

## **Students' Union Code of Practice**

### **1. West London Students' Union**

- 1.1 West London Students' Union (the SU) is recognised by The University of West London Higher Education Corporation (the University) as the representative body of students at the University.

### **2 Aims of the Code of Practice**

- 2.1 This Code of Practice has been developed by the University of West London Higher Education Corporation in consultation with West London Students' Union in accordance with the Education Act 1994 Part 11. It is designed to ensure that the Board of Governors fulfils its duty under the Act and also in relation to its own Articles of Government to ensure that the Students Union is democratic and accountable for its finances.
- 2.2 The Code of Practice aims to provide students and other stakeholders with important information about the West London Students' Union at the University and its relationship to the University. It also sets out how the Students' Union operates in a fair and democratic manner, is accountable for its finances and deals with complaints should they arise. It also explains the circumstances in which disputes can be referred to an independent arbitrator.

### **3 Background**

- 3.1 The Students' Union is a students' union within the meaning of the Education Act 1994. The Students' Union is devoted to the educational interests and welfare of its Members.
- 3.2 The Students' Union will seek at all times to:
- (i) ensure that the diversity of its membership is reflected in its activities and that equal access is available to all Members of whatever origin or orientation;
  - (ii) pursue its aims and objectives independent of any political party or religious group; and
  - (iii) pursue equality opportunities by taking positive action within the law to facilitate participation of groups discriminated against by society.

### **4 Charitable Objects**

- 4.1 The Students' Union's charitable objects are the advancement of education of students at the University of West London for the Public Benefit by:

- (i) promoting the interests and welfare of Students at the University of West London during their course of study and representing, supporting and advising Students;
- (ii) being the recognised representative channel between Students and The University of West London and any other external bodies; and
- (iii) providing social, cultural, sporting and recreational activities and forums for discussions and debate for the personal development of its Students.

## **5 Relationship with the University**

5.1 The University recognises the value of a strong, student-led Students' Union empowered to determine and manage its own affairs. However, the University and the Students' Union have developed a strategic partnership to further the student experience which is based on a shared commitment to:

- (i) developing and improving the student experience of both academic and extra-curricular areas of the institution;
- (ii) the informed engagement of Students' Union representatives on institutional decision-making bodies.;
- (iii) mutual understanding of the distinct and valuable role that each party plays in the student experience;
- (iv) full, open and regular communication on relevant issues, in particular issues likely to have an impact on the other party, the student population and/or other joint stakeholders;
- (v) equality and diversity and the fair treatment of all staff and students.

## **6 Students' Union Activities**

6.1 In order to meet these objects, the Students' Union provides a number of services and opportunities for its Members; the policies and practices of which are determined by the Trustee Board. These are fully described in the Students' Union's publications, which are available to all students via the Students' Union's website. A number of these activities are supported through Block Grant funding from the University

6.2 The Students' Union will provide social activities for students which reflect the diversity of the student body.

6.3 The Students' Union will provide representation for student both at a course, school/college and University level and for individual students through University processes.

6.4 The Students' Union will work with the University on activities in support of the Student Experience.

6.5 Where considered beneficial to students, the Students' Union may be

commissioned to undertake activities on behalf of the University.

## **7. Compliance**

- 7.1 The Students' Union must take all reasonable steps to comply with all legal and statutory requirements currently in force and meet its obligations under all relevant University policies and procedures.
- 7.2 In terms of the Students' Union's own legal compliance, this includes compliance with legislation relating to Health and Safety, Data Protection and Employment.
- 7.3 The Students' Union must also ensure that it complies with the University's policies which support the University's compliance with the Public Sector Equality Duty, Safeguarding and Prevent.
- 7.4 The Students' Union endeavours to ensure that it cooperates with the University in support of its registration with the OfS where required.
- 7.5 In line with data protection legislation compliance, there will be a separate Data Sharing Agreement between the Students' Union and the University.

## **8 The Students' Union Constitution**

- 8.1 The Students' Union's Articles of Association, which forms the constitution of the Students' Union, are subject to approval by the University's Board of Governors
- 8.2 The Students' Union will review the Articles at least once every five years in consultation with the Board of Governors. Changes to the Union's Articles must be approved by the Trustee Board before being submitted to the Board of Governors and Charities Commission.
- 8.3 The Students' Union will conduct an annual compliance return of the Articles. The results will be presented to the Trustee Board or to an appropriate committee as delegated by the Trustee Board.

## **9 Democracy**

- 9.1 Election for Sabbatical Officer Trustees who run the Students' Union is to be by secret ballot in which all members are entitled to vote.
- 9.2 Students' Union elections are overseen by a Returning Officer who is not a member of the Union and who will present a written report on the conduct of the elections to the Student Liaison Committee following the election.
- 9.3 Sabbatical Officer Trustees shall not hold office for longer than two years.
- 9.4 The regulations for elections are set out in the Bye-Laws to the Students' Union's Articles.
- 9.5 Members of the Students' Union who have a complaint about the conduct of Students' Union elections, rules or regulations or about the conduct of an election have the right to complain as outlined in the Election Bye-Law of the Students'

Union' Articles.

## **10. Charity Law**

10.1 The Students' Union is a Registered Charity Number 1140115 and governed by the Charity Law. In particular:

- The Students' Union shall not spend money to support political or other causes which are unrelated to its charitable objects.
- The Students' Union charitable funds will not be used to make donations to external organisations.

10.2 However, this does not preclude students forming political clubs and societies funded by the Union, nor does it prevent students from collecting funds privately for the support of any lawful cause, such as Raising and Giving (RAG).

## **11. Freedom of Speech**

11.1 The Students' Union and its members are bound to observe the University's Code of Conduct in relation to Freedom of Speech which has been drawn up in line with Section 43 of the Education (No 2) Act 1986.

## **12. Affiliation to External Organisations**

12.1 The Union may affiliate to external organisations provided any affiliations meet the conditions set out below:

- The Students' Union may affiliate to external organisations which assist it in providing services, provided that such affiliation is not outside the Students' Union's objects.
- The Students' Union shall publish annually on its website via its Annual Report a list of current affiliations, the cost of each affiliation, and the relationship of each affiliation to the service provision.
- All affiliations must be discussed and agreed by the Trustee Board.
- The Trustee Board will review all affiliations to external organisations annually.
- Unless a General Meeting, Student Members Meeting or Referenda is called on any particular affiliation, the affiliations shall be deemed to be approved by the membership for the next year.
- The question of continued affiliation to any particular organisation can be decided by a General Meeting, Student Members Meeting or Referendum in which all members are eligible to vote conducted in line with the provisions set out in the Articles.

## **13. Linking with the University**

13.1 The Pro Vice Chancellor (Student Experience) will be the main link between the Students' Union, the University's Vice-Chancellor's Executive and the Board of Governors and will meet regularly with the President and Chief Executive. The Vice Chancellor will also meet regularly with the President of the Students' Union and other meetings will be arranged between the SU and VCE members as required to ensure regular communication.

- 13.2 The Students' Union will have representation on appropriate University Committees.
- 13.3 The Student Liaison Committee will also act as the formal means of communication between the Students' Union and the Board of Governors.

#### **14 Strategic planning**

- 14.1 The Students' Union is required to develop and deliver a Strategic Plan which is subject to overall approval of the Board of Governors following consultation with the Vice Chancellor's Executive and the Student Liaison Committee.
- 14.2 The Students' Union is required to annually review and report on its Strategic Plan. It is a requirement of continued grant funding that the action set out in the plan is implemented. Any changes to the Plan must be approved by the University Executive and reported to the Student Liaison Committee.

#### **15 Students' Union Finance**

- 15.1 The Students' Union receives an annual grant, which is allocated by the University's Board of Governors on the recommendation of the Vice Chancellor's Executive and the Student Liaison Committee.
- 15.2 Under the University's articles of government, the University is required to ensure that the Students' Union is accountable for its finances. The University and the Board will monitor the finances of the Students' Union and the detailed means by which this is undertaken are set out in the Financial Memorandum between the University of West London and West London Students' Union attached at Appendix 1
- 15.3 Senior Managers employed by the Students' Union who, along with its Trustee Board, are responsible for ensuring that the Students' Union's financial affairs are conducted properly in accordance with this Code of Practice, the Financial Memorandum, the Students' Union Articles and the Bye Laws.
- 15.4 In addition to the Financial Memorandum, an annual side letter will also be issued with details of the annual block grant and works commissioned by the University.
- 15.5 The University may also, from time to time, insist on other financial controls as a condition of grant funding in addition to those set out in the Financial Memorandum.

#### **16 Membership of the Students' Union**

- 16.1 All registered students of the University are automatically full members of the Union unless they choose not to be. Any registered student has the right not to be a member. A student who wishes to exercise their right not to be a member must consult the Chief Executive of the Students' Union to ensure that they possess all the necessary information. If the student chooses not to be a member they will be required to sign a declaration to this effect. Details of non-membership will be kept in registers maintained by both the University and Union.

- 16.2 Registered students, who have signed the declaration stating that they do not wish to be a member of the Students' Union, will not be permitted to become members for the remainder of the academic year in which the declaration was signed.
- 16.3 Students who opt out of membership shall be excluded from all decision making and government of the Union. In particular:
- Non-members are not permitted to vote in any Union elections, ballots or referenda.
  - Non-members are not eligible to stand for office in any election of the Union, or sit on any University Committee which is the subject of an election.
  - Non-members may not hold office in any Union Club, Society or Group.
- 16.4 Non-members have the following rights to services and activities:
- Non-members may join any Students' Union Club, Society or Group and participate in their activities as an associate member, provided they have first become associate members of the Registered Union Club. The membership fee for a Club, Society or Group may be higher than for members of the Students' Union.
  - In accordance with the Club Premises Certificate and for the Students' Union's premises, non-members must be signed into the Union Licensed Club at a fee which the Trustee Board will annually review.

## **17. Complaints Procedure**

- 17.1 Any registered student (whether a member of the Union or not) having cause to complain about their dealings with the Students' Union, regarding unfair treatment or in relation to any claim of unfair disadvantage in respect of non-members, shall have their complaint(s) dealt with as set out in the UWLSU Bye Laws.

## **18 Review and publication**

- 18.1 This Code of Practice will be reviewed by the Board of Governors in consultation with the Union at least once every five years. At enrolment this Code of Practice and the right of students to opt out of the Union will be drawn to student's attention. Copies of the Union's Articles of Association and all other documents referred to in this Code of Practice are available on the Union's Website [www.uwlsu.com](http://www.uwlsu.com).

This Code of Practice was revised and agreed by the University of West London Board of Governors on 30<sup>th</sup> March 2020.

# **University of West London and West London Students' Union Financial Memorandum**

## **1 Aim of the Memorandum**

- 1.1 The University's Articles of Government state that acts fairly and democratically and is accountable for its finances.
- 1.2 The purpose of this Memorandum is to make it clear the lines of accountability for the conduct of the SU's affairs and the reporting requirements to the Board of Governors.

## **2 Compliance with the Memorandum**

- 2.1 The Students' Union receives an annual grant for revenue purposes which is allocated by the University's Board of Governors. It also receives payment for any commissioned works.
- 2.2 Any grant of funds by the Board of Governors to the Students' Union is made on the condition that the requirements of this memorandum are met.
- 2.3 Failure to comply with this memorandum may require the repayment, in whole or in part, of any funds paid by the Board or the University to the Students' Union.

## **3 Requirements for University funding**

- 3.1 This Memorandum has been drawn up in accordance with the requirement for the Students' Union to be accountable for its finances. Under this memorandum the Students' Union is required to:
  - (i) Keep accounts and accounting records in accordance with normal professional accounting principles.
  - (ii) Maintain a sound system of financial management and control.
  - (iii) Present its budget including the annual grant request for approval by the University's Board of Governors.
  - (iv) Present a set of externally audited accounts to the Finance Committee and the University's Board of Governors no later than 10 months after the close of the financial year.
  - (v) Display copies of the Report and Accounts on the Union website and to make copies available to students on request.
  - (vi) Include within its annual accounts and financial reports, a list of the external organisations to which it has affiliated in the periods to which such accounts or reports relate, and details of such affiliations.
  - (vii) Make available the books and accounting records of the Union to the

Chief Financial Officer for inspection on request.

#### **4 Annual Grant request and approval of the budget**

- 4.1 The Students' Union will present its annual budget and funding request to the VCE Chancellor's Executive for consideration and approval prior to making a request to Students Liaison Committee (SLC). The Funding request will include the block grant and any payments for commissioned works.
- 4.2 The SLC will consider and advise the Students' Union on the contents of the proposed draft budget and proposed draft annual grant application. The Finance Committee will subsequently receive the Students' Union's annually updated budget and block grant application as part of the University's overall budget and make a recommendation to the Board of Governors.
- 4.3 The request for funding will include:
- (i) a business plan for the SU in line with the delivery of its Strategic Plan;
  - (ii) detailed budget projections for each area
  - (iii) costings for any commissioned works.
- 4.4 The Chief Financial Officer will issue the Students' Union President and with an annual written confirmation of the annual revenue grant allocated by the Board of Governors, any payments for commissioned works and any associated conditions imposed by the University.

#### **5 Conditions of the Grant and other University funding**

- 5.1 The SU will be required as a condition of the grant of funds to:
- (i) Plan and conduct its financial affairs to ensure that its total income is at least sufficient, in any one year, to meet its total expenditure, and to maintain financial solvency.
  - (ii) As part of the preparation of the annual budget, prepare estimates of income and expenditure for all its budgets on a monthly basis and produce detailed, monthly management accounts showing actual income and expenditure against phased budget by entity.
  - (iii) Obtain the prior written consent of the Chief Financial Officer to borrow money for a period in excess of twelve months where such an amount would exceed 15% of the block grant (excluding rent) in any one year.
  - (iv) Not give any guarantees or indemnities which commit the SU to liabilities beyond any one-year without the prior approval of the Chief Financial Officer where such an amount would exceed 15% of the block grant (excluding rent and including the Students' Union's overdraft facility) in any one year.
  - (v) Ensure that all expenditure is undertaken in accordance with Financial Bye Laws of the SU's Articles approved by the Trustees.



- (vi) Inform the Chief Financial Officer immediately of any potential difficulties in meeting any of the conditions.

## **6 Monitoring and compliance**

6.1 The financial position of the Students' Union will be monitored via regular meetings of the Student Liaison Committee. There are also monthly commissioned works and financial review meetings with the Pro Vice Chancellor (Student Experience), Chief Financial Officer and Chief Executive Officer of the Students' Union. If either the Students' Union or the University consider it to be necessary, the Chief Executive (see 10 below) and the President of the Students' Union will meet with the Chief Financial Officer and the University Secretary in order to:

- (i) review the level of income and expenditure;
- (ii) discuss any corrective action necessary or taken by the Students' Union;
- (iii) discuss the likely level of income and expenditure by the Students' Union, over the forthcoming month;
- (iv) approve revisions to the final budget; and
- (v) assure themselves that the terms of this Memorandum are being complied with.

6.2 The Chief Financial Officer and University Secretary will have the right, as a last resort, to seek the advice of the Chair of the Finance Committee on whether the University should:

- (i) take any corrective action they consider necessary if expenditure exceeds income in any one month which is not foreseen in the approved annual budget;
- (ii) veto any proposed expenditure in the forthcoming month if they consider that this would seriously prejudice the ability of the SU to deliver an annual budget in which total expenditure does not exceed total income.

6.3 Such action may include:

- (i) stopping scheduled payment of the block grant due during the year;
- (ii) withdrawing any University guarantees with the Students' Union's bankers;

## **7 The Accounting Officer**

7.1 The University requires the Students' Union to employ at least one qualified person to maintain its accounting records and to act as the Students' Union's Accounting Officer. This employee will have a dual reporting line to the University's Chief Financial Officer and the Students' Union's Trustee Board (via the line management structure).

7.2 The University requires the Students' Union to discuss any proposals to change its

senior management, such as the post of Students' Chief Executive, with the Pro Vice Chancellor (Student Experience).

- 7.3 The Accounting Officer is responsible for advising the Students' union's Trustee Board if, at any time, any action or policy under consideration by them appears to be incompatible with its Articles, the Code of Practice, or this Memorandum. Should the Trustee Board nevertheless proceed with such action, the Chief Executive will inform the University Secretary immediately in writing. The Accounting Officer is also responsible for advising the University immediately if the Students' Union is unable to comply with any of the conditions of this Memorandum.

## **8 Services Provided by the University**

- 8.1 The University will provide additional support to the Students' Union through shared services which include: facilities, cleaning, security, payroll, finance, IT, transport and printing. Where appropriate, these agreements will be subject to additional service level agreements.
- 8.2 The University continues to provide assistance to the Students' Union by way of provision of buildings which are fully serviced.
- 8.3 These arrangements are subject to ongoing review in accordance with the University's overall estates strategy. All stakeholders will be consulted as part of the planning process.
- 8.4 The University and the Students' Union may reimburse each other for costs incurred in addition to the Block Grant and the provisions set out in this Memorandum. Equally, both the University and the Students' Union are able to access services provided by each other either at no or some cost where there is an agreed benefit to either or both parties, which includes Students' Union access to University staff benefits where applicable.