

Code of Practice Pursuant to the Education Act 1994

In accordance with [section 22 of the Education Act 1994](#) the University is required to “prepare and issue and when necessary revise” a code of practice setting out the arrangements to be made in order to comply with subsections one and two of the Act.

The code of practice below is the current code of practice and is scheduled for revision by the Board of Governors, to reflect its own revised structure, in Spring 2012.

In this Code lettering of paragraphs corresponds to lettering of the provisions of the Education Act 1994.

Code of Practice:

- (a) The Students’ Union shall have a [written constitution](#).
- (b) The constitution shall be subject to the approval of the Board of Governors and shall be reviewed by the Board of Governors at intervals of not more than five years.
- (c) A student shall have the right to be a member of the Union, but may also choose not to be a member. Students who exercise the right not to be members of the Union shall not be unfairly disadvantaged, with regard to the provision of services or otherwise, by reason of their having done so. Membership of the Students’ Union is accorded automatically to all new students, who need to apply to the Union for proof of membership which may be required in order to participate in certain Union activities. Students wishing not to be members of the Union must indicate their wish in writing to the General Manager of the Union within 4 weeks of the start of each year of their course by completing the appropriate form, available from the Union or the Clerk to the Governors. A student who has exercised the right not to be a member of the Union will remain a non-member for the remainder of the academic year. If a student wishes not to be a member in the following year, a separate form must be completed and returned at the beginning of each year of his or her course. A student remains a member unless and until he/she chooses not to be a member, following the procedure set out in this paragraph.
- (d) The major offices of the Union shall be those which entitle the bearer to sabbatical leave, that is paid elected posts. The rules governing the process of election to sabbatical posts shall be provided for in the constitution. Such rules shall include that elections are conducted by secret ballot in a democratic process in which all members of the Union are entitled to vote.
- (e) The Union will be required to satisfy the Clerk to the Governors, on behalf of the Board of Governors, that the elections have been fairly and properly conducted in accordance with the Union’s election rules. If the Clerk is not satisfied she/he may give reasonable directions to ensure that the Board of Governors’ obligations under 5.22 of the Education Act are fulfilled.
- (f) The constitution shall stipulate that no person shall hold sabbatical office, or paid elected office, in the Union for more than two years in total.
- (g) The Union shall conduct its financial affairs in accordance with the provisions of the constitution.

The sabbatical officers of the Union, as trustees of an unincorporated association, are jointly responsible for overseeing all of the Union's activities and for ensuring that the Union's financial practices and procedures at all times comply with the requirements of the constitution, the Code of Practice and the law governing Students' Unions and unincorporated associations. The Union shall incur no expenditure, and take no other action, which is inconsistent with the law relating to charities.

The Union shall maintain a system of internal financial planning and control which shall be subject to review by the University's auditors. Management accounts prepared by the Union shall be subject to monthly review with the University's Director of Finance.

Detailed estimates of income and expenditure for each financial year shall be prepared at least four months before the start of each financial year for joint consideration by the University and the Union. A detailed budget for each financial year shall be prepared at least two months before the start of each financial year and shall be submitted to the University for approval; the final budget will be submitted within four months of the start of the financial year.

(h) The accounts of the Union shall at the end of each financial year be audited by a public accountant in the active practice of his/her profession. The [accounts shall be published by the Students' Union](#) to all students and submitted by the Union to the University for consideration by the Board of Governors' Finance Committee.

The audited accounts shall contain a list of the external organisations to which the Union has made donations in the period to which the accounts relate, and the details of those donations.

(i) The Union shall publish annually details of the [procedure by which resources are allocated to clubs and societies](#). The procedure for allocating resources to clubs and societies shall be fair and freely accessible to all students.

(j,l) The Union shall maintain a register of external organisations to which it is affiliated which shall show the name, category of membership and subscription fee. Amendments to this list may be made by resolution to the Executive Committee, Union Council or General Meeting. In the event of amendment the Union shall promptly publish that amendment in the Union magazine and to the Board of Governors through its Clerk.

The question of continued affiliation to any particular organisation shall be decided upon by a secret ballot in which all members are entitled to vote, provided that:

- (1) 5 per cent of all student members have requisitioned such a secret ballot; and
- (2) no such ballot on the same question as regards any of the current affiliations has been requisitioned within the preceding 12 months.

(k) The audited accounts shall contain a list of organisations to which the Union was affiliated at any time in the period to which the accounts relate and the subscription fee paid in each case. In approving the annual accounts the Union Council shall thereby approve the list of affiliations.

(m, n) The Union shall operate a [Complaints Procedure](#) which is available and made known to any student or group of students dissatisfied in their dealings with the

Union. The Procedure shall be made known annually to all students through publications and/or notices displayed prominently. Complaints shall be dealt with promptly and fairly and where a complaint is upheld there shall be an effective remedy.

The University shall operate a [Complaints Procedure](#) available to any student or group of students who claim to be unfairly disadvantaged by reason of their having exercised the right not to be members of the Union.

In each case the Procedure shall include provision for an independent person appointed by the Board of Governors to investigate and report on complaints.

This Code of Practice is issued jointly by the University of the West of England and the University of the West of England Students' Union.