**Code of Practice relating to the University of Suffolk Students’ Union**

Part II of the Education Act 1994 places a range of responsibilities on the governing bodies of university institutions in regard to the organisation of students’ unions. In particular the governing body shall prepare and issue, and when necessary revise, a code of practice as to the manner in which certain requirements of the Act are carried into effect.

1. This Code of Practice, issued by the University of Suffolk Board with the agreement of the University of Suffolk Students’ Union, sets out how the Institution will carry out its responsibilities under the Act. The specific responsibilities to be included in the Code are highlighted in italics below.
2. The University of Suffolk Students’ Union qualifies as a Students’ Union within section 20 of the Act; no other organisation of students in the Institution falls within this definition.

**Constitution**

***The Students’ Union should have a written constitution and the provisions of that constitution should be subject to the approval of the governing body at intervals of not more than five years.***

1. The University of Suffolk Students’ Union is governed by a constitution approved by the student body and endorsed by the University of Suffolk Board. The Constitution makes provision for detailed regulations to be published in bye-laws which shall be approved by the student body.
2. Copies of the Constitution and Bye-laws are available to any student, on request, from the President of the Students’ Union. They are also available on the Students’ Union web pages and the University of Suffolk website
3. The Constitution is to be reviewed by the University of Suffolk Board at intervals of not more than five years. This need not mean a special five yearly review of the Constitution. The Board may take the opportunity to review the terms of the Constitution should the Students’ Union at any time bring forward proposed amendments.

**Membership**

***Students should have the right not to be members of the Students’ Union. Students who exercise that right should not be unfairly disadvantaged, with regard to the provision of services or otherwise, by reason of their having done so.***

1. All persons who are registered or provisionally registered students of the University of Suffolk as full or part-time candidates for degrees, diplomas or certificates or on Erasmus, visiting or study abroad programmes shall be entitled to full membership of the University of Suffolk Students’ Union. Any student who wishes not to be a member, or who decides to withdraw from membership of the Students’ Union, should indicate this either by the provision made during the enrolment process to opt out of the Union, or by informing the President of the Students’ Union in writing within 14 days of enrolment.
2. Any student not in membership of the University of Suffolk Students’ Union is not entitled:
	* 1. Non-members are not eligible to hold an NUS Card
		2. Non-members are not eligible to vote in any Students’ Union elections
		3. Non-members are not eligible to stand for office in any relevant election of the Students’ Union or sit on any committee which is not the subject of an election
		4. Non-members may not hold office in any SU club or society
		5. Non-members may not serve as Students’ Union representatives on committees which are part of the governance structure of the University
		6. Non-members are not entitled to Students’ Union representation at academic appeals.
3. Any such student shall cease to be a member immediately and may not re-apply for membership until the following academic session.
4. Students who are eligible for full membership, but have exercised the right not to be a member, shall have access to all services and activities provided by the Students’ Union other than those outlined in paragraph 7, and shall be subject to the same disciplinary procedures in relation to their use of these services and participation in these activities.
5. The University of Suffolk has made no special arrangements for the provision of services or facilities for non-members of the Students’ Union, since it is satisfied that the provision made by the University of Suffolk and the Students’ Union for all students, whether or not they are members of the Students’ Union, is sufficient to ensure that those who have exercised their right of non-membership under the Act are not unfairly disadvantaged. There will be no financial compensation to students who have exercised their right of non-membership.

**Elections**

***Appointment to major Students’ Union offices should be by election in a secret ballot in which all members are entitled to vote. The governing body is required to satisfy itself that the Students’ Union elections are fairly and properly conducted.***

1. Major Students’ Union offices shall be defined as full-time sabbatical Students’ Union officers.
2. All elections in the Students’ Union shall be conducted in accordance with regulations laid down in a Bye-Law to the Constitution which shall be approved by the University of Suffolk Board. These regulations ensure that appointment to major Students’ Union offices is by election in a secret ballot in which all full members are entitled to vote.
3. Any complaint regarding the conduct of the elections shall be decided by the Returning Officers appointed by the Students’ Union Chair of the Board of Trustees, subject to the Elections Committee. Any decision by the Returning Officer shall be subject to appeal to the University of Suffolk Registrar and Secretary, whose decision shall be final.
4. The University of Suffolk Registrar and Secretary or his or her nominee may observe any part of the election process and an annual report will be made to the University of Suffolk Registrar and Secretary on the conduct and outcome of the elections to the major Students’ Union offices.

***A person should not hold paid elected Student’s Union office for more than two years in total.***

1. Paid Students’ Union offices shall be defined as full time sabbatical Students’ Union officers. No person shall hold such office for more than two academic years and this shall be provided for in the Constitution and bye-laws of the Students’ Union.

**Finance**

***The financial affairs of the Students’ Union should be properly conducted and appropriate arrangements should exist for the approval of the Students’ Union’s budget and the monitoring of its expenditure by the governing body.***

***The Students’ Union is to publish a financial report annually or more frequently. The report is to be made available to the governing body and to all students and should contain, in particular, a list of external organisations to which the Students’ Union has made donations during the period to which the report refers and details of those donations.***

1. The Students’ Union Management Committee shall prepare an annual budget prior to the commencement of each financial year, which shall be submitted to the Students’ Union Annual General Meeting for comment and the Students’ Union Trustee Board for approval. The annual budget shall be presented for ratification to the Audit and Risk Committee, a subcommittee of the University of Suffolk Board which will report to the University of Suffolk Board.
2. The Students’ Union Council shall receive the annual audited accounts of the Students’ Union for information and the Students’ Union Trustee Board shall receive the annual audited accounts of the Students’ Union for approval. The annual accounts shall be presented for information to the Audit and Risk subcommittee of University of Suffolk Board which will report to the University of Suffolk Board.
3. The accounts shall contain details of any donations made to external organisations during the financial year.

***The procedure for allocating resources to groups or clubs should be fair and should be set down in writing and be freely accessible to all students.***

1. Procedures for the allocation of resources to clubs and societies affiliated to the Students’ Union are included in agreed bye-laws which are available to any student, on request, from the President of the Students’ Union. They are also available in the Students’ Union web pages.

**Affiliations and Donations**

***If the Students’ Union decides to affiliate to an external organisation it must publish notice of its decision, stating the name of the organisation and details of any subscriptions or similar fee paid or proposed to be paid and of any donation made or proposed to be made to the organisation and such notice is to be made available to the governing body and to all students.***

1. Affiliations and donations made by decision of a referendum, Students’ Union Council, Students’ Union Committee or Students’ Union officers shall be published in the annual accounts of the Students’ Union.
2. Any such affiliations or donations made subsequent to the publication of the annual accounts shall be published to students and notified to the University of Suffolk Registrar and Secretary who shall make such notice available to the governing body.

***When a Students’ Union is affiliated to any external organisation there are to be procedures for the review of affiliations under which the current list of affiliations is submitted for approval by members annually or more frequently, and at such intervals of not more than a year as the governing body may determine, a requisition may be made by such proportion of members (not exceeding 5 per cent) as the governing body may determine, that the question of continued affiliation to any particular organisation be decided upon by a secret ballot in which all members are entitled to vote.***

1. Any affiliation made by the Students’ Union may be rescinded by a decision of students made in accordance with the procedure for referenda outlined in regulations contained in a Bye-Law to the constitution of the Student’s Union.

**Complaints Procedure**

***There should be a complaints procedure available to all students or groups of students who are dissatisfied in their dealings with the Students’ Union, or claim to have been unfairly disadvantaged by reason of having exercised their right to not be a member. This procedure should include the provision for an independent person appointed by the governing body to investigate and report on complaints.***

1. Any student or students who are dissatisfied in their dealings with the Students’ Union, or claim to be disadvantaged by reason of their having exercised the right to withdraw from membership, shall be entitled to have their complaint considered in accordance with the Students’ Union’s Complaints Procedure Bye-Law which constitutes the Students’ Union’s complaints procedure and is available to all students. This procedure includes the right of appeal to an independent person appointed by the Students’ Union Board.

**The following are not required to be referenced in the code of practice, but it is an obligation for the governing body to bring these matters to the attention of students at least once a year. These will be published on Students’ Union website and also included alongside this code.**

**Charity Law**

The activities of the Students’ Union are restricted by the law relating to charities. Consequently the Students’ Union cannot have a political purpose and must not seek to advance the interest of a political party, but it may seek to influence opinion on issues relating directly to its own stated purposes, provided such activity is within its powers. The ways in which charities may or may not legitimately engage in political activities is the subject of advice and legislation from time to time by the Charities Commissioners, courts of law, Parliament and government departments.

**Freedom of Speech**

The Institution is responsible under section 43 of the Education No 2) Act 1986 for the provision of safeguards to ensure freedom of speech within the law.

A special provision relating to Students’ Union events is made as follows:

* *Where any event to which the provisions of freedom of speech apply is to be organised under the aegis of the Students’ Union or by a society, association or club of the Students’ Union, the principal organiser of the meeting shall inform the Chief Executive Officer of the Students’ Union at least three weeks before the date proposed for the event. The Executive of the Students’ Union shall consider the circumstances and if it is satisfied that the event is one to which the provisions of freedom of speech apply, the Students’ Union shall give notice of the event to the University of Suffolk Registrar and Secretary at least two weeks before the date proposed for the event.*
* *Where an event is organised under the aegis of the Students’ Union or by a society, association or club of the Students’ Union, the University of Suffolk Registrar and Secretary shall normally require the Students’ Union to provide the necessary stewards or security staff to maintain order. The Chief Executive of the Students’ Union shall normally be designated as the controlling officer of the event.*

**Code of Practice**

This Code of Practice is brought to the attention of students by publication on the University of Suffolk website and the Students’ Union web pages and shall be regularly reviewed on behalf of the University of Suffolk Board by a sub-group comprised of the Vice-Chancellor, the Registrar & Secretary and the Deputy Vice-Chancellor.

**Information for prospective students**

The right of a student to not be a member of the Students’ Union, and the arrangements for students to still access those services provided by the Students’ Union for all students whether members or not, should be made available to prospective students on the Students’ Union website and in on-line enrolment guidance.