Students Union Code of Practice

The Education Act 1994 (Section 22(3)) requires universities to issue a Code of Practice, setting out the manner in which the requirements of section 22(1) and (2) of the Act, relating to the organisation and activities of the Students' Union, are to be put into effect. The following table sets out each of the requirements, together with the arrangements in place.

|  |  |
| --- | --- |
| [1994 Act Requirement](http://www.legislation.gov.uk/ukpga/1994/30/section/22) | Documentation  |
| The union should have a written constitution; | [Articles of Association of London Metropolitan University Students' Union](https://www.londonmetsu.org.uk/about/ourgovernance/) |
| The provisions of the constitution should be subject to the approval of the governing body and to review by that body at intervals of not more than five years | [Articles of Association of London Metropolitan University Students' Union](https://www.londonmetsu.org.uk/about/ourgovernance/) – Article 9 (Reviewing and Amending the Articles) |
| A student should have the right not to be a member and 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.  | [Articles of Association of London Metropolitan University Students' Union](https://www.londonmetsu.org.uk/about/ourgovernance/) - Article 10.5 (Becoming and Ceasing to be a Member) and bye-law 5.1.Notification of the right to opt-out of the union is contained in The object of the SU is to the advancement of education for **Students** at London Metropolitan University, not just Student Members. Entitlement for students who opt out of the union are in Bye-Law 1 .Students who exercise the right not to be a member of the Union must not be unfairly disadvantaged by reason of their having done so. The University ensures that students opting out are not unfairly disadvantaged, and that there are adequate services for students choosing not to be members of the Union. (S.22(2)(c)).The Union’s Bye-laws state the University has an obligation to ensure that no student is unfairly disadvantaged in their dealings with the University if they have chosen not to be a member of the Students’ Union. Students who choose not to join the Union and who feel that they have been ‘unfairly disadvantaged’ may register a complaint and follow the University complaints procedure:<https://student.londonmet.ac.uk/your-studies/student-administration/rules-and-regulations/complaints-procedure/> |
| Appointment to major union offices should be by election in a secret ballot in which all members are entitled to vote; | [Articles of Association of London Metropolitan University Students' Union](https://www.londonmetsu.org.uk/pageassets/about/ourpolicies/LMSU-Mem-Arts-UPDATED-February-2020.docx.pdf)- Article 27.The Union’s [bye-laws](https://www.londonmetsu.org.uk/about/ourgovernance/) contain detailed provision for the election to all major union offices by secret ballot by all members entitles to vote.  |
| The governing body should satisfy themselves that the elections are fairly and properly conducted | This is established in the Relationship Agreement & Memorandum of UnderstandingIn accordance with the requirements of the 1994 Act, the University shall satisfy itself that Students’ Union elections are fairly and properly conducted. Should the University become aware of irregularities in the conduct of elections it shall have the right to investigate these and to draw its conclusions to the attention of the Returning Officer. The University shall refuse to recognise the appointment of any Executive Officer whom it believes, following such investigation, to have been elected improperly. |
| A person should not hold sabbatical union office, or paid elected union office, for more than two years in total at the establishment | The Union’s Articles makes explicit that a person will not hold sabbatical union office, or paid elected union office, for more than two terms of one year, in accordance with the requirements of the Act. |
| The financial affairs of the union should be properly conducted and appropriate arrangements should exist for the approval of the union’s budget, and the monitoring of its expenditure, by the governing body | The University shall provide the Union with an Annual Block grant. This will be detailed in an Annual Grant Letter issued by the University to the Union. |
| The procedure for allocating resources to groups or clubs should be fair and should be set down in writing and freely accessible to all students | The fair allocation of resources to groups are set out in bye-law 4. |
| Financial reports of the union should be published annually or more frequently, and should be made available to the governing body and to all students, and each such report should contain, in particular a list of the external organisations to which the union has made donations in the period to which the report relates, anddetails of those donations | The Union will share with the University its management accounts on a quarterly basis with the University’s Chief Operating Officer. Its Annual Report and Accounts with the University. This is established by section 5.9 of the Relationship Agreement |
| If the union decides to affiliate to an external organisation, it should publish notice of its decision statingthe name of the organisation, and details of any subscription or similar fee paid or proposed to be paid, and of any donation made or proposed to be made, to the organisation, and any such notice should be made available to the governing body and to all students; | Any affiliation the Union decides to have with an external organisation, shall be made aware to other parties by publishing the notice of its decision, along with; the name of the organisation; and details of any subscription or similar fee paid or proposed to be paid; and of any donation made or proposed to be made to the organisation, and any such notice should be made available to the University, Trustees and all students. |
| where the union is affiliated to any external organisations, a report should be published annually or more frequently containing a list of the external organisations to which the union is currently affiliated, and details of subscriptions or similar fees paid, or donations made, to such organisations in the past year (or since the last report), and such reports should be made available to the governing body and to all students; | Information relating to affiliations is made at the AGM and stated in the annual reports and accounts. |
| there should be procedures for the review of affiliations to external organisations 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; | The requirement to review affiliations is mentioned in Section 14 - ‘Student Members’ Meetings’ of the Memorandum and Articles and Bye-law 3 (Student Council). Affiliations are approved annually in accordance with the requirements of the Students’ Union’s Articles, details of which are recorded in the minutes. The SU will keep a publicly available record on their website. |
| there should be a complaints procedure available to all students or groups of students who—(i)are dissatisfied in their dealings with the union, or(ii)claim to be unfairly disadvantaged by reason of their having exercised the right referred to [not be a member],which should include provision for an independent person appointed by the governing body to investigate and report on complaints complaints should be dealt with promptly and fairly and where a complaint is upheld there should be an effective remedy | The Act requires that a complaints procedure be available to all students who are dissatisfied in their dealings with the Union or who claim to be unfairly disadvantaged because they have chosen not to be a member. This procedure will include the provision for an independent person appointed by the Board to investigate and report on complaints. The Union has a complaints procedure available from the [Union’s website](https://www.londonmetsu.org.uk/about/ourpolicies/). The University has a complaints procedure available at https://student.londonmet.ac.uk/your-studies/student-administration/rules-and-regulations/complaints-procedure/.Complaints should be dealt with promptly and fairly and where a complaint is upheld all reasonable steps should be taken to ensure that there is an effective remedy. |