members holding elected positions on Guild Committees.
1.2.41	“Open Forums of Guild Council”	Meetings open to all Full Members of the Guild to discuss matters related to specific areas of student life.
1.2.42	“Opt-out”	Written confirmation to the President of the Guild that a Full Member no longer wants to be a Full Member of the Guild for that Academic Year.
1.2.43	“Postgraduate Student”	Full Member of the Guild registered on a postgraduate classified programme of study.
1.2.44	“Quota”	The number of votes required by any candidate to win a seat in an election in the Guild. Determined by dividing the number of valid votes cast in the election by the number of seats in the election plus one, and then adding one to the achieved total.
1.2.45	“Remuneration and HR Committee”	Sub-committee of the Trustee Board to oversee the HR and remuneration aspects of the Guild.
1.2.46	“Reserved Business”	Discussions and decisions relating to: <ul style="list-style-type: none"><li>a) the personal affairs of Members</li><li>b) Employees</li><li>c) Decisions and appeals from Discipline Committees</li><li>d) Commercially sensitive information</li><li>e) Situations where the presence of interested parties or observers may compromise the impartial judgment of the committee members.</li></ul>

1.2.47	“Residence”	University recognised Hall of Residence.
1.2.48	“Residents’ Association”	An Association of a University of Birmingham recognised Hall of Residence or Student Village agreed by Guild Council.
1.2.49	“Residents’ Executive”	The committee of Residents’ Associations.
1.2.50	“Returning Officer”	The person responsible for holding an election and ensuring that it is run in a fair, open and honest way, as defined in Bye-Law 7.
1.2.51	“Sabbatical Officer”	Full Member of the Guild of Students elected on a full-time basis to be a Guild Officer, as defined in Bye-Law 7. Sabbatical Officers are required to take a leave of absence from their studies at University.
1.2.52	“Sabbatical Officer Group”	Committee of the Sabbatical Officers.
1.2.53	“Scrutiny Committee”	Committee convened to hear motions of ‘No Confidence’ in a Trustee petitioned by a group of Guild Councillors.
1.2.54	“Single Transferable Voting system”	Voting procedure used for multi-seat elections. Voters rank candidates in order of preference. If a candidate achieves quota, his/her surplus votes are transferred to the second preferences. If no candidate has achieved quota the candidate with the lowest number of votes is eliminated from the election and his/her votes are redistributed based on second preferences. This process continues until all seats in the election are filled.
1.2.55	“Spring Term”	Period of required student attendance between the end of the Christmas vacation and the start of Easter vacation as specified in University of Birmingham calendar.
1.2.56	“Steering”	To deal with practical aspects of the Guild Council process and to assist the Chair of Guild Council.
1.2.57	“Student Equality and Diversity Committee”	The Committee responsible for representing Liberation Associations,

- |        |                             |  |
|--------|-----------------------------|--|
| 1.2.58 | “Student Groups’ Committee” | The Sabbatical Officer Group Committee for Student Groups.   |
| 1.2.59 | “Summer Term”               | Period of required student attendance between the end the Easter vacation and the Summer vacation as specified in University of Birmingham calendar. |
| 1.2.60 | “University School”         | Academic area of study within a College as defined by the University of Birmingham.  |
| 1.2.61 | “Vacation”                  | Period between the end of the Summer term and the commencement of the Autumn term in the next Academic Year.   |

## BYE-LAW 2 – Membership

### 1. Membership Types

There shall be the following types of membership at the Guild of Students;

Full Member  
Corporate Member  
External Member  
Life Member  
Honorary Life Membership  
Officer Life Membership

#### *1.1 Full Members*

- 1.1.1 In accordance with Article 3, all students registered with the University of Birmingham, who have not opted out, and all Sabbatical Officers shall be Full Members of the Guild of Students.
- 1.1.2 No fee shall be payable by Full Members of the Guild.
- 1.1.3 Opting out
  - A student who wishes to opt-out or re-join the membership of the Guild must write to the President to notify them of the decision to opt-out or re-join the Guild.

#### *1.2 Corporate Member*

- 1.2.1 No Fee shall be payable by the Corporate Member of the Guild.
- 1.2.2 In accordance with Article 3, the University of Birmingham shall be a Corporate Member of the Guild.

#### *1.3 External Membership*

- 1.3.1 External Membership is available subject to satisfactory application for External Membership. The application shall be submitted to the President who shall sign it on approval.
- 1.3.2 External Membership of the Guild of Students may be granted if the applicant meets any of the following criteria:
  - Graduate of the University of Birmingham
  - Student at University of Birmingham who has deferred study
  - Graduate of a University other than the University of Birmingham
  - Student of a University other than the University of Birmingham
  - Employee of the Guild of Students
  - Employee of the University of Birmingham
  - Member of the University of Birmingham Council
  - Officer/employee of the National Union of Students
  - Others at discretion of the President
- 1.3.3 No fees shall be payable for External Members.
- 1.3.4 The Guild of Students reserves the right to refuse External Membership. If an applicant is not granted External Membership, an explanation for that decision shall be given in writing to the non-successful applicant.

## 1.4 Life Membership

- 1.4.1 Life Membership is available to all graduates of the University of Birmingham.
- 1.4.2 Membership is available subject to the satisfactory application for Life Membership and on payment of a membership fee. The application shall be submitted to the President who shall sign it for approval.
- 1.4.3 Fees for Life Membership shall be paid to the Guild direct. The fee shall be at the discretion of the Trustee Board.

## 1.5 Honorary Life Membership

- 1.5.1 Honorary Life Membership is granted upon the resolution of Guild Council to award Honorary Life Membership. The President shall sign and issue the membership card.

## 1.6 Officer Life Membership

- 1.6.1 All Sabbatical and Non-Sabbatical Officers shall be awarded Life Membership on the completion of their term in office, subject to approval by Guild Council. The Chair of Guild Council shall sign and issue the membership card.

## 2. Membership Cards

- 2.1 There shall be a different membership card for each category of member. University of Birmingham ID cards shall be used as membership cards for Full Members.
- 2.2 Membership cards shall only be valid for as long as the period for which the membership is granted.
- 2.3 The membership card of a suspended member shall be immediately withdrawn as suspension commences. At the conclusion of the suspension, the membership card shall be reinstated,

## 3. Rights of Membership

### 3.1 Full Members

- 3.1.1 Full Members, subject to the discipline procedure, shall be entitled to the following:
  - To make use of any services and facilities of the Guild;
  - To hold ordinary membership of any Guild Society;
  - To stand for committee membership of a Guild Society of which they are a member;
  - To attend Guild Council and all Guild committees as observers, except in such cases as specified in the Byelaws;
  - To vote in, and to stand for office in, Guild elections; and
  - To attend and vote at General Meetings of the Guild of Students.
- 3.1.2 Full Members who are in paid employment of the Guild are required to declare their interest and to withdraw from debate which directly or indirectly concerns their employment.

### 3.2 Corporate Member

3.2.1 The Guild's Corporate Member shall be entitled to the following:

- All the rights and privileges as specified in the Memorandum and Articles of Association of the Guild
- To approve changes to these Bye-laws in order to ensure that:
  - the election of officers of the Guild are fairly and properly conducted;
  - the proper conduct of financial affairs of the Guild occurs, including the approval of budget and monitoring of expenditure;
  - the proper conduct of a complaints procedure is available to all students or groups of students.

### 3.3 *Honorary, Life and External Members*

3.3.1 Honorary, Life and External Members, subject to the discipline procedure, shall be entitled to the following:

- To make use of any services and facilities of the Guild which may from time to time be available to them;
- To hold ordinary membership of any Guild Society;
- To attend General Meetings of the Guild.

### 3.4 *NUS Colleges*

3.4.1 An organisation which is affiliated to the National Union of Students shall be deemed to automatically have an open reciprocity agreement with the Guild.

## **4. Discipline**

4.1 All Full, Honorary Life, Life or External Members are subject to the Memorandum, Articles of Association, Byelaws and Policies of the Guild of Students.

4.2 The Guild reserves the right to take disciplinary action against any member who contravenes the Memorandum, Articles of Association, Byelaws, and Policy of the Guild of Students.

4.3 The Membership Discipline Procedure shall be published in the Guild's Policy documents.

4.4 The scope of the Membership Discipline Procedure relates to behaviour within the Guild Building, and Guild sponsored activity, individuals or groups whether within the Guild Building or elsewhere.

4.5 In order to maintain the good order and running of the Guild, the Trustees and nominated staff will have the right to execute temporary powers consistent with Licensing Act 1988. These powers will include temporary exclusion and temporary suspension of membership.

## **5. Complaints**

5.1 All members, be they Full, Life, Honorary Life, or External Members have the right to submit a complaint regarding an individual or group partaking in Guild sponsored activity.

5.2 The Complaints Procedure shall be published in the Guild Policy documents.

## **BYE-LAW 3 – General Governance of the Guild of Students**

### **1. Trustee Board**

#### *1.1 Membership*

- 1.1.1 Pursuant to the Articles of Association, the Sabbatical Trustees shall be the President, the Vice President (Democracy and Resources), the Vice President (Education and Access) and the Vice President (Activities and Development)
- 1.1.2 The Student, Lay, University and University Alumni Trustees of the Guild of Students will be appointed pursuant to the Articles of Association.

#### *1.2 Purpose/Responsibilities*

- 1.2.1 The Trustees are Charity Trustees as defined by the Charities Act 1993.
- 1.2.2 In accordance with Articles 28 and 29, the Trustees are responsible for the management and administration of the Guild, ensuring the Guild remains legally compliant and solvent, in accordance with Guild Policy.
- 1.2.3 The Trustees have overall responsibility for the day-to-day management of the Guild.

#### *1.3 Delegated Committees*

- 1.3.1 In accordance with Article 36 of the Articles of Association the Trustees may delegate any of their powers to any person(s) or committee. The Trustees will determine the number, remit and membership of these committees. A Trustee will chair any committee and membership of the committee may include Trustees, Full Members, and/or Guild of Student staff members.
- 1.3.2 As set out in Article 40, the Trustee Board sub committees will include, but not be limited to:
  - Finance Committee
  - Remuneration and HR Committee
  - Appointments Panel
  - Audit and Risk Committee

#### *1.4 Reporting*

- 1.4.1 The Trustee Board will report to the University of Birmingham, Charity Commission and Companies House as appropriate.
- 1.4.2 The Trustee Board will send a summary of business to Guild Council on a quarterly basis for information only.
- 1.4.3 The Trustee Board will send an annual report of business to the Council of the University on an annual basis

### **2. Representational Structures**

- 2.1 The precedence of representational authority shall be in the following order:
  - General Meetings under company law
  - Referenda
  - Guild Council
  - Open Forums
  - Sabbatical Officer Group

- Guild Officer Group

## 2.2 General Meetings under Company Law

- 2.2.1 General Meetings under Company Law shall be held upon:
- The decision of the Trustees; or
  - The presentation of a petition of not less than 10% of Full Members to the President.
- 2.2.2 General Meetings under Company Law can be used to:
- Amend the Memorandum and Articles of Association (subject to the approval of University Council in accordance with Clause 6 of the Memorandum of Association)
  - Amend the Bye-Laws
- 2.2.3 Decisions of General Meetings under Company Law shall not be reviewed by Guild Council or the Trustee Board, but may be overturned by subsequent General Meetings.
- 2.2.4 Quorum for all General Meetings under Company Law shall be 0.5% of the Full Membership.
- 2.2.5 All Full Members who have not opted out of membership and the Corporate Member shall be eligible to attend, speak and vote at all General Meetings under Company Law either in person or by proxy.

## 2.3 Referenda

- 2.3.1 Referenda shall be held upon:
- The resolution by an absolute majority of a General Meeting; or
  - The resolution by an absolute majority of Guild Council; or
  - The receipt by the President of a petition signed by not less than either 5% of the Full Membership or one thousand Full Members, whichever is the greater.
- 2.3.2 Referenda can be used to:
- Seek opinion from students
  - Decide Guild Policy
  - Decide affiliations of the Guild of Students.
- 2.3.3 Decisions of Referenda shall not be reviewed by Guild Council, but may be overturned by subsequent Referenda or by a General Meeting under Company Law.
- 2.3.4 A Referendum shall not have the power to appoint or elect any officer, representative or member of staff of the Guild.
- 2.3.5 Quorum for all Referenda referring to governance changes shall be either 10% of the Full Membership or two thousand Full Members, whichever is the greater. Quorum for Referenda referring to Guild Policy will be as stated in the Guidance documents on Referenda which shall be owned by Guild Council.
- 2.3.6 All Full Members who have not opted out of membership shall be eligible to vote in all Referenda.

## 2.4 Guild Council

- 2.4.1 Membership of Guild Council is defined in Bye-Law 5 – Guild Council.
- 2.4.2 Guild Council is the representational body elected by and from Full Members of the Guild. The principle purpose of Guild Council is to represent the view of the Guild's Full Members through their elected representatives, Guild Councillors.

- 2.4.3 Guild Council, in accordance with Article 95, can set Guild Policy, and refer policy to Referenda. Guild Council may also approve and/or amend Bye-Laws of the Guild, subject to the approval of the Trustees.
- 2.4.4 In accordance with Article 99, Guild Council decisions can be overturned by the Trustee Board for financial, legal or Guild reputation issues.
- 2.4.5 Guild Council may delegate any of its powers to any person(s) or committee. Guild Council will determine the number, remit and membership of these committees.
- 2.4.6 Guild Council committees will include, but not be limited to:
  - Guild Officer Group
  - Sabbatical Officer Group
  - Elections Committee
- 2.4.7 Guild Council shall send a report on business transacted to the Trustee Board after each meeting.

## 2.5 Open Forums

- 2.5.1 All Full Members shall be able to attend, speak and vote (if appropriate) at all Open Forums.
- 2.5.2 The Open Forums shall include, but not be limited to:
  - Guild Open Forum
  - Education and University Open Forum
  - Welfare Open Forum
  - Student Group Open Forum
  - Sports Open Forum
- 2.5.3 Each Open Forum shall occur on a regular basis and at least termly.

## 2.6 Sabbatical Officer Group

- 2.6.1 Membership of the Sabbatical Officer Group shall be the Sabbatical Officers of the Guild of Students.
- 2.6.2 The Sabbatical Officer Group shall have responsibility for the day to day political decisions within the Guild of Students.
- 2.6.3 The Sabbatical Officer Group shall meet on a regular basis.

## 2.7 Guild Officer Group

- 2.7.1 Membership of the Guild Officer Group shall be the Guild Officers.
- 2.7.2 The Guild Officer Group shall have responsibility for the campaigning activity of the Guild of Students.
- 2.7.3 The Guild Officer Group shall meet on a regular basis.

## **BYE-LAW 4 – Committees of the Trustee Board**

### **1. Finance Committee**

#### *1.1 Purpose*

- 1.1.1 The purpose of the Finance Committee is to ensure that the Guild of Students meets approved income and expenditure targets, via the annual budget process and the monthly management accounts. The committee will also agree one-off and capital expenditure. The members of the Committee are required to review and consider appropriate methods of overseeing the Guild's financial activities.

#### *1.2 Membership/Composition*

- 1.2.1 The Finance Committee shall consist of:
- 2 Trustees of which one shall be the Vice President (Democracy and Resources)
  - Vice President (Sport)
  - 2 individuals of appropriate skills and expertise (of which maximum 1 is independent and not otherwise associated with the Guild).
  - Chief Executive and Finance Manager or nominees shall be in attendance in an advisory capacity.
- 1.2.2 Each member of the Committee cannot serve for more than 4 years in whatever capacity: either as a Trustee or external member.
- 1.2.3 The Chair of the Finance Committee shall be the Vice President (Democracy and Resources).
- 1.2.4 Any Trustee may attend a meeting of the Finance Committee, even where he or she is not a formally appointed member of the Committee.
- 1.2.5 The Finance Committee may request the attendance of any Officer, Trustee or employee of the Guild to report on any matter raised by the committee.
- 1.2.6 The Finance Committee may appoint or instruct any external professional; advisor, legal or otherwise, to perform its functions.

#### *1.3 Quorum*

- 1.3.1 No business shall be transacted at a Finance Committee meeting unless a quorum is present. A quorum for Committee meetings shall be at least 3 members of the Committee, including at least one Trustee. The Committee shall meet at least 5 times a year.

#### *1.4 Main Duties*

- 1.4.1 To recommend to the Trustee Board a financially sustainable annual budget including the distribution of resources between membership, business and support areas, and between revenue, capital, infrastructure, staff and non-staff costs.
- 1.4.2 To receive the monthly management accounts and regularly monitor the financial performance of the Guild, recommending appropriate action where necessary.
- 1.4.3 To approve amendments to the budget through the termly reforecast process.
- 1.4.4 To consider specific and one off capital expenditure items that arise during a financial year in addition to the original budget, up to a limit of £10,000 per item.

- 1.4.5 To approve changes in department budgets of over 5% or over £5,000, and up to a limit of £15,000 per item.
- 1.4.6 To approve tender recommendations (except for External Audit).
- 1.4.7 To oversee the Financial Procedures Manual and make recommendations to the Trustee Board.
- 1.4.8 To oversee the Investment Policy and make recommendations to the Trustee Board.
- 1.4.9 To oversee the Reserves Policy and make recommendations to the Trustee Board.
- 1.4.10 To provide guidance to Officers and the Management Team regarding financial matters of the Guild.
- 1.4.11 To consider new business opportunities presented as and when they arise for ultimate consideration by the Trustee Board.
- 1.4.12 To ensure expenditure incurred in line with strategic goals.
- 1.4.13 To consider new projects that may generate significant income streams ultimate consideration by the Trustee Board.
- 1.4.14 To consider new projects that may involve a significant allocation of resources for ultimate consideration by the Trustee Board.
- 1.4.15 To make other decisions of a financial nature as delegated by the Board of Trustees.
- 1.4.16 To appoint other professional advisors where necessary and request specialist advice as may be required to perform its role effectively.

## *1.5 Reporting*

- 1.5.1 The Finance Committee will report to the Trustee Board regarding decisions, findings and recommendations made after every meeting.

## **2. Remuneration and HR Committee**

### *2.1 Purpose*

- 2.1.1 The purpose of the Remuneration and HR Committee is to ensure that the human resources of the Guild are working effectively to deliver the strategy and policy of the Guild.

### *2.2 Membership/Composition*

- 2.2.1 The Remuneration and HR Committee shall consist of:
  - 2 Trustees nominated by the Board of Trustees
  - Vice President (Welfare)
  - Vice President (Housing and Community)
  - 1 external member who will be an individual of appropriate skills and expertise.
  - The Chief Executive and HR Manager or nominees shall be in attendance.
- 2.2.2 Each member of the Remuneration and HR Committee cannot serve for more than 4 years in whatever capacity: either as a Trustee or external member.
- 2.2.3 The Chair of the Remuneration and HR Committee shall be the Vice President (Welfare).
- 2.2.4 Any Trustee may attend a meeting of the Remuneration and HR Committee even where he or she is not a formally appointed member of the Committee.
- 2.3.5 The Remuneration and HR Committee may request the attendance of any Officer, Trustee or employee of the Guild to report on any matter raised by the Committee

- 2.3.6 The Remuneration and HR Committee may appoint or instruct any external professional advisor, legal or otherwise to properly perform its functions.

## 2.3 Quorum

- 2.3.1 No business shall be transacted at a Remuneration and HR Committee meeting unless a quorum is present. The quorum for Committee meetings shall be at least 3 members of the Committee including at least 1 Trustee. The Committee shall meet at least 5 times per year.
- 2.3.2 The Chief Executive shall not take part in any decision concerning her/his remuneration.

## 2.4 Main Duties

- 2.4.1 To approve the Guild wide pay award (e.g. cost of living).
- 2.4.2 To agree any significant changes to remuneration systems.
- 2.4.3 To agree the remuneration of the Chief Executive.
- 2.4.4 To agree amendments to employee policies.
- 2.4.5 To receive the results of staff satisfaction surveys and agree any subsequent action to be taken.
- 2.4.6 To receive reports concerning employment statistics e.g. disability, equal opportunities, working time directive, absence and agree any subsequent action to be taken.
- 2.4.7 To oversee compliance with current employment legislation.

## 2.5 Reporting

- 2.5.1 The Remuneration and HR Committee will report to the Trustee Board regarding decisions made after every meeting.

## 3. Appointments Panel

### 3.1 Purpose

- 3.1.1 The purpose of the Appointments Panel is to identify and propose Student Trustees to the Guild Council in accordance with Article 11 of the Articles of Association, and to appoint Lay Trustees and University Alumni Trustees in accordance with Articles 15 and 17 respectively. The Appointments Panel will also be responsible for the Trustees' induction, support and development.

### 3.2 Membership and Composition

- 3.2.1 The Appointments Panel will consist of:
- the President;
  - the Chair of the Trustees;
  - two representatives of the University of Birmingham;
  - Vice President (Democracy and Resources);
  - two members of Guild Council;
  - two members of the Guild Officer Group who are not Trustees;
  - one postgraduate Student; and
  - the Chief Executive in attendance as an observer only.

## 3.3 Quorum

- 3.3.1 No business shall be transacted at an Appointments Panel meeting unless a quorum is present. A quorum will be at least 5 members of the Panel one of whom must be the Chair of the Trustee Board, or the President or a representative of the University of Birmingham.

## 3.4 Main Duties

- 3.4.1 To recruit, shortlist and interview prospective Trustee candidates.
- 3.4.2 To carry out regular skills, experience and diversity audits of the Board of Trustees and identify the skills, experience, characteristics and backgrounds that are needed to provide high quality effective governance.
- 3.4.3 To prepare role descriptions, person specifications and an information pack for prospective Trustees and to be realistic about the time commitments involved and what is expected of each Trustee.
- 3.4.4 To prepare a recruitment plan and timetable, and to consider the most appropriate recruitment mechanisms.
- 3.4.5 To identify a list of prospective Trustees and develop their interest in the work of the organisation.
- 3.4.6 To meet the prospective members of the Board of Trustees, to scrutinise their suitability and to make recommendations to the Board of Trustees.
- 3.4.7 To induct, mentor and involve new members of the Board of Trustees.
- 3.4.8 To appoint the Chief Executive of the Guild.

## 3.5 Reporting

- 3.5.1 The Appointments Panel will report to the Trustee Board at least annually.

## 4. Audit and Risk Committee

### 4.1 Purpose

- 4.1.1 The purpose of the Audit and Risk Committee is to ensure that the Guild of Students complies with all relevant laws and regulations and that an internal system of accountability is formally set up. The members of the Committee are required to review and consider appropriate methods of controlling the Guild's activities (financial and otherwise).

### 4.2 Membership and Composition

- 4.2.1 The Audit & Risk Committee shall consist of:
- 2 Trustees of which one shall be the President and one shall be an External Trustee
  - 2 individuals of appropriate skills and expertise.
  - Chief Executive and Finance Manager shall be in attendance in an advisory capacity.
- 4.2.2 Each member of the Committee cannot serve for more than 4 years in whatever capacity: either as a Trustee or external member.
- 4.2.3 The Chair of the Audit & Risk Committee shall be an External Trustee
- 4.2.4 Any Trustee may attend a meeting of the Audit & Risk Committee, even where he or she is not a formally appointed member of the Committee.

- 4.2.5 The Audit & Risk Committee may request the attendance of any Officer, Trustee or employee of the Guild to report on any matter raised by the committee.
- 4.2.6 The Audit & Risk Committee may appoint or instruct any external professional; advisor, legal or otherwise, to advise it and allow the committee to perform its functions.

### 4.3 Quorum

- 4.3.1 No business shall be transacted at Audit & Risk Committee meeting unless a quorum is present. A quorum for Committee meetings shall be at least 3 members of the Committee, including at least one Trustee. The Committee shall meet at least 2 times a year.

### 4.4 Main Duties

- 4.4.1 To review the risk register of the Guild and any existing audit framework (both internal and external).
- 4.4.2 To structure and recommend appropriate levels of internal and external audit systems.
- 4.4.3 To monitor the performance of existing audit systems and to present regular reports to Trustee Board in respect of the results of any auditing exercise.
- 4.4.4 To advise on and ensure that audit checks are carried out in all key areas of the Guild's operations: in particular, legal, financial and tax management, investment policies and performance, health and safety and insurance.
- 4.4.5 To promote a culture of accountability throughout the Guild's operations and among its staff and members.
- 4.4.6 To review and advise the Trustee Board in respect of any matter which threatens or carries a risk for the Guild.
- 4.4.7 To institute and monitor any special or ad-hoc audit or investigation, providing a report of its findings to Trustee Board.
- 4.4.8 To liaise with external auditors and promote a more efficient and co-ordinated audit process involving internal and external auditors.
- 4.4.9 To monitor the frequency and scope of external audits.
- 4.4.10 To liaise with external auditors and review the preparation of the audit report.
- 4.4.11 To co-ordinate the relationship between the Board of Trustees and external auditors.
- 4.4.12 To review the documentation provided by the Board of Trustees to external auditors, for the preparation of the Guild's statutory accounts and other financial statements.
- 4.4.13 To advise the Board of Trustees on the appointment and to monitor the performance of external auditors.
- 4.4.14 To offer an ultimate port of call for the more urgent or sensitive concerns raised in respect of the Guild's integrity, financial and otherwise.
- 4.4.15 To review existing arrangements of external auditors (and their terms of business/engagement) and make recommendations to tender as and when appropriate.
- 4.4.16 To prepare the Guild's fraud response policy.
- 4.4.17 To receive whistle blowing reports, and public interest disclosures.

4.5 Reporting

- 4.5.1 The Audit & Risk Committee will report findings and recommendations to the Trustee Board after every meeting.

## BYE-LAW 5 – Guild Council

### 1. Powers

- 1.1 There shall be a Guild Council which shall be representative of the interests of the Full Members.
- 1.2 Guild Council shall:
  - 1.2.1 Represent and serve the interests of Full Members.
  - 1.2.2 Deliberate on and consider business affecting members of the Guild.
  - 1.2.3 Initiate and frame Guild policy.
  - 1.2.4 Hold all committees in Bye-law 6 of the Guild accountable.
  - 1.2.5 Agree motions to be sent to Referendum. The outcome of a referendum vote shall be ratified by the Trustee Board prior to implementation.

### 2. Occurrences

- 2.1 Ordinary meetings of Guild Council shall meet a minimum of three times during the Academic Year, once in the Autumn Term, once in the Spring Term and once in the Summer Term.
- 2.2 In addition to Ordinary meetings the President may call an Extraordinary meeting in the interests of the Guild.
- 2.3 An Extraordinary meeting of Guild Council may also be called on receipt of the President of a petition signed by twice the number of Full Members as current voting members on Guild Council (normally 160 members)
- 2.4 Quorum for any meeting of Guild Council shall be half the total number of currently elected voting members,

### 3. Members of Guild Council

- 3.1 Voting members of Guild Council shall consist of:
  - 3.1.1 Elected Academic Representatives – One from each University School (27)
  - 3.1.2 Elected Student Group Representatives – Two from each Mini-Forum excluding the Liberation Mini-Forum, elected through the Student Group Mini-forums (20)
  - 3.1.3 Elected Association Representatives – One from each Guild Association, (8)
  - 3.1.4 Residents' Association Representatives – One from each Residence (13)
  - 3.1.5 Elected Cross Campus positions open to any student – 12 positions, of which at least two must be first year students and at least two, must be Postgraduate students, elected in a cross campus ballot.
- 3.2 The Guild Officers will have speaking rights but no voting rights, except for the President who shall have the casting vote when necessary.
- 3.3 Guild Council voting members shall:-
  - 3.3.1 Attend all meetings of Guild Council.
  - 3.3.2 Collect and read all relevant information in advance of a Guild Council meeting.

- 3.3.3 Canvass the views of their electorate on issues coming to Guild Council in order to adequately represent them.
  - 3.3.4 Vote in line with the views and interests of their electorate at Guild Council.
  - 3.3.5 Bring to the attention of Guild Council matters of concern to their electorate and of interest to Guild Council.
  - 3.3.6 Ensure effective consultation and feedback with constituents and/or Full Members.
- 3.4 Members of Guild Council not able to attend Council should submit apologies to the Chairperson of Guild Council before the start of Council.
- 3.5 A Guild Councillor who shall have been absent without giving apologies from two consecutive meetings, or a total of three, shall cease to be a Guild Councillor unless reasons for absence are given which Guild Council considers adequate. The seat shall not be declared vacant until notice has been sent to the Guild Councillor to attend a meeting of Guild Council and they have been given an opportunity to explain such absences. The Chairperson of Guild Council shall be responsible for ensuring this process occurs.
- 3.6 The term of office shall commence on the 1<sup>st</sup> of August each year and shall terminate on the 31<sup>st</sup> July in the following calendar year except where such members are appointed or elected to serve for a different period as specified elsewhere in the Bye-Laws.
- 3.7 Any member of Guild Council or its committees may resign at any time in writing to the President such notice to be effective from the time of receipt unless another time is specified by the resigning member.
- 3.8 All Full Members of the Guild will have speaking rights at Guild Council.

#### **4. Chairpersons**

- 4.1 The Chairperson and Deputy Chairperson of Guild Council shall be responsible for the proper conduct of meetings of Guild Council in accordance with the Bye-Laws.
- 4.2 There shall be a Chairperson and a Deputy Chairperson at each Guild Council Meeting.
- 4.3 In the absence of all Chairpersons, the President shall be responsible for making the necessary arrangements to open the meeting.
- 4.4 The Chairperson shall ensure that the meeting is in order, that remarks are relevant to the question under debate, that speakers are not intimidated and that no defamatory or offensive remarks are made by one person concerning another (whether present or not).
- 4.5 The Chairperson shall not participate in debate; (s)he shall vacate the Chair for the whole of any business on which (s)he wishes to speak.
- 4.6 If the Chairperson calls a person or Guild Council to order, then the meeting will come to a halt until the Chairperson gives permission for proceedings to continue.

## **5. Order of Business and Running of Guild Council**

5.1 A Steering Group comprised of the Chairpersons of Guild Council and the Sabbatical Officers shall determine the order of the agenda in accordance with the Guild Council Guidance Document.

## **6. Voting**

6.1 Every voting member of Guild Council is entitled to ONE vote only. A Guild Councillor may exercise the right to vote in person only.

6.2 In the event of a tie, the President shall have the casting vote.

6.3 The voting method shall be determined in accordance with the Guild Council Guidance Document.

## **7. Open Forums of Guild Council**

7.1 There will be Open Forums of Guild Council which any student may attend; these Forums are discussed in Bye Law 6 – Committees of Guild Council.

## BYE-LAW 6 - Committees of Guild Council

### 1. Committees of Guild Council

- 1.1 Guild Council may delegate the immediate control of any of the activities which are entrusted to its control by the Memorandum and Articles of Association to any person(s) or Guild Committee.
- 1.2 The Committees of Guild Council shall be (but not limited to):
- Sabbatical Officer Group
  - Guild Officer Group
- 1.3 The Committees of the Sabbatical Officer Group shall be (but not limited to):
- Residents' Executive
  - Student Groups Committee
  - Elections Committee
  - Nominations Committee
  - Student Equality and Diversity Committee
- 1.4 There will be Open Forums of Guild Council which any student may attend.
- 1.5 The Open Forums of Guild Council shall be (but not limited to):
- Guild Forum
  - Education and University Forum
  - Welfare Forum
  - Sports Forum
  - Student Groups Forum

### 2. Duties

- 2.1 All Committees and Open Forums shall be answerable to Guild Council.
- 2.2 Minutes must be taken for each meeting of a Committee or Open Forum of Guild Council. A copy of the ratified minutes for each meeting shall be available for viewing by all Full Members.
- 2.3 Each Committee shall set targets for the achievement of the Committee's objectives.
- 2.4 Each Committee shall present a report to Guild Council after every meeting outlining a true and accurate description of the work carried out by the Committee since the date of the previous report, as laid down in the minutes of the Committee meetings.
- 2.5 Members of Committees and Open Forums may be delegated responsibility for its work.
- 2.6 No Committee or Open Forum of Guild Council may discuss members of staff or staffing matters.

### 3. Membership

- 3.1 Guild Council shall decide the membership of all Guild Council Committees and their sub-committees unless otherwise stated in this Bye-Law.

3.2 Members of a Guild Council committee may include Trustees, Officers, Guild Councillors, Full Members, and/or Guild of Students' Staff members.

3.3 Membership of Open Forums of Guild Council is open to any Full Member of the Guild of Students.

#### **4. Quorum**

4.1 The quorum for a Guild Council Committee shall be half of the full constitutional members. When the division of half involves a fraction of a number, that fraction shall be taken as a whole.

4.2 There shall be no quorum for an Open Forum

#### **5. Procedure**

5.1 The procedure for meetings shall be explained in the Guild Council Guidance Document.

5.2 Full Members may attend and speak at meetings of Guild Council Committees.

5.3 The only exception to the right of a Full Member to attend and speak at meetings of Committees of Guild Council shall be when the meeting is discussing Reserved Business as determined by the Chair. At such discussions, unless the Meeting decides otherwise, only voting members of the Committee and the Chair of the Committee may be present.

5.4 All Reserved Business shall be notified in outline to each Ordinary Meeting of Guild Council in open session, identifying the issue without reference to named individuals.

5.5 A Committee of Guild Council shall neither engage upon expenditure in excess of the grant allocated to it by the Trustee Board, nor incur any exceptional expenditure without the prior approval of the Trustee Board who shall consider such questions and, if it deems necessary approve them.

#### **6. Sabbatical Officer Group**

##### *6.1 Purpose*

6.1.1 The Sabbatical Officer Group shall provide the day to day political leadership to the Guild and its affairs and activities.

##### *6.2 Membership*

6.2.1 The Sabbatical Officer Group shall consist of:

- All Sabbatical Officers
- The Chief Executive or nominee shall be in attendance

##### *6.3 Main Duties*

6.3.1 Respond to public events and media enquiries

6.3.2 Co-ordinate the Guild position on issues especially between Guild Council meetings

- 6.3.3 Co-ordinate the submission of items for Guild Council including reports and policies and take a view on policy submitted by individuals
- 6.3.4 Discuss any significant membership sensitivities arising from Guild operational decisions
- 6.3.5 Act on behalf of Guild Council during vacation periods and report actions taken by the Sabbatical Officer Group on behalf of Guild Council at the first Guild Council of the year.
- 6.3.6 Delegate any of its powers to any person(s) or committee.

## **7. Guild Officer Group**

### *7.1 Purpose*

- 7.1.1 The Guild Officer Group shall provide political and campaigning leadership to the Guild.

### *7.2 Membership/Composition*

- 7.2.1 The Guild Officer Group shall consist of:
  - All Sabbatical Officers
  - All Non-Sabbatical Officers
  - All Liberation Officers
- 7.2.2 The Chief Executive and Guild Staff or nominees, shall be in attendance.

### *7.3 Main Duties*

- 7.3.1 Decide, coordinate and review Guild Campaigns.
- 7.3.2 Provide a representative voice for the constituencies of the membership.
- 7.3.3 Act as a consultative body.
- 7.3.4 Review the impact of Guild campaigning activity.

## **8. Residents' Executive**

### *8.1 Purpose*

- 8.1.1 The Residents' Executive shall:
  - Work with the Sabbatical Officer Group to co-ordinate all activities in relation to University owned student accommodation;
  - Represent actively all students in University owned student accommodation;
  - Provide a support forum and decision-making body for all Residents' Associations;
  - Ensure effective representation on all University committees and working parties pertaining to University owned student accommodation.

### *8.2 Membership/Composition*

- 8.2.1 The Residents' Executive shall consist of:
  - Vice President Housing and Community (Chair)
  - President
  - Vice President Democracy and Resources
  - Vice President Welfare

- The Strategic Officers (or his/her nominee) from all University owned and affiliated halls, as outlined in the Residents' Associations Constitutions.

## 8.3 Main Duties

- 8.3.1 Have power to set up sub-committees and advisory committees which shall have responsibility for such Residents' Executive business as is vested in them by the Bye-Laws. Such committees shall be under the control of and report to the Committee.
- 8.3.2 Inform Full Members of issues relevant to them by using existing Guild communications, and other media, as provided.
- 8.3.3 Establish and maintain contact with other student accommodation and representative organisations in the Guild, University, locally, nationally and internationally.
- 8.3.4 Be responsible for the preparation of Guild Policy to be considered by Guild Council on student accommodation, in the Guild and University, and on a broader scale as appropriate.
- 8.3.5 Exercise all other powers and responsibilities which are conferred on it by Guild Council.
- 8.3.6 Liaise with internal and external bodies on relevant matters.

## 9. Student Groups Committee

### 9.1 Purpose

- 9.1.1 The Student Groups Committee shall be responsible for actively representing all Full Members involved in Student Activities.

### 9.2 Membership/Composition

- 9.2.1 The Student Groups Committee shall consist of:
  - Vice President Student Activities and Development ex officio, who shall be Chair and Treasurer
  - Vice President Sport
  - Vice President Democracy and Resources
  - 3 elected members from Guild Council, of which at least 2 must be Society Councillors.

### 9.3 Main Duties

- 9.3.1 Be the committee responsible for recognising and derecognising Societies in line with Society Recognition Guidelines.
- 9.3.2 Feed into the strategic direction and running of Student Activities.
- 9.3.3 Have the power to set up sub-committees and advisory committees which shall have responsibility for such Student Activities business as is vested in them by the Bye-Laws.
- 9.3.4 The power to decide on changes to society constitutions and report to Guild Council.
- 9.3.5 Have the power to make recommendations on Student Group Grant Allocations and report these to the Trustee Board.

## **10. Elections Committee**

### 10.1 Purpose

- 10.1.1 Elections Committee shall be responsible for ensuring that all Guild elections are run in an open, fair and transparent way.

### 10.2 Membership/Composition

- 10.2.1 The Elections Committee shall consist of:
- Vice President Democracy and Resources (Chair)
  - President
  - Another Sabbatical Officer, nominated by the Sabbatical Officer Group
  - A Non-Sabbatical Officer, nominated by the Guild Officer Group
  - Three Guild Councillors elected by Guild Council. At least one shall be a first year Full Member.
  - Other attendees may be called upon as required
  - The Chief Executive, and the Representation and Democracy Manager or nominees shall be in attendance.

### 10.3 Main Duties

- 10.3.1 Manage publicity for elections involving a Cross Campus Ballot.
- 10.3.2 Arrange Hustings for such elections and, whenever possible, for a member of the Committee to chair such Hustings.
- 10.3.3 In consultation with the Returning Officer to make such regulations as may ensure fair elections, subject to ratification by Guild Council before the election to which they apply.
- 10.3.4 Be responsible for the implementation and enforcement of such regulations, where possible.
- 10.3.5 Set such precedents as may be necessary to ensure fair elections.
- 10.3.6 In Guild Officer Elections to hold a Candidates meeting before the deadline for withdrawals.
- 10.3.7 Undertake such other business as Guild Council shall commit to it.
- 10.3.8 Liaise with internal and external bodies on relevant matters.
- 10.3.9 Consider and, where appropriate, ratify suggestions made by the Chair of Elections Committee regarding the conduct of elections.
- 10.3.10 Consider, and where necessary implement any recommendations from the Council of the University of Birmingham pursuant to its statutory obligations to ensure elections are fair.

## **11. Nominations Committee**

### 11.1 Purpose

- 11.1.1 The Nominations Committee shall be responsible for recommending nominations for those persons who are eligible for Honorary Life Membership of the Guild of Students to Guild Council

### 11.2 Membership

- 11.2.1 The Nominations Committee shall consist of:

- President, ex officio, who shall be Chair
- One Sabbatical Officer (elected from Guild Officer Group)
- One Non Sabbatical Officer (elected from Guild Officer Group)
- Four elected members from Guild Council
- The Chief Executive Officer or nominee (in attendance)

## 11.3 Main Duties

- 11.3.1 Be the committee responsible for accepting and recognising those persons who have been nominated for Honorary Life Membership of the Guild of Students
- 11.3.2 Have the power to recommend approval or rejection of Honorary Life Membership based on the criteria for Honorary Life Membership set out in the Guidance documents
- 11.3.3 Make recommendations to Guild Council on the nominations received

## 12. Student Equality and Diversity Committee

### 12.1 Purpose

- 12.1.1 The Student Equality and Diversity Committee shall be responsible for actively representing all Full Members and all Liberation Associations. As such it will promote best practice with regards equality and diversity issues to the University and wider community as well as delivering campaigns on issues affecting current students.

### 12.2 Membership

- 12.2.1 The Student Equality and Diversity Committee shall consist of:
  - Vice President Welfare who shall be Chair
  - Vice President Activities and Development
  - LGBTQ Officer
  - Ethnic Minority Officer
  - Women's Officer
  - Disabled Students' Officer
  - Anti Racism Anti Fascism Officer
  - Other Representation Associations as appropriate
  - The Director of Membership or nominee shall be in attendance.
  - Other invited attendees as required

### 12.2 Main Duties

- 12.2.1 Support the work of Liberation Associations and other Representation Associations as appropriate.
- 12.2.2 Promote best practice within Liberation Associations and other Representation Associations as appropriate with regards to campaigns and representation of members.
- 12.2.3 Facilitate student discussion and action on issues relating to Equality and Diversity.
- 12.2.4 Consult with the University and wider community regarding issues surrounding equality and diversity, promoting best practice.

- 12.2.5 Make recommendations to Guild Committees, Officers and other relevant bodies on issues relating to Liberation and Equality and Diversity.
- 12.2.6 Review the Guild of Students Equality and Diversity Policy on an annual basis.
- 12.2.7 Inform relevant Guild of Students' Committees, Officers and staff members any events, information or activities of interest in the area of equality and diversity.

## **13. Open Forums of Guild Council**

### *13.1 Purpose*

- 13.1.1 The Forums shall be responsible for actively representing all Full Members involved in all relevant areas across campus.
- 13.1.2 The Forums of Guild Council shall be (but not limited to):
  - Guild Forum
  - Education and University Forum
  - Welfare Forum
  - Sports Forum
  - Student Groups Forum

### *13.2 Membership/Composition*

- 13.2.1 The Forums of Guild Council shall consist of:
  - The relevant Guild Officer ex officio, who shall be Chair
  - Any Full Member of the Guild of Students
  - Invited guests, as deemed appropriate by the Chair
  - Guild staff will be in attendance for administrative purposes

### *13.3 Main Duties*

- 13.3.1 To be responsible for collecting relevant feedback, suggestions and issues in an informal manner at the most appropriate Forum.
- 13.3.2 Matters raised will be dealt with by the relevant Guild Officer where possible or referred to Guild Council if it is too big an issue to be decided on at the Forum.
- 13.3.3 Have the power to set up working groups and advisory committees which shall have a responsibility for such student representation as vested in them by the Forum itself.
- 13.3.4 Have the power to make recommendations to Guild Council on matters raised at the Forum and passed to Guild Council for decision.

## BYE-LAW 7 - Officers

### 1. Categories of Officers

- 1.1 There shall be the following categories of officers:
- Guild Officers
  - Guild Delegates and Observers to Conferences of N.U.S.
  - Officials of Guild Committees.
  - Officials of Guild Associations.

### 2. Accountability

- 2.1 All officers shall be fully accountable to Guild Council for their activities.
- 2.2 Amendments to the Bye-Laws to alter the remits and responsibilities of any officer shall not necessitate the re-election or re-appointment of a person to that office.

### 3. Discipline and Conduct of Officers

- 3.1 Provision for the investigation and discipline of Officers of the Guild shall be outlined in the Officer Discipline Policy

### 4. Communication with the Media

- 4.1 Except with the permission and authority of the President, no officer, with the exception of the President, may discuss with external media any matter concerning the Guild.

### 5. Guild Policy

- 5.1 Guild Policy shall be upheld by all Officers in the course of their duties and work.

### 6. Election and Period of Office

- 6.1 Officers of the Guild shall be elected at times set by Elections Committee and approved by Guild Council in accordance with the Bye-Laws.

### 7. Restrictions on Officers of the Guild

- 7.1 Any Member elected to be a Guild Officer or Chair /Deputy Chair of Guild Council shall cease to be a Guild Councillor during his or her term of office. Any Member elected to be a Sabbatical Officer shall cease to be a member of any Guild Committee (other than *ex officio*).

### 8. Guild Officers

- 8.1 All Guild Officers shall hold office during the dates outlined in the Guild Policy Documents.
- 8.2 The position of Postgraduate and Mature Students' Officer shall be elected by consent of Elections Committee at the start of the Autumn Term, holding office from their election for one year, until the following year's election.

## 8.3 The Sabbatical Officers shall be:

- President
- Vice President (Education and Access)
- Vice President (Democracy and Resources)
- Vice President (Welfare)
- Vice President (Housing and Community)
- Vice President (Student Activities and Development)
- Vice President (Sport)

## 8.4 The Non-Sabbatical Officers shall be:

- International Students Officer
- Postgraduate and Mature Students' Officer
- Community Action Officer
- Satellite Sites Officer
- Home Students Officer
- Anti-Racism; Anti-Fascism Officer
- Ethical and Environmental Officer

## 8.5 The Liberation Officers shall be:

- Lesbian, Gay, Bisexual, Trans and Queer Student's Officer
- Ethnic Minority Student's Officer
- Disabled Student's Officer
- Women's Officer

## 8.6 General Guidelines on Guild Officers

- 8.6.1 All Guild Officers have a responsibility to represent the needs of all Full Members on all campuses.
- 8.6.2 All Guild Officers must act in the best interests of the Guild at all times.
- 8.6.3 All Guild Officers shall take an active role in leading, organising and promoting Guild campaigns.
- 8.6.4 All Guild Officers shall adhere to the Officer's Code of Conduct at all times. This can be found within the Officer Discipline Policy
- 8.6.5 All Guild Officers shall have specific responsibilities and these may be reviewed, from time to time, by Guild Council or, in the absence of guidance from Guild Council, by the President subject to ratification as soon as possible by Guild Council.
- 8.6.6 The positions and remits of all Guild Officers shall be reviewed on a regular basis.
- 8.6.7 Where Non-Sabbatical officers within their remit co-convene standing Guild Societies or Associations, they help ensure, drive and coordinate campaigns relating to the groups or the broad objectives of their role and remit. The Guild Society/Association chair explicitly remains responsible for ensuring the organisation of the groups and is accountable for its activities.

## 8.7 Reports

- 8.7.1 Each Guild Officer shall present to each Ordinary Meeting of Guild Council a concise written report outlining their activities in the relevant period.

## 8.8 Duties of Officers

### 8.8.1 President

- As Chair of both the Sabbatical Officer Group and the Guild Officer Group the President shall be first amongst equals and act as the lead Officer of the Guild of Students.
- The President shall:
  - Ensure that the Guild of Students maintains a productive working relationship with the University and other external partners.
  - Liaising with and advising the Chief Executive on matters relating to the Guild.
  - Ensuring that the Guild operates to a high standard in comparison with other students' unions and comparable third sector organisations.
  - Oversee media and external relations
  - Monitor the progress and development of the Guild in conjunction with the Memorandum and Articles of Association, Mission Statement, and Strategic Plan and periodically to review those as appropriate.
  - Ensure the Guild of Students complies with the provisions of the Bye-Laws.
  - Support the Vice President (Education) relating to academic matters.
  - Have a casting vote at Guild Council and sole power to call Guild Council.
  - Call Ordinary and Extraordinary meetings of Guild Council when appropriate.
  - Be the Editor-in-Chief of all official Guild publications.
  - Be a Trustee of the Guild.
  - Be a member of University Council.
  - Perform duties relevant to the role of a Sabbatical Officer in the Guild of Students; these shall include but are not limited to:
    - Promote the Guild and its work to new and returning students by participating fully in Guild-organised activities during Welcome Week.
    - Work with other Officers to campaign on key student issues.
    - Attend all relevant committee meetings as required.
    - Represent students on relevant university committees.
    - Represent students in academic appeals and mitigations.
    - Represent students at relevant national events.
    - Work with the University to support and encourage students from non-traditional backgrounds to study at the University of Birmingham.
    - Involved in making relevant decisions regarding the resources of the Guild of Students as required.

### 8.8.2 Vice President (Education)

- The Vice President (Education) shall:
  - Lead the formulation of Guild policy on education and oversee its execution.
  - Ensure that students are represented throughout the University on academic issues.
  - Maintain a productive working relationship with the University on academic issues.
  - Work with relevant staff members to ensure that representatives are empowered to achieve positive change on behalf of students through the provision of training, advisory briefings and/or other services.
  - Monitor the progress and impact of Guild representation in addressing the concerns of students on academic issues.

- Be the Guild lead on the Student Representation System as co-chair of the Student Representation System Advisory Board.
- Be the Guild lead on issues relating to the academic infrastructure, including being the key point of contact on matters relating to Institutional Audit.
- Oversee the development and dissemination of the Guild's Student Voice Report.
- Have responsibility for, and chair the Education and University Open Forum.
- In the absence of the President or other Vice Presidents, undertake delegated duties of the Sabbatical Officer Team.
- Perform duties relevant to the role of a Sabbatical Officer in the Guild of Students; these shall include but are not limited to:
  - Promote the Guild and its work to new and returning students by participating fully in Guild-organised activities during Welcome Week.
  - Work with other Officers to campaign on key student issues.
  - Attend all relevant committee meetings as required.
  - Represent students on relevant university committees.
  - Represent students in academic appeals and mitigations.
  - Represent students at relevant national events.
  - Work with the University to support and encourage students from non-traditional backgrounds to study at the University of Birmingham.
  - Involved in making relevant decisions regarding the resources of the Guild of Students as required.

### 8.8.3 Vice President (Democracy and Resources)

- The Vice President (Democracy) shall:
  - Be the lead Officer involved in the financial issues of the Guild of Students.
  - Responsible for overseeing the commercial and franchise activities of the Guild of Students
  - Lead the formulation of Guild policy on democracy and oversee its execution.
  - Work with relevant staff members in encouraging Full Members to participate in Elections, Guild Council and Open Forums.
  - Work with relevant staff members to ensure that the Guild of Students is effectively communicating with students across a variety of media.
  - Have responsibility for all membership disciplinary matters with the Guild.
  - Support the Vice President (Education) on matters relating to academic representation.
  - Work with relevant staff members to deliver a varied schedule of entertainments, accessible to all students.
  - Act as the agent of the Deputy Returning Officer in the Guild, at the discretion of the Returning Officer or his or her nominee. This will include ensuring that all Guild Elections are promoted and run in a free and fair manner.
  - Maintain a productive working relationship with the University over issues relating to democracy, membership discipline and entertainments.
  - Have responsibility for, and chair the Guild Open Forum.
  - In the absence of the President or other Vice Presidents, undertake delegated duties of the Sabbatical Officer Team.
  - Perform duties relevant to the role of a Sabbatical Officer in the Guild of Students; these shall include but are not limited to:
    - Promote the Guild and its work to new and returning students by participating fully in Guild-organised activities during Welcome Week.
    - Work with other Officers to campaign on key student issues.
    - Attend all relevant committee meetings as required.

- Represent students on relevant university committees, including acting as the Guild representative for College activities.
- Represent students in academic appeals and mitigations.
- Represent students at relevant national events.
- Work with the University to support and encourage students from non-traditional backgrounds to study at the University of Birmingham.
- Involved in making relevant decisions regarding the resources of the Guild of Students as required.

## 8.8.4 Vice President (Welfare)

- The Vice President (Welfare) shall:
  - Be responsible for the formulation of Guild policy on issues related to student welfare and safety, and oversee its execution.
  - Maintain a productive working relationship with the University over issues relating to the general well-being and safety of Full Members.
  - Be responsible for promoting Equality and Diversity in all aspects of the organisation.
  - Be responsible for the support of Liberation Officers and Associations as well as supporting the work of all Associations through the Student Equality and Diversity Committee.
  - Promote and enhance the rights of all students.
  - Have responsibility for, and chair the Welfare Open Forum.
  - In the absence of the President or other Vice Presidents, undertake delegated duties of the Sabbatical Officer Team.
  - Perform duties relevant to the role of a Sabbatical Officer in the Guild of Students; these shall include but are not limited to:
    - Promote the Guild and its work to new and returning students by participating fully in Guild-organised activities during Welcome Week.
    - Work with other Officers to campaign on key student issues.
    - Attend all relevant committee meetings as required.
    - Represent students on relevant university committees, including acting as the Guild representative for College activities.
    - Represent students in academic appeals and mitigations.
    - Represent students at relevant national events.
    - Work with the University to support and encourage students from non-traditional backgrounds to study at the University of Birmingham.
    - Involved in making relevant decisions regarding the resources of the Guild of Students as required.

## 8.8.5 Vice President (Housing and Community)

- The Vice President (Housing and Community) shall:
  - Lead the formulation of Guild policy on issues related to student housing and community relations, and oversee its execution.
  - Maintain a productive working relationship with community partners over issues relating to students in the community.
  - Ensure students are represented on local community fora.
  - Maintain a productive working relationship with the University over issues relating to the management of all Halls of Residence.
  - Shall oversee the work of the Guild's Residence Associations, taking a lead in encouraging students to participate in the communal life of their Hall.

- Shall oversee the Guild's work to combat crime in student areas of Birmingham.
- Work with FOCSOC and the Home Students' Officer to ensure that the Guild is accessible to and supportive of those students who continue to live at home whilst studying at the University of Birmingham.
- In the absence of the President or other Vice Presidents, undertake delegated duties of the Sabbatical Officer Team.
- Perform duties relevant to the role of a Sabbatical Officer in the Guild of Students; these shall include but are not limited to:
  - Promote the Guild and its work to new and returning students by participating fully in Guild-organised activities during Welcome Week.
  - Work with other Officers to campaign on key student issues.
  - Attend all relevant committee meetings as required.
  - Represent students on relevant university committees, including acting as the Guild representative for College activities.
  - Represent students in academic appeals and mitigations.
  - Represent students at relevant national events.
  - Work with the University to support and encourage students from non-traditional backgrounds to study at the University of Birmingham.
  - Involved in making relevant decisions regarding the resources of the Guild of Students as required.

#### 8.8.6 Vice President (Activities and Development)

- The Vice President (Activities and Development) shall:
  - Lead the formulation of Guild policy on student activities and development, and oversee its execution.
  - Work with relevant staff members to ensure that all Students Group Committee Members are empowered to organise high-quality activities for the benefit of students through the provision of training, advisory briefings and other services.
  - Lead the Guild of Students' work to enhance the personal development and future employability of Full Members.
  - Work with the University to ensure that the work of Student Group Committee Members is accredited and that the positive impact of student groups is recognised.
  - Maintain a productive working relationship with the University over issues relating to student activities and events.
  - Have responsibility for, and chair the Student Groups Open Forum.
  - In the absence of the President or other Vice Presidents, undertake delegated duties of the Sabbatical Officer Team.
  - Perform duties relevant to the role of a Sabbatical Officer in the Guild of Students; these shall include but are not limited to:
    - Promote the Guild and its work to new and returning students by participating fully in Guild-organised activities during Welcome Week.
    - Work with other Officers to campaign on key student issues.
    - Attend all relevant committee meetings as required.
    - Represent students on relevant university committees, including acting as the Guild representative for College activities.
    - Represent students in academic appeals and mitigations.
    - Represent students at relevant national events.
    - Work with the University to support and encourage students from non-traditional backgrounds to study at the University of Birmingham.

- Involved in making relevant decisions regarding the resources of the Guild of Students as required.

## 8.8.7 Vice President (Sport)

- The Vice President (Sport) shall:
  - Lead the formulation of Guild policy on issues related to sport and healthy living, and oversee its execution.
  - Work with relevant staff members and the University to provide all Full Members with the opportunity to be involved in sporting activities; at both participation and performance levels.
  - Promote student-led sport and where possible ensure sport is student-led throughout the University.
  - Maintain a productive working relationship with the University over issues relating to the management of University of Birmingham Sports.
  - Work with the University to ensure that campus facilities are accessible and sufficient for those Full Members participating in sport.
  - Work with the University to ensure that student participation in sport is accredited and that the positive impact made by sports clubs is recognised.
  - Help Full Members live healthier lives by providing Full Members guidance on relevant issues.
  - Act as a key contact for British Universities and Colleges Sport (BUCS) and any other sport-focused external organisations that the Guild is in partnership with.
  - Have responsibility for, and chair the Sports Open Forum.
  - In the absence of the President or other Vice Presidents, undertake delegated duties of the Sabbatical Officer Team.
  - Perform duties relevant to the role of a Sabbatical Officer in the Guild of Students; these shall include but are not limited to:
    - Promote the Guild and its work to new and returning students by participating fully in Guild-organised activities during Welcome Week.
    - Work with other Officers to campaign on key student issues.
    - Attend all relevant committee meetings as required.
    - Represent students on relevant university committees, including acting as the Guild representative for College activities.
    - Represent students in academic appeals and mitigations.
    - Represent students at relevant national events.
    - Work with the University to support and encourage students from non-traditional backgrounds to study at the University of Birmingham.
    - Involved in making relevant decisions regarding the resources of the Guild of Students as required.

## 8.8.8 International Students' Officer (who would be expected be a non UK national student)

- The International Students officer shall:
  - Campaign on issues related to International Students.
  - Support the work (which may include chairing) of any relevant Representation Association
  - Promote the interests of international students to the University of Birmingham, the Guild and wider as appropriate.

- 8.8.9 Postgraduate and Mature Students' Officer (who would be expected to be a either a postgraduate or mature student, aged over 21 years)
- The Postgraduate and Mature Students' Officer shall:
    - Campaign on issues related to Postgraduate and Mature Students.
    - Support the work (which may include chairing) of any relevant Representation Association
    - Promote the interests of postgraduate and mature students to the University of Birmingham, the Guild and wider as appropriate.
    - Ensure that the Guild actively promotes initiatives to ensure that the welfare and interests of Postgraduate Students are protected.
- 8.8.10 Community Action Officer
- The Community Action Officer shall:
    - Support the work (which may include) of any relevant Representation Association
    - Promote student image and interests in the community to the University of Birmingham, the Guild and wider as appropriate.
    - Promote student volunteering in local projects and agencies.
- 8.8.11 Satellite Sites Officer (who would be expected to be a Full Member placed on a University of Birmingham site other than the main Edgbaston Campus)
- The Satellite Sites Officer shall:
    - Campaign on issues of interest/concern to students studying on Satellite Sites access.
    - Support the work (which may include) of any relevant Representation Association
    - Promote the interests of students who are not placed on Edgbaston campus to the University of Birmingham, the Guild and wider as appropriate.
    - Act as a link between the Guild and all of the University of Birmingham's satellite sites and any committees thereof.
    - Be responsible, with the support of the Guild Officer Group, for the promotion of the Guild throughout all the sites of the University of Birmingham.
- 8.8.12 Home Students' Officer (who would be expected to be a Full Member that has entered the University of Birmingham from a local educational and home background)
- The Home Students Officer shall:
    - Campaign on issues of interest/concern to Home Students.
    - Support the work (which may include chairing) of any relevant Representation Association
    - Promote the interests of Full Members who are resident in the parental home and have come through local education systems to the University of Birmingham, the Guild and wider as appropriate.
- 8.8.13 Anti-Racism; Anti-Fascism Officer

- The Anti-Racism Anti-Fascism Officer shall:
  - Campaign on issues related to removing racism and fascism.
  - Support the work (which may include chairing) of any relevant Representation Association or committee
  - Attend the Student Equality and Diversity Committee
  - .
  - Promote tolerance, respect and diversity to the University of Birmingham, the Guild and wider as appropriate, and in line with the Guild Equality and Diversity policy and the University of Birmingham's Race Equality Policy.

#### 8.8.14 Ethical and Environmental Officer

- The Ethical and Environmental Officer shall:
  - Campaign on issues related to the environment and ethical considerations.
  - Support the work (which may include chairing) of any relevant Representation Association or committee
  - Promote environmentally friendly and ethically sound policy and practice to the University of Birmingham, the Guild and wider as appropriate.

#### 8.8.15 Lesbian, Gay, Bisexual, Trans and Queer Students' Officer (who shall self-define as a Lesbian, Gay, Bisexual, Trans or Queer Full Member)

- The Lesbian, Gay, Bisexual, Trans and Queer Students' Officer shall:
  - Campaign on issues of concern for LGBTQ students.
  - Co-Chair and be a signatory for the LGBTQ Association and ensure that an Annual General Meeting is held to elect the committee.
  - Promote the interests of LGBTQ students to the University of Birmingham, the Guild and wider as appropriate.
  - Attend the Student Equality and Diversity Committee
  - To run the LGBTQ Association in the absence of a committee

#### 8.8.16 Ethnic Minority Officer (who is expected to self-define as an Ethnic Minority Full Member)

- The Ethnic Minority Officer shall:
  - Campaign on issues of concern to students of an ethnic minority.
  - Co-Chair and be a signatory for the Birmingham Ethnic Minority Association and ensure that an Annual General Meeting is held to elect the committee
  - Promote the interests of Ethnic Minority students to the University of Birmingham, the Guild and wider as appropriate.
  - Attend the Student Equality and Diversity Committee
  - To run the Birmingham Ethnic Minority Association in the absence of a committee

#### 8.8.17 Disabled Students' Officer (who is expected to self-define as a Full Member with a disability)

- The Disabled Students Officer shall:
  - Campaign on issues of concern to students with disabilities.
  - Co-Chair and be a signatory for the Disability and Mental Health Association and ensure that an Annual General Meeting is held to elect the committee.

- Promote the interests of students with disabilities to the University of Birmingham, the Guild and wider as appropriate.
- Attend the Student Equality and Diversity Committee
- To run the Disability and Mental Health Association in the absence of a committee

8.8.18 Women's Officer (who is expected to self-define as a female Full Member)

- The Women's Officer shall:
  - Campaign on issues of concern to female students.
  - Co-Chair and be a signatory for the Women's Association and ensure that an Annual General Meeting is held to elect the committee
  - Promote the interests of women students to the University of Birmingham, the Guild and wider as appropriate striving towards
  - Attend the Student Equality and Diversity Committee
  - To run the Women's Association in the absence of a committee

## **9. Chairpersons of Guild Council**

9.1 The Chairpersons of Guild Council shall refrain from demonstrating bias at any point whilst acting in an official capacity at a meeting of Guild Council.

9.2 *The Chairperson and Deputy Chairperson of Guild Council shall:*

- 9.2.1 Chair all meetings of Guild Council.
- 9.2.2 Perform steering duties at all meetings of Guild Council as specified elsewhere in the Bye-Laws.
- 9.2.3 Ensure that minutes and records of Guild Council are kept and manage its correspondence and notices.
- 9.2.4 Ensure that Agendas and papers for Guild Council are available to all Guild Council members.
- 9.2.5 As part of their role as chair, rule on matters relating to the agenda items.

## **10. Guild Delegates and Observers to Conferences of NUS.**

10.1 *Election*

- 10.1.1 The delegates and observers to NUS Annual Conference shall be elected by cross campus ballot.
- 10.1.2 All delegates and Observers to all other NUS conferences shall be agreed by the Guild Officer Group. Delegations to Liberation Conferences shall be elected by the appropriate Liberation Associations.
- 10.1.3 The President or nominee shall attend all NUS National Conferences as Delegation Leader.

10.2 *Period of Office*

- 10.2.1 The term of office of a Guild Delegate or Observer shall be from his or her election until another election is held.
- 10.2.2 An election shall be held at least once every year.

## **BYE-LAW 8 – Elections**

### **1. Scope**

1.1 This Bye-Law shall apply to all Guild elections.

### **2. Returning Officer**

2.1 The Returning Officer shall be the Registrar and Secretary of the University of Birmingham, or nominee.

2.2 The Vice President Democracy and Resources shall act as Deputy Returning Officer and Chair of Elections Committee.

2.3 The Returning Officer shall be responsible for the good conduct and administration of the elections and shall have final interpretation of the Election Regulations.

2.4 The powers of the Returning Officer shall include:

2.4.1 To ensure the free and fair administration and promotion of the election. The Deputy Returning Officer and Elections Committee shall be instructed by the Returning Officer on their duties and shall perform these in an impartial manner.

2.4.2 To seek legal advice on any matters as deemed appropriate.

2.4.3 To rule inadmissible any statement or the contents of any publicity which in their view is in breach of the Memorandum, Articles of Association, Bye-Laws, Policy of the Guild, University Regulations or the Law of the Land .

2.4.4 To investigate all complaints regarding the administration and conduct of an election that are submitted after the close of ballots.

2.4.5 The ruling of the Returning Officer on any complaint shall be final.

### **3. Notice**

3.1 The Chairperson of Elections Committee shall publish notice of every election.

3.2 Such notices shall state:

3.2.1 The date(s) and times of ballot

3.2.2 The earliest and latest times of receipt of nomination papers

3.2.3 The latest time by which a nominated candidate may withdraw from the election.

3.2.4 The substance of any regulations governing the election

3.2.5 The type and number of vacancies

### **4. Nominations**

4.1 Nominations shall be received by the Chairperson of Elections Committee.

4.2 Nominations for any election shall be open for at least 10 days.

4.3 A nomination paper shall contain the full name, signature, course and year of study of each proposer (if appropriate) and of the candidate.

4.4 No Full Member may sign more than one nomination paper in any one position in the same election.

4.5 Re-open Nominations shall be a candidate in every election.

4.6 Nominations shall be accepted until the close of nominations as set by Elections Committee. Elections Committee may, at its sole discretion, accept nominations up to 24 hours after the close of nominations.

## **5. Withdrawals**

5.1 A candidate may withdraw from an election by giving the Chair of Elections Committee written notice prior to the withdrawal deadline, as specified in the nomination details.

5.2 No withdrawals will be accepted after the withdrawal deadline.

## **6. Voting**

6.1 All Full Members eligible to vote, as specified in the Election Regulations, shall be allowed to vote.

6.2 The method of voting shall be outlined in the Election Regulations Documents.

6.3 Voting shall be by the Single Transferable Voting System for all multi-seat elections, and by the Alternative Transferable Voting System for all single-seat elections.

6.4 Polling shall be held on at least one day for a set number of hours, as determined by Elections Committee.

## **7. Provision for Secrecy of the Ballot**

7.1 At the time of closing the ballot the voting register shall be sealed. Under no circumstances shall it come together with the ballot papers unless the validity or conduct of the election is questioned.

7.2 The voting register and ballot papers shall be kept for three months after the declaration of the result after which time they will be destroyed unless the validity or conduct of the elections is questioned.

## **8. Ties**

8.1 In the event of a tie, the Returning Officer shall decide the issue by drawing lots, having given the candidates prior notification.

## **9. Election of Re-open Nominations**

9.1 The election of Re-open Nominations shall result in nominations being re-opened as soon as possible, and a Bye-election being held.

9.2 This shall not affect the return of any candidate elected before Re-open Nominations in a multi-member election.

## **10. Complaints**

10.1 Any complaints regarding the conduct of the election shall be dealt with by Elections Committee prior to the close of the ballot. After the close of the ballot, complaints shall be dealt with by the Returning Officer.

10.2 Complaints may be received up to 5 working days after the close of the ballot.

## **11. Sanctions**

11.1 Available disciplinary action and/or sanctions are outlined in the Election Regulations.

11.2 A schedule of agreed sanctions will be published annually at the start of the Autumn term.

## **12. Declaration**

12.1 Results of the elections shall be declared by the Returning Officer when the count for each post has been successfully completed.

12.2 Results shall be provisional until confirmed by the Returning Officer, which will normally be not less than 5 working days after the close of the ballot.

12.3 Results of the elections shall be announced as soon as possible after the completion of the count.

## BYE-LAW 9 – Student Activities

### 1. Definition

1.1 A Student Group is a group of Members led by a committee of Full Members representing an area of interest to its members. There shall be the following types of Student Groups within the Guild:

- Representation Associations
- Liberation Associations
- Societies
- Volunteering Projects
- Sport Clubs
- Residents' Associations

1.2 Privileges of a Student Group, subject to the Disciplinary Procedure, include:

- 1.2.1 Use of the prefix "University of Birmingham" and/or "Guild of Students" in its name
- 1.2.2 Use of the Guild and its facilities and services
- 1.2.3 Having notices in such Official Communications and Guild Publications as the Sabbatical Officer Group deems fit.
- 1.2.4 Consent to display publicity in the Guild in accordance with the Student Groups Policy.
- 1.2.5 Access to financial grants from the Guild of Students as specified in the Student Groups Policy.

### 2. Reports

2.1 Student Groups will report to Guild Council or its sub-committees on request.

### 3. Representation Associations

#### 3.1 Definition

3.1.1 Representation Associations are groups that can be defined as being at a disadvantage (or at risk of) within Higher Education. *Note: this does not extend to the wider society or include oppression of members*

#### 3.2 Common Objectives

- 3.2.1 Representation at all levels of the Guild to ensure the voice of disadvantaged groups is heard.
- 3.2.2 Provide the opportunity for people to network and meet likeminded people.
- 3.2.3 To campaign on issues relating to the group within Higher Education.
- 3.2.4 To provide information to its members and raise awareness of issues and support structures that may be relevant to members.

#### 3.3 Dissolution

3.3.1 Representation Association projects are subject to de-recognition if they do not meet certain audit requirements.

## 4. Liberation Associations

### 4.1 Definition

- 4.1.1 Liberation groups can be defined as being disadvantaged and at risk of oppression within Higher Education.
- 4.1.2 The Guild of Students' Liberation Associations shall be:
  - Lesbian, Gay, Bisexual, Trans and Queer Association (LGBTQ)
  - Women's Association
  - Disability and Mental Health Student's Association (DAMSA)
  - Birmingham Ethnic Minority Association (BEMA)

### 4.2 Common Objectives

- 4.2.1 Representation at all levels of the Guild to ensure the voice of disadvantaged groups is heard.
- 4.2.2 Provide the opportunity for people to network and meet likeminded people.
- 4.2.3 To campaign on issues relating to the group within Higher Education.
- 4.2.4 To provide information to its members and raise awareness of issues and support structures that may be relevant to members.

### 4.3 Dissolution

- 4.3.1 The Non – Sabbatical Officer will act as chair of the Liberation Association and ensure that committees are elected and supported effectively. The Non-Sabbatical Officer will run the Liberation Association in the absence of a committee (or other requirements not being fulfilled) in order to make these groups exempt from the de-recognition process. In the absence of both a committee and a Non-sabbatical officer the Vice President Welfare will run the Association.

## 5. Societies

### 5.1 Definition

- 5.1.1 A Society is a body of Full Members representing an area of interest to its members, as recognised by the Sabbatical Officer Group or sub-committee by the procedure specified in the Student Group Policy.

### 5.2 Constitution

- 5.2.1 The Society Constitutions shall include the Mandatory Clauses as appended in the Student Group Policy.
- 5.2.2 If the Society Constitution lacks any of the mandatory clauses as specified in the Student Group Policy, such clauses shall automatically be superimposed upon the Society Constitution.

### 5.3 Dissolution

5.3.1 Societies are subject to de-recognition if they do not meet certain audit requirements.

## **6 Volunteering Projects**

### *6.1 Definition*

6.1.1 A Volunteering Project is a body of Full Members which will provide opportunities to volunteer in the local community/provide a service to the local community, as recognised by the Sabbatical Officer Group or sub-committee by the procedure specified in the Student Group Policy.

### *6.2 Constitution*

6.2.1 The Volunteering Projects Constitutions shall include the Mandatory Clauses as appended in the Student Group Policy.

6.2.2 If the Volunteering Project Constitution lacks any of the mandatory clauses as specified in the Student Group Policy, such clauses shall automatically be superimposed upon the Society Constitution.

### *6.3. Dissolution*

6.3.1 Volunteering projects are subject to de-recognition if they do not meet certain audit requirements.

## **7. Sports Clubs**

### *7.1 Definition*

7.1.1 The Guild shall recognise the University Sports Clubs

## **8. Residents' Associations**

### *8.1 Definition*

8.1.1 A Residents' Association is an elected committee of students who seek to develop a cohesive community within student accommodation, or living at home in the case of FOCSOC, and to represent the view of residents to the Guild, University and external bodies.

8.1.2 Residents' Associations shall operate according to the Residents' Associations Constitution as found in the Student Group Policy, and the Service Level Agreement with the University, as found in the Memorandum of Understanding.

## **9. Sub Committees of Guild Council**

9.1 There shall be Subcommittees of the Sabbatical Officer Group who shall have delegated power for student activities. These shall be:

- Student Group Committee – Student Groups and Representation Associations
- Residents' Executive – Residents' Associations.
- Student Equality and Diversity Committee – Liberation Associations

9.2 These groups shall be defined in Bye-Law 6.

## **BYE-LAW 10 - Appeals Committee**

### **1. Appeal against removal as a Trustee of the Guild of Students**

- 1.1 In accordance with Article 24.2, a Trustee removed from office in accordance with Article 22 or 23 shall be entitled to appeal the decision to remove him or her to an Appeals Committee. The Trustee appealing shall be called "the Appellant".
- 1.2 The Appellant has the right to appeal against a decision of the Trustees provided he or she 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.
- 1.3 The appeal should contain a statement of the grounds upon which the appeal is brought and of the new facts and matters relied upon.

### **2. Notification of hearing and exchange of information**

- 2.1 The Appellant shall be given at least 7 days' written notice of the date, time and place of the appeal hearing.
- 2.2 At least 4 days prior to the date of the hearing, the Appellant shall:
  - 2.2.1 confirm whether or not he or she intends to attend the hearing and, if so, the name of any person who will be accompanying or representing him or her; and
  - 2.2.2 submit any fresh evidence that he or she wishes to reply upon.
- 2.3 At least 2 days prior to the date of the hearing, the Guild shall provide the Appellant with any further evidence which it wishes to rely upon.
- 2.4 Neither party shall without the consent of the other or the permission of the Appeals Committee rely on any statement or document other than those provided or identified under paragraphs 1.4, 2.2 or 2.3 above.

### **3. Composition of the Appeals Committee**

- 3.1 The Appeals Committee shall consist of 3 of the following:
  - 3.1.1 a Member of the Guild (who, for the avoidance of doubt, is not a Trustee of the Guild), appointed by the Chief Executive of the Guild;
  - 3.1.2 a University nominee, appointed by the University;
  - 3.1.3 a Chief Executive or General Manager of another students' union, appointed by the NUS Regional Organising Manager (or equivalent); and
  - 3.1.4 an Officer of another students' union, appointed by the NUS Regional Organising Manager (or equivalent).
- 3.2 Each member of the Appeals Committee shall be independent and shall 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.
- 3.3 The members of the Appeals Committee shall elect one of their number to preside as chair of the Appeals Committee (the "Chair").

## **4. The parties in proceedings before the Appeals Committee**

- 4.1 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 Appeals Committee, such person has a conflict of interest.
- 4.2 The Chair of the Board of Trustees shall act on behalf of the Guild as the Respondent to the appeal and for this purpose may instruct a representative. Where the Chair of the Board of Trustees is also the Appellant, one of the other Trustees shall be elected by the Board to act on behalf of the Guild as the Respondent to the appeal and for this purpose may instruct a representative.

## **5. Procedure before the Appeals Committee**

- 5.1 The function of the Appeals Committee is to review the reasonableness of the decision to dismiss the Appellant. On the appeal, the Appeals Committee will consider the documents, statements and other evidence produced in the original Trustee Board meeting. The Appeals Committee shall not interview or cross examine any witnesses.
- 5.2 The hearing of an appeal shall be conducted in accordance with paragraph 8 below except where to do so would be inconvenient or unjust. In such circumstances, the Chair of the Appeals Committee may modify the procedure to the extent that he or she deems necessary provided that the result is fair to the Appellant.

## **6. Courses of action which the Appeals Committee may take**

- 6.1 The courses of action which the Appeals Committee may take are:
- 6.1.1 to uphold the appeal; or
  - 6.1.2 to reject the appeal.
- 6.2 Within seven days of the Appeals Committee deciding on the appropriate course of action, the Chief Executive will notify the Appellant in writing of the decision, and reasons for decision of the Appeals Committee.

## **7. The absence of the Appellant**

- 7.1 If at the Appeal hearing, the Appellant is not present or represented, the Appeals Committee 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 paragraph 2.1 above.

## **8. Order of proceedings**

- 8.1 The order of proceedings for the Appeals Committee meeting, unless the Chair otherwise directs, will be as follows:
- i. Submissions by or on behalf of the Appellant.
  - ii. Submissions by or on behalf of the Respondent.
  - iii. Consideration of the evidence by the Appeals Committee.
  - iv. Closing submissions by or on behalf of the Appellant.
  - v. Closing submissions by or on behalf of the Respondent.

## BYE-LAW 11 – Scrutiny Committee

### 1. Purpose

- 1.1 In accordance with Article 20.2, a Trustee (other than the University Trustee) may be removed from office by a motion of no confidence passed by a two thirds majority vote of Guild Council provided that the motion is triggered by a petition of no confidence signed by a two thirds majority of the Scrutiny Committee.
- 1.2 In accordance with paragraph 9.10(b) of the Discipline and Appeals Policy, a Guild Officer (who is not a Trustee) may be removed from office by a motion of no confidence passed by a two thirds majority vote of Guild Council provided that the motion is triggered by a petition of no confidence signed by a two thirds majority of the Scrutiny Committee.
- 1.3 The Scrutiny Committee is therefore responsible for deciding whether or not it is appropriate for a motion of no confidence in a Trustee or a Guild Officer to be put to a vote of Guild Council.
- 1.4 In this Bye-Law, the Trustee or Guild Officer who is the subject of the proposed motion of no confidence shall be referred to as the “Relevant Individual”.

### 2. Membership/Composition

- 2.1 Subject to paragraph 2.2 below, the Scrutiny Committee shall consist of:
  - (a) a Lay Trustee, appointed by the Board of Trustees ;
  - (b) a Student Trustee, appointed by the Board of Trustees; and
  - (c) a University nominee, appointed by the University (who is not the University Trustee).
- 2.2 Where the Scrutiny Committee is being established to consider a proposed motion of no confidence in a Trustee, the Trustee who is the subject of the proposed motion of no confidence shall not take part in the appointment of the Lay Trustee or the Student Trustee.

### 3. Process

- 3.1 Twenty Five or more members of Guild Council may submit a request to the Chief Executive that a motion of no confidence in the Relevant Individual be put to a vote of Guild Council (the “Request”).
- 3.2 The Request should contain a statement of the grounds upon which the Request is brought and of the facts and matters relied upon.
- 3.3 Upon receipt of the Request, the Chief Executive shall arrange for the members of the Scrutiny Committee to be appointed. The Chief Executive shall also notify the Relevant Individual that the Request has been submitted.

- 3.4 The Scrutiny Committee shall meet within 21 days of the submission of the Request to the Chief Executive.
- 3.5 The members of the Scrutiny Committee shall elect one of their number to preside as chair of the Scrutiny Committee (the "Chair").

#### **4. Notification of Meeting**

- 4.1 The Relevant Individual shall be given at least 7 clear days' written notice of the date, time and place of the meeting of the Scrutiny Committee and shall be provided with a summary of the matters contained in the Request.
- 4.2 The Relevant Individual has the right to submit written evidence to the Scrutiny Committee. Such evidence must be submitted to the Scrutiny Committee at least 4 days prior to the date of the meeting.

#### **5. Procedure before the Scrutiny Committee**

- 5.1 The function of the Scrutiny Committee is to review the reasonableness and appropriateness of the Request.
- 5.2 The Scrutiny Committee will consider the documents, statements and other evidence contained in the Request.
- 5.3 The Scrutiny Committee will also consider any evidence submitted by the Relevant Individual in response to the Request.
- 5.4 Where the Chair considers it appropriate or necessary, the Scrutiny Committee may hear submissions from and cross examine the Relevant Individual and the members of Guild Council who submitted the Request. The Scrutiny Committee shall not interview or cross examine any witnesses.

#### **6. Courses of action which the Scrutiny Committee may take**

- 6.1 The courses of action which the Scrutiny Committee may take are:
  - (a) to grant the Request, provided a two thirds majority of the members of the Scrutiny Committee agree; or
  - (b) to reject the Request.
- 6.2 Within seven days of the Scrutiny Committee deciding on the appropriate course of action, the Chief Executive will notify in writing the decision of the Scrutiny Committee to the Relevant Individual and to the members of Guild Council who submitted the Request.

## **BYE-LAW 12 – Removal of a Sabbatical Trustee**

### **1. Removal of a Sabbatical Trustee from the Trustee Board**

- 1.1 In accordance with Article 9, Sabbatical Trustees shall be the President and three Vice Presidents elected by cross campus ballot.
- 1.2 As stated in Bye-law 3, the Vice President (Education and Access), Vice President (Democracy and Resources), and Vice President (Student Activities and Development) will be the three Vice-President Sabbatical Trustees, unless one is removed, disqualified, or resigns.
- 1.3 The process for removing a Trustee of the Guild of Students, including a Sabbatical Trustee is outlined in the Articles of Association (Articles 19-27).

### **2. Replacement of a Sabbatical Trustee**

- 2.1 In accordance with Article 26, the removal, disqualification or resignation of a Sabbatical Trustee shall result in an election to fill the Sabbatical Trustee vacancy on the Trustee Board.
- 2.2 As all Sabbatical Officers of the Guild of Students are elected by secret cross campus ballot, all Sabbatical Officers are eligible to fill a vacant Sabbatical Trustee.
- 2.3 In the event of a Sabbatical Trustee position becoming vacant on the Trustee Board, the Trustee Board will elect a new Sabbatical Trustee from the existing Sabbatical Officers who are not currently Trustees.
- 2.4 The process for the Trustee Board to elect a replacement Sabbatical Trustee shall be as follows:
  - 2.4.1 Notice of the election to the Trustee Board shall be published to all eligible Sabbatical Officers no less than fifteen working days prior to the Trustee Board meeting at which the election will take place. The notice shall contain all information on how to submit a nomination to stand in the election.
  - 2.4.2 Nominations for the election must be received no less than seven working days prior to the Trustee Board meeting at which the election will be held.
  - 2.4.3 Candidate names will be sent to the Trustee Board no less than five working days prior to the Trustee Board meeting at which the election will be held.
  - 2.4.4 All Sabbatical candidates shall be invited to the Trustee Board meeting at which the election will be held.
  - 2.4.5 The election shall be by secret ballot within the Trustee Board meeting. All Trustees shall be eligible to vote. The winner shall be the candidate who receives the most votes.
  - 2.4.6 Provision shall be made for a postal vote to be cast by any Trustee unable to make the Trustee Board meeting at which the election will take place.
  - 2.4.7 The result of the election shall take immediate effect and the winning candidate shall begin his/her term as a Sabbatical Trustee from the date of the meeting at which the election was held.

**3. Removal and replacement of the President as a Sabbatical Trustee**

- 3.1 In accordance with Article 88, the President is the Vice-Chair of the Trustee Board.
- 3.2 In the event that the President is removed, disqualified or resigns from being a Sabbatical Trustee:
  - 3.2.1 The procedures outlined in Section 2 of this Bye-law shall apply.
  - 3.2.2 At the next meeting of the Trustee Board following the Sabbatical Trustee election, the Trustee Board shall elect a Vice-Chair from the Sabbatical Trustees. This election shall be by secret ballot. All Sabbatical Trustees shall be candidates in the election unless they opt out and declare this to the Trustee Board prior to the election taking place.