Sunderland SU: Byelaws

Your SUnderland*
*Students' Union

sunderlandsu.co.uk

Table of Contents

100 - Rights of Members 4
101 - Categories of Membership 4
102 - Student Membership 4
103 - Company Law Members 4
104 - Associate Members 5
105 - Honorary Life Members 5
106 - Rights of Student Members 5
107 - Rights of Associate Members 5
108 - Limitations of Associate and Honorary Life Members 5
109 - Honorary Life Membership for Current Students 6
110 - Union Service Provision 6
111 - Variation of Services 6
112 - Duties of Members 6
113 - Protections Around Changes to Membership Classes 6
200 - Provision for Opting Out of Membership 7
201 - The Education Act and Opting Out 7
202 - Process for Opting Out 7
203 - Information Required to Opt Out 7
204 - Consequences of Opting Out 7
300 – Board of Trustees 9
301. Responsibilities of the Board 9
302. Composition of the Board of Trustees 9
303. Sub-Committees of the Board 10
304. Disciplinary Oversight 10
305. Conflicts of Interest 11
306. Trustee Selection Process 11
400 - Trustee Board Committees 12
401 - Terms of Reference for Trustee Board Committees 12
402 - General Principles of Trustee Committees 12
403 – People and Governance Committee 12
404 - Finance & Risk Committee 13
500 - Student Representation and Engagement 15
501 - Purpose and Structure 15

502 - Open Forums 15
504 - Student Representatives and Engagement 15
505 - Participatory Budgeting and Policy Development 16
506 - Referenda and Student-Led Decision Making 16
507 - Reporting and Oversight 16
508 - Interaction with the Board of Trustees 16
600 - Elections 18
601 - General Principles 18
602 - Positions Elected by Student Members 18
603 - Returning Officer and Election Oversight 18
604 - Conduct of Elections and Referenda 18
605 - Elections Guidance 19
604 - Nominations Process 19
605 - Campaigning and Conduct 19
606 - Voting Process 20
607 - Results and Complaints 20
608 - By-Elections 20
609 - Referenda and Student-Led Decision Making 20
700 - Referenda and Indicative Votes 22
701 - Purpose of Referenda and Indicative Votes 22
702 - Calling a Referendum 22
703 - Conduct of Referenda 22
704 - Results and Implementation 23
705 - Indicative Votes 23
800 - Complaints Procedure 24
801 - Union Commitment 24
802 - Complainant Requirements 24
803 - Scope of the Complaints Procedure 24
804 - Informal Complaints Procedure 25
805 - Formal Complaints Stage 25
806 - Appeals Procedure 25
807 - Independent Review 26
900 - Financial Regulations and Procedures 27
901 - Financial Governance 27

902 - Oversight and Review 27
903 - Authority and Compliance 27
904 - Access to Financial Procedures 27
905 - Financial Reporting and Transparency 27
1000 - Representatives to NUS Conferences 28
1001 - Participation in NUS Democratic Events 28
1002 - Selection of NUS Representatives 28
1003 - Conduct of NUS Representatives 28
1100 - Voting Procedure for Company Law Members 29
1101 - Decision-Making at Company Law Meetings 29
1102 - Procedures for Polls 29
1103 - Use of Proxies 30
1200 - Union Policy 31
1201 - Development of Union Policy 31
1300 - Officers of the Union 32
1301 - Purpose and Structure of Officer Roles 32
1302 - Responsibilities of Sabbatical Officers 32
1303 - Accountability and Oversight 32
1304 - Election and Term of Office 33
1305 - Vacancies and Interim Appointments 33
1306 - Review and Amendments 33

100 - Rights of Members

Student Members shall have the following rights:

- To access all services and facilities provided by the Union.
- To participate in all Union activities, including joining societies, student groups, and communities, and to engage in their decision-making processes.
- To vote in all Union elections, referenda, and decision-making processes.
- To stand for election to any Union office, subject to the eligibility criteria outlined in the Elections section.
- To access support, representation, and advice from the Union where appropriate.
- To attend and contribute to Union meetings, forums, and consultations.

101 - Categories of Membership

The membership of the Union shall consist of the following categories:

(a) **Student Members**: Any student who is enrolled at the University of Sunderland and the University of Sunderland in London shall automatically be a Student Member of the Union unless they have opted out of membership in accordance with these Byelaws.

(b) **Company Law Members**: The Trustees of the Union, as defined in the Articles of Association, shall also be the Company Law Members. They have legal duties and responsibilities under company law, including governance and financial oversight of the Union.

(c) **Associate Members**: The Trustee Board may grant Associate Membership to individuals who are not current students of the University. This category may include University staff, Students' Union staff, alumni, and other individuals as deemed appropriate by the Board.

(d) **Honorary Life Members**: The Trustee Board may, at its discretion, confer Honorary Life Membership upon individuals who have provided exceptional service to the Union or the student body. This status is honorary and does not carry the rights of Student Membership.

102 - Student Membership

All enrolled students at the University of Sunderland and University of Sunderland in London shall automatically be Student Members unless they choose to opt out in accordance with these Byelaws. Student Membership grants individuals access to Union services, participation in activities, and the right to engage in democratic processes. Sabbatical Officers shall retain Student Membership for the duration of their time in office, regardless of their academic enrolment status, to ensure full participation in Union governance.

103 - Company Law Members

Company Law Members shall be the Trustees of the Union and are responsible for ensuring the Union operates in a legally compliant and financially sustainable manner. They shall exercise governance duties as outlined in the Articles of Association. Company Law Members shall not have voting rights in student referenda or elections unless they also hold Student Membership.

104 - Associate Members

Associate Membership shall be available to University staff, Students' Union staff, sixth form students, Further or Higher Education students studying at a school or college within the City of Sunderland, other members of the local community, and alumni of the University of Sunderland. Associate Members may access Union services and attend Union events where appropriate. However, they shall not have voting rights in Union elections, referenda, or policy decisions, nor shall they be eligible to stand for elected office within the Union.

105 - Honorary Life Members

Honorary Life Members may be conferred by the Trustee Board in recognition of outstanding service to the Union or the student body. This membership can be conferred upon present Members, past Members, or non-members of the Union. Honorary Life Membership does not confer voting rights or eligibility to hold elected office within the Union.

106 - Rights of Student Members

Student Members shall have the right:

- To use all services provided by the Union.
- To engage in all activities of the Union, including joining communities, clubs, and societies of the Union and to participate in their decision-making processes.
- To represent the University/Union within communities, clubs, and societies.
- To start a new community, club, or society in accordance with the rules set out by the Union/University.
- To apply for casual employment with the Union.
- To participate and vote in Union elections and decision-making processes, subject to the provisions outlined in the Byelaws.
- To seek Union advice and representation where appropriate.
- To attend and speak at all Union meetings and to vote at all Student Members' Meetings of the Union.
- To stand for election, subject to the rules governing the eligibility of each post.

107 - Rights of Associate Members

Associate Members shall have the right:

- To use all services provided by the Union, including commercial services.
- To engage in all activities of the Union, including those of clubs and societies.
- To any other rights specified within the Articles of Association and Byelaws for their membership status.

108 - Limitations of Associate and Honorary Life Members

Associate and Honorary Life Members do not have the right:

- To vote in Union elections, referenda, or policy decisions.
- To stand for elected office within the Union or its clubs and societies.
- To attend or speak at Union meetings unless invited to do so by the Trustee Board or an Officer of the Union.

109 - Honorary Life Membership for Current Students

If Honorary Life Membership is granted to a current Student Member, their rights as a Student Member shall continue until such time as they are no longer enrolled as a student. Thereafter, only the rights attached to Honorary Life Membership shall apply.

110 - Union Service Provision

The Union is not under any obligation to guarantee the provision of any particular service at any time. Services are subject to periodic review and may change without notice.

111 - Variation of Services

The Union may add to, vary, or discontinue any services offered to members as it sees fit in the best interests of the Union and its objectives. Service provision is reviewed regularly by the relevant committee with delegation from the Trustee Board.

112 - Duties of Members

All members of the Union shall:

- Uphold the good name and reputation of the Union.
- Maintain good order and observe health and safety principles within the Union and the University.
- Refrain from causing damage to Union and University property.
- Uphold Union policy when representing the Union.
- Abide by the Articles of Association, Byelaws and policies of the Union.
- Fulfil any other duties stated in the Union's governing documents.
- Abide by the Code of Conduct for the Union.

113 - Protections Around Changes to Membership Classes

No changes to any category of membership shall be made without consultation with the affected class of members. The Trustee Board retains the authority to make amendments where necessary.

200 - Provision for Opting Out of Membership

Students have the right to opt out of Union membership in accordance with the provisions of the Education Act 1994. Opting out does not affect a student's right to use Union services and facilities. However, students who opt out forfeit their ability to participate in Union democracy and governance structures, including voting in elections and referenda or standing for elected positions.

201 - The Education Act and Opting Out

Under the Education Act 1994, students must be given the option to opt out of membership of the Students' Union without suffering any disadvantage regarding the provision of services or facilities. The University shall ensure that students are informed of this right at the point of registration and through other appropriate channels.

202 - Process for Opting Out

A student may opt out of Union membership at any time during the academic year. To do so, they must submit a written request to the University, who will inform the Union Chief Executive. The opt-out will take effect from the date of submission and will remain valid for the remainder of that academic year unless the student chooses to reinstate their membership as outlined in these Byelaws. The University and the Union shall ensure that the process for opting out is clear and accessible.

203 - Information Required to Opt Out

To process an opt-out request, the University requires the following information:

- The student's full name.
- Student ID number.
- Course of study and year.
- Confirmation of the request to opt out of membership.

Once processed, the student will no longer be considered a member of the Union and will be removed from Union electoral rolls. If the request is made during an election or referendum period, the student will be unable to participate once their opt-out has been recorded. Students who opt out and later wish to reinstate their membership may do so at any point during the academic year by submitting a written request to the University who will inform the Union Chief Executive. Reinstated members regain full participation rights in Union democracy.

204 - Consequences of Opting Out

The consequences for a student who opts out of Union membership are as follows:

204.1 Democratic Rights

Students who opt out shall not be entitled to participate in the Union's democratic procedures, which includes:

- No right of attendance at any Union meeting where voting rights apply.
- No right to vote in any election or referendum.
- No right to stand for any elected position.
- No right to propose, second, or nominate any candidate standing for election.

204.2 Welfare Services

There shall be no distinction between opted-out students and Student Members regarding access to welfare services.

204.3 Access to Union Facilities and Commercial Services

Opted-out students shall retain access to Union-run catering, bars, and other trading activities and services on the same terms as Student Members, with the exception of certain Union events that operate under a Members-only rule. In such cases, opted-out students may be signed in as guests of Union Members, subject to the relevant policies governing guest access.

204.4 Participation in Union Entertainment

Opted-out students shall have the right to access Union entertainment events upon payment of the appropriate fee, where applicable.

300 – Board of Trustees

301. Responsibilities of the Board

In accordance with the Articles, the Students' Union shall have a Board of Trustees responsible for:

- Strategic oversight, financial sustainability, and legal compliance of the Union.
- Ensuring that the Union remains solvent, adheres to charity law, and operates within the governance framework.
- Ensuring that student representation, democracy, and services are effectively delivered.
- Disciplinary oversight, ensuring that all members and trustees uphold the good name and reputation of the Union.

302. Composition of the Board of Trustees

The Board of Trustees shall comprise:

- Two Sabbatical Trustees (President: Sunderland and President: London)
- Up to Four Student Trustees
- Up to Five External Trustees

The trustee board will vote one of the above trustees as chair of the board on an annual cycle.

302.1 Sabbatical Trustees

- The Sabbatical Trustees shall include the President: Sunderland and President: London, elected through a cross-campus ballot as per the Elections Byelaw.
- Their term shall run from 1st July of the election year to 30th June of the following year.
- Sabbatical Trustees may serve a maximum of two terms, whether consecutive or non-consecutive.
- They shall enter into a written contract of employment with the Union upon commencing their term.

302.2 Student Trustees

- Student Trustees shall be appointed via an open selection process conducted by the People & Governance Committee.
- They must be current student members of the Union and must have held student status for at least three months before applying.
- Student Trustees shall serve for a term of one year with the option for reappointment for a second term if they can confirm that they will still be a registered student in the subsequent academic year.
- All student trustee recruitment shall take place in an annual cycle running July to June.

302.3 External Trustees

- External Trustees shall be appointed based on their skills and experience and according to the Union's perceived needs at the time of appointment.
- The term of office for External Trustees shall be up to four years, renewable for one additional term (maximum of eight years in total).
- The appointment of External Trustees shall be conducted via the People and Governance Committee and approved by a majority vote of the Board.

303. Sub-Committees of the Board

The Board may establish Sub-Committees as necessary to support its functions. At a minimum, the following committees must be maintained:

303.1 People & Governance Sub-Committee

303.2 Finance and Risk Sub-Committee

304. Disciplinary Oversight

The Board of Trustees shall assume responsibility for all disciplinary matters related to Student Members. This includes:

- Ensuring that clear disciplinary procedures are in place and applied consistently in accordance with the Union's Disciplinary Policy.
- Oversight of student disciplinary matters, ensuring fair and transparent procedures.
- Ensuring compliance with the Union's governing documents and student responsibilities.
- Reviewing and administering disciplinary panels, where required, to adjudicate on significant disciplinary issues.
- Providing policy oversight, including approving disciplinary procedure updates and ensuring compliance with legal and regulatory requirements.
- Reviewing appeals mechanisms, ensuring that fair procedural safeguards are in place to protect Student Members' rights.
- Ensuring confidentiality, while reporting key findings to the Board as appropriate.

304.1 Disciplinary Panel

When necessary, the Board may establish a Disciplinary Panel to oversee specific disciplinary cases. The panel shall be comprised of:

- The Chair of the Board of Trustees (or their nominee)
- One External Trustee
- One Student Trustee
- The Union's Chief Executive (or their nominee) in an advisory capacity

Any member with a conflict of interest must declare it and recuse themselves from the proceedings.

304.2 Appeals Process

- Student Members may appeal disciplinary decisions within 14 days of receiving the decision.
- Appeals shall be reviewed by an Appeals Panel, consisting of:
    - A nominee of the University (Chair)
    - One independent person
    - A Chief Executive Officer or Trustee from another Students' Union
    - An Officer from another Students' Union or NUS
    - A current Trustee of Sunderland Students' Union.
- The Appeals Panel will determine whether to uphold or overturn disciplinary decisions.

305. Conflicts of Interest

- Trustees must declare any conflicts of interest and the Board shall consider how such conflicts should be managed in the discussions and decisions relating to their conflict.

306. Trustee Selection Process

All Trustee appointments shall be managed by the People & Governance Sub-Committee.

307. Removal, Resignation, and Disqualification of Trustees

- Trustees may be removed in accordance with Clauses 23-27 of the Articles.
- Grounds for removal include breach of duties, misconduct, non-attendance, or failure to meet eligibility criteria.
- A Trustee may resign by giving written notice to the Board.

308. Appeals Against Removal

A Trustee removed from office may appeal the decision within 14 days of notification. The Appeals Panel shall comprise:

- A nominee of the University (Chair)
- One Independent Person
- A Chief Executive Officer or Trustee from another Students' Union
- An Officer from another Students' Union or NUS
- A current Trustee of Sunderland Students' Union.

The Appeals Panel will review the case and may uphold or overturn the removal decision.

309. Quorum and Decision-Making

- The quorum for Trustee Board meetings shall be four Trustees, including at least:
    - One Sabbatical Trustee
    - One Student Trustee
    - One External Trustee
- Decisions shall be made by simple majority vote, with the Chair holding a casting vote in the event of a tie.

400 - Trustee Board Committees

The Board of Trustees delegates some of its duties to committees. The composition and function of these committees are outlined below.

401 - Terms of Reference for Trustee Board Committees

The committees of the Board of Trustees shall operate under the terms set out in the Articles of Association and these Byelaws. They shall report directly to the Board and make recommendations for approval where necessary. Each committee shall meet as required to fulfil its remit, and meetings may be conducted remotely where appropriate.

402 - General Principles of Trustee Committees

- All committee business may be conducted remotely if deemed appropriate by the Chair of the Committee to ensure business can be carried out effectively.
- Unless otherwise noted in their specific Terms of Reference, the quorum for each committee shall be three members.
- Each committee may appoint co-opted members as volunteers, whose expertise furthers the work of that committee. These volunteers will not be trustees of the Union.
- Unless otherwise specified, each committee shall report its minutes, recommendations, and decisions to the Board of Trustees.
- Each committee shall meet at least 3 times per year, with additional meetings scheduled as required by the Chair or a simple majority of committee members.
- Non-attendance at three or more consecutive meetings may result in a vote of no confidence in the member concerned.

403 – People and Governance Committee

403.1 Purpose

The People and Governance Committee ensures strong governance, effective leadership, and robust people policies. It oversees governance structures, trustee appointments, and workforce strategy.

403.2 Composition

- The Committee shall have a minimum of three and a maximum of six members, including at least one external trustee, one officer trustee, and one additional trustee as determined by the Board.
- The Committee may appoint co-opted members as volunteers, who provide expertise but do not have voting rights.
- The Chair shall be an external trustee with appropriate expertise, typically in governance or human resources.
- The Board shall review the membership of the Committee annually.

403.3 Responsibilities

- Oversee the composition, skills, and diversity of the Board of Trustees.
- Lead the recruitment and appointment process for trustees, ensuring fair and inclusive selection.
- Oversee induction, training, and development for trustees to enhance Board effectiveness.

- Review governance policies, including the Code of Conduct for Trustees and Terms of Reference for subcommittees.
- Conduct periodic governance reviews and ensure compliance with regulatory standards.
- Oversee the recruitment, performance, and remuneration of the Chief Executive.
- Review and recommend workforce policies, pay awards, and strategic restructures.
- Ensure appropriate mechanisms are in place for staff consultation and engagement.
- Monitor key workforce metrics, including diversity, staff satisfaction, and well-being.

403.4 Meetings and Reporting

- The Committee shall meet at least three times per year.
- Quorum shall be half the membership plus one, including at least one external trustee and one officer trustee.
- The Committee may consult co-opted members for specialist input.
- The HR Advisor shall act as clerk to the Committee.
- The Chair of the Board of Trustees shall report key decisions to the Board.

404 - Finance & Risk Committee

404.1 Purpose

The Finance & Risk Committee ensures financial sustainability, effective risk management, and regulatory compliance. It oversees the Union's financial planning, risk framework, and internal controls.

404.2 Composition

- The Committee shall have a minimum of three and a maximum of six members, including at least one external trustee, one officer trustee, and one additional trustee as determined by the Board.
- The Committee may appoint co-opted members as volunteers, who provide expertise but do not have voting rights.
- The Chair shall be an external trustee with expertise in finance, audit, or risk management.
- The Board shall review the membership of the Committee annually.

404.3 Responsibilities

404.3.1 Finance

- Approve the Union's financial strategy and long-term financial planning.
- Conduct a detailed review of the annual budget before submission to the Board.
- Monitor financial performance, including management accounts and key financial indicators.
- Approve financial policies and procedures in line with best practice.
- Oversee financial sustainability and resource allocation to align with strategic priorities.

404.3.2 Audit & Risk

- Ensure appropriate internal and external audit processes are in place.
- Review audit findings and recommend actions to the Board.
- Oversee the Union's risk management framework, risk register, and mitigation plans.

- Monitor key strategic risks and make recommendations to the Board.
- Review compliance with legal and regulatory requirements.
- Receive reports on safeguarding, health and safety, and emergency planning.

404.3.3 Meetings and Reporting

- The Committee shall meet at least three times per year.
- Quorum shall be half the membership plus one, including at least one external trustee and one officer trustee.
- The Committee may consult co-opted members for specialist input.
- The HR Advisor shall act as clerk to the Committee.
- The Chair of the Board of Trustees shall report key decisions to the Board.

500 - Student Representation and Engagement

501 - Purpose and Structure

1. The Union shall ensure that Student Members have effective representation and engagement mechanisms to influence decision-making and shape Union policies.
2. Union Policy is made by a forum of (but not limited to) student reps, sabbatical officers, and society committee members, whose functions, composition, and role, shall be set out by the SU on an annual basis. Their role shall include:

    - Coordinating student feedback to share with the Union.
    - Formulating policy ideas to either be shared with the Union directly or the Board.
    - Co-developing campaigns and ideas emerging from their constituents.
    - Working with the officers on supporting their campaigns.

    These functions shall be the default unless updated by the Students' Union.

502 - Open Forums

1. Open Forums shall provide an accessible and inclusive platform for students to discuss issues, propose policy changes, and raise concerns directly with Sabbatical Officers and relevant Union representatives.
2. These forums shall be held regularly throughout the academic year at different times and formats to ensure broad participation. With particular regard to supporting the dual-campus model of membership.
3. The Union shall facilitate forums both in-person and digitally to allow for remote student engagement.
4. Open Forums shall act as consultative spaces where students can share views and influence the priorities of Sabbatical Officers and the Union.
5. Feedback from Open Forums shall be recorded and considered in policy discussions, financial priorities, and Union governance processes.

504 - Student Representatives and Engagement

1. The Union shall work with elected and appointed Student Representatives to facilitate direct engagement with students.
2. The following student representatives shall play a role in Union governance:

    - Student Representatives, who represent students at the academic level.
    - Society Committee Members, who provide feedback on extracurricular activities.
    - Student and Officer Trustees, who participate in governance at the Board level.

3. The Union shall support student representatives with training and resources to ensure they can effectively communicate student interests.

4. Student representation and engagement may be supported by a number of appointed students within faculties.

505 - Participatory Budgeting and Policy Development

1. Student Members shall have direct input into Union spending priorities through Participatory Budgeting mechanisms.
2. Participatory Budgeting sessions shall be held at least three times per academic term, allowing students to propose and vote on funding allocations for student-led initiatives.
3. The Union shall ensure transparency in decision-making by publishing Participatory Budgeting outcomes and rationale.
4. Forums may propose policy changes, which can be escalated to a referendum or review by the Board of Trustees.

506 - Referenda and Student-Led Decision Making

1. A referendum may be called on significant Union matters, including policy changes, financial priorities, or major strategic decisions.
2. A referendum may be triggered by:
    - A resolution of the Board of Trustees.
    - A petition signed by at least 1% of Student Members or 150 students, whichever is greater.
3. Referenda shall be conducted through a secure voting system, with all Student Members eligible to participate.
4. The outcome of a referendum shall be binding if the total number of votes cast meets or exceeds 5% of the Student Membership.
5. The Returning Officer shall oversee referenda to ensure fair procedures and transparent results.

507 - Reporting and Oversight

1. The Board of Trustees shall receive regular reports on student representation and engagement activities to ensure accountability.
2. The Union shall publish an annual report summarising key discussions, policy proposals, and financial decisions influenced by student input.
3. The effectiveness of Participatory Budgeting, and Open Forums shall be reviewed periodically, with student feedback guiding improvements.

508 - Interaction with the Board of Trustees

1. The Board of Trustees shall consider recommendations from student representative groups and meetings and respond to motions passed by Student Members where appropriate.
2. The Board retains the right to override decisions made at Union meetings if they:

- Conflict with legal obligations, charity law, or threaten the Union financially or reputationally.
- Contradict the Articles of Association or regulatory requirements.
- Are deemed to be beyond the constitutional remit of the meeting.

3. Any decision to override a motion shall be accompanied by a clear rationale communicated to Student Members.

600 - Elections

601 - General Principles

1. The Union shall conduct all elections in a fair, transparent, and democratic manner in accordance with its Articles of Association and Byelaws.
2. The elections process shall be accessible to all eligible Student Members, ensuring equal opportunity to participate.
3. The Union shall ensure that elections comply with relevant legislation and best practices for student democracy.

602 - Positions Elected by Student Members

1. The following positions shall be elected through a cross-campus ballot of all Student Members:
    - **President: Sunderland**
    - **President: London**
2. Additional elections may be held for other positions as determined by the Board of Trustees or a referendum of Student Members.

603 - Returning Officer and Election Oversight

1. The Returning Officer for all cross-campus elections, including Sabbatical Officer elections, shall be an external expert appointed by the Board of Trustees. They shall be responsible for ensuring that elections are conducted fairly and democratically and shall have the power and authority to interpret these Election Rules.
2. The Returning Officer shall:
    - Ensure elections are conducted in accordance with these Byelaws and the Elections Guidance.
    - Investigate and rule on any complaints regarding election conduct.
    - Have the authority to impose sanctions or disqualify candidates in cases of serious breaches of election regulations.
    - Report on the success of all elections to the Board of Trustees and provide relevant summaries to the University Board of Governors.
3. The Returning Officer shall publish Elections Guidance annually, detailing the arrangements for conducting elections, which shall be binding on all candidates. The Chair of the Trustee Board shall report the Elections Guidance to the Board of Trustees.

604 - Conduct of Elections and Referenda

1. The Sabbatical Officers shall be elected in a cross-campus secret ballot of all Student Members using the Alternative Vote (AV) method. The ballot shall be open for no less than two whole days.

2. NUS Reps shall be any existing representatives within the students' union, including (but not limited to) sabbatical officers, course reps and society representatives, who will be approved by the Board of Trustees in line with NUS' rules and requirements.

605 - Elections Guidance

1. The Elections Guidance shall outline the Returning Officer's expectations of candidates and their campaigners. It shall specifically include:

    - The Nomination Procedure: Nominations shall be open for no less than ten days and may be reopened at the discretion of the Returning Officer.
    - The Voting Procedure: The Returning Officer shall review, annually, the most accessible and secure method for members to vote.
    - The Complaints Procedure: The Union shall consider all election complaints under the Elections Complaints Procedure only. The Returning Officer's decision shall be final. The Union's main Complaints Procedure shall only be used if complaints pertain to the integrity of the elections as a whole and not to the actions of individual candidates.

2. The Returning Officer may, at their discretion, issue cautions, impose sanctions, or withdraw a candidate who does not meet reasonable expectations in accordance with the Elections Guidance.
3. The Returning Officer may, should they deem that confidence in the integrity of the ballot has been sufficiently eroded, suspend an entire election.

4. The Board of Trustees shall appoint an independent Returning Officer to oversee the conduct of all elections.

5. The Returning Officer shall:

    - Ensure elections are conducted fairly and in accordance with these Byelaws.
    - Investigate and rule on any complaints regarding election conduct.
    - Have the authority to impose sanctions or disqualify candidates in cases of serious breaches of election regulations.

604 - Nominations Process

1. Nominations shall be open for no less than ten days and may be reopened at the discretion of the Returning Officer.

2. To be eligible to stand for election, candidates must:

    - Be a current Student Member at the time of nomination.
    - Have been a Student Member for at least three months prior to the nomination deadline.
    - Meet any additional eligibility criteria set out in the Elections Regulations.

3. Candidates must submit a completed nomination form by the published deadline.

4. No candidate may stand for more than one Sabbatical Officer position in the same election cycle.

605 - Campaigning and Conduct

1. Campaigning shall be conducted in a fair and respectful manner, adhering to the Elections Regulations.

2. All candidates and campaign teams must:
    - Adhere to Union policies on conduct and equality.
    - Respect spending limits and campaign guidelines set by the Returning Officer.
    - Refrain from harassment, intimidation, or spreading misinformation.
3. Any breaches of campaign rules shall be investigated by the Returning Officer, who may impose penalties or disqualifications where appropriate.

606 - Voting Process

1. Voting shall be conducted using a secure and verifiable voting system.
2. The Alternative Vote (AV) system shall be used unless otherwise determined by the Board of Trustees.
3. Voting shall take place over a minimum of two consecutive days to ensure accessibility.
4. The Returning Officer shall ensure the integrity of the voting process and certify the final results.

607 - Results and Complaints

1. The results of elections shall be announced as soon as practicable following the close of voting.
2. Any complaints regarding the election process must be submitted in writing to the Returning Officer within 24 hours of the alleged breach.
3. The Returning Officer shall rule on complaints within 48 hours.

608 - By-Elections

1. In the event of a vacancy, the Board shall consider how best to respond:
    - If a vacancy occurs prior to the start of a sabbatical officer taking office, the Board of trustees shall have the power to order the original count to be re-run, treating this as a withdrawal from the original election.
    - If the vacancy falls at any other time, and should re-running the original count not be possible or successful, the Board shall consider one of the following options:
        - To leave the role vacant
        - To run a by-election subject to the requirements of the byelaws covering elections.
        - The Board of Trustees may appoint an interim officer where a by-election is not feasible, ensuring continuity in representation.

609 - Referenda and Student-Led Decision Making

1. A referendum may be called on significant Union matters, including policy changes, financial priorities, or major strategic decisions.
2. A referendum may be triggered by:
        - A resolution of the Board of Trustees.

- A petition signed by at least 1% of Student Members or 150 students, whichever is greater.

3. Referenda shall be conducted through a secure voting system, with all Student Members eligible to participate.
4. The outcome of a referendum shall be binding if the total number of votes cast meets or exceeds 5% of the Student Membership.
5. The Returning Officer shall oversee referenda to ensure fair procedures and transparent results.

700 - Referenda and Indicative Votes

701 - Purpose of Referenda and Indicative Votes

1. A referendum is a vote by all Student Members on a specific issue. This section describes how referenda will be administered to ensure fairness and broad participation.
2. An indicative vote may be used to gauge student opinion on key matters but shall not be binding.
3. Referenda shall be used for major constitutional changes, policy decisions, or other matters of significant impact on the Union.

702 - Calling a Referendum

1. The Board of Trustees shall approve and be bound by decisions made by a Referendum of Student Members, except where it considers the decision to fall under the conditions specified in the Union's Articles of Association, Article 28.3.
2. A referendum of Student Members may be called by the authorities specified in the Union's Articles of Association, Article 15.
3. Once called, the procedure for the referendum will be outlined by the Returning Officer. If the Returning Officer has a conflict of interest regarding the referendum outcome, the Board of Trustees shall appoint a temporary Returning Officer for this specific referendum.

703 - Conduct of Referenda

1. The Returning Officer shall publish guidelines for the fair running of the referendum within 20 working days of the call for the referendum. The guidelines shall include:
    - The timetable for the ballot.
    - The specific wording of the motion.
    - How statements or other advertising for and against the motion shall be made.
    - The dates during which campaigning will begin and cease.
    - The dates during which voting will begin and cease.
    - The number of students required for the referendum to meet quorum, which shall not exceed 5% of the students registered at the University of Sunderland.
    - Arrangements for ballots to be cast.
    - Any other guidelines deemed appropriate to ensure the fair running of the referendum.
2. There shall be no more than one referendum on a particular affiliation or matter of business in any academic year.

3. A referendum shall take the form of a secret ballot by the Student Members of the Union, in which the Members are asked to vote either yes or no to a clearly defined question(s). The referendum may be conducted by secure paper ballot or electronic means.

704 - Results and Implementation

1. Once the result of a referendum is declared, the resolution shall take effect immediately, subject to any necessary approval by the Board of Trustees.
2. The Board of Trustees may veto a referendum result if it:
    - Contravenes legal or regulatory obligations.
    - Poses an unacceptable financial, reputational or operational risk to the Union.
    - Conflicts with the Union's charitable objectives.
3. If a referendum does not meet the 5% turnout threshold, the result shall be considered advisory, and the matter may be referred to the Board of Trustees for further discussion.
4. The Returning Officer shall report to the Board of Trustees at the conclusion of a referendum, confirming that the referendum was conducted in accordance with the appropriate regulations.
5. The Returning Officer shall ensure that the results of the referendum are published and made available to all Student Members of the Union.

705 - Indicative Votes

1. The Board of Trustees may hold non-binding indicative votes as they wish, provided that it is made clear these are not referenda.
2. Indicative votes may be conducted at Student Members' Meetings, Student Voice Forums, or via online consultation.
3. The rules governing an indicative vote shall be published in advance, following the principles outlined for referenda in Section 803.

800 - Complaints Procedure

801 - Union Commitment

1. The University of Sunderland Students' Union is committed to providing an excellent service to all its members and stakeholders.
2. The Union ensures that all complaints are handled swiftly, fairly, and transparently through an accessible and structured process.
3. Wherever possible, complaints will be resolved at the earliest opportunity by the most appropriate staff member.
4. If a complainant is dissatisfied with the initial response, the Complaints Policy provides clear guidance on the process, including how and where complaints should be submitted, and what the next steps entail.
5. If a complaint is upheld, the Union will take appropriate actions to resolve the matter. If a complaint is not upheld, the complainant will be provided with a written explanation along with information on how to escalate the matter.
6. The Union will monitor and review the complaints process regularly to ensure continuous improvement in service standards and accountability.

802 - Complainant Requirements

1. Complainants must follow the Complaints Policy correctly and adhere to the specified timescales.
2. Complainants must provide all relevant details and supporting evidence at each stage of the process.
3. Frivolous, vexatious, or unfounded complaints will not be considered under this procedure.

803 - Scope of the Complaints Procedure

1. The Complaints Procedure applies to:
    - Student Members raising concerns about Union services, governance, or activities.
    - Complaints regarding the conduct of Sabbatical Officers, Student Representatives, or staff.
    - Complaints related to elections and referenda, subject to the jurisdiction of the Returning Officer.
    - Allegations of breaches of Union policies, including but not limited to equality, diversity, and inclusion policies.
2. The procedure does not cover:
    - Academic complaints, which should be directed to the University of Sunderland.
    - Disciplinary matters covered under the Union's Disciplinary Policy.

- Employment-related grievances, which are addressed under staff policies.

804 - Informal Complaints Procedure

1. A complainant should initially raise their complaint directly with the staff member involved.
2. If this is not possible, the complaint should be submitted via email to **yoursu@sunderland.ac.uk** or through other available contact methods (in person, by phone, or post).
3. Complaints must be submitted by the complainant themselves, either verbally or in writing.
4. Complaints will be assigned to a Complaints Handler as soon as possible.
5. The informal stage should be concluded within five working days of the complaint being submitted.
6. The complainant will be informed of the assigned Complaints Handler and their contact details.
7. The Complaints Handler may arrange a discussion with the complainant to seek an early resolution.
8. Records of meetings, calls, and correspondence will be maintained for accountability.
9. If unresolved, complainants will be informed of how to escalate the issue to the formal complaints stage.

805 - Formal Complaints Stage

1. If a complaint is not resolved informally, the complainant must submit a formal complaint within five working days of receiving the initial response.
2. Formal complaints should be sent to the Operations and HR Manager at **centralservices@sunderland.ac.uk**.
3. The complaint will be investigated by the relevant Students' Union Manager.
4. A written response will be provided within 10 working days of the formal complaint submission.
5. If upheld, appropriate action will be taken to resolve the matter. If not upheld, a written explanation and appeal process details will be provided.
6. A record of the investigation will be maintained by the Students' Union's Operations and HR Manager.

806 - Appeals Procedure

1. If dissatisfied with the formal complaint outcome, the complainant may submit an appeal within five working days to the union Chief Executive.
2. The appeal will be reviewed by the Chief Executive or a designated senior manager.
3. A final written response will be issued within 10 working days.

4. If the appeal is against a decision made by the Chief Executive, it will be referred to the Chair of the Board of Trustees.
5. If the appeal is upheld, corrective actions will be taken. If not upheld, a written explanation will be provided.
6. The appeal process records will be maintained by the Operations and HR department.

807 - Independent Review

1. Once the Union's Complaints Procedure has been fully exhausted, complainants may escalate the matter to the University of Sunderland.
2. The University will appoint an independent person to review the complaint based on procedural grounds.
3. The independent reviewer will assess the case and communicate findings to the complainant, the University, and the Students' Union, along with any recommendations.

900 - Financial Regulations and Procedures

901 - Financial Governance

1. The Union must be run in a proper financial manner by the Trustees to ensure financial sustainability and that current and future students can enjoy the rights offered by Union membership.
2. The Union shall operate in accordance with a set of Financial Regulations and Procedures, which govern the management of financial transactions, budgeting, and resource allocation.

902 - Oversight and Review

1. The Financial Regulations and Procedures shall be reviewed and re-communicated annually by the Finance and Risk Committee before the commencement of each academic year.
2. The Finance and Risk Committee shall ensure that the regulations reflect current financial best practices, legal requirements, and the Union's strategic priorities.
3. Any significant amendments to the Financial Regulations and Procedures shall require approval by the Board of Trustees.

903 - Authority and Compliance

1. The Finance Procedures are governed by the Union's Articles of Association and, in the event of any conflict, the Articles shall take precedence unless overridden by Primary Legislation.
2. The Board of Trustees shall oversee compliance with the Financial Regulations and Procedures, ensuring financial accountability and transparency.

904 - Access to Financial Procedures

1. The detailed Financial Procedures shall be available to Student Members and can be accessed via the Students' Union's Chief Executive.
2. More detailed procedures may be made available for appropriate staff, outlining specific steps and processes in key financial actions, including procurement, payroll, and financial reporting.

905 - Financial Reporting and Transparency

1. The Union shall publish annual financial statements to ensure transparency and accountability.
2. The Finance and Risk Committee shall oversee financial reporting and ensure that Student Members are provided with clear and accessible information on the Union's financial position.

1000 - Representatives to NUS Conferences

1001 - Participation in NUS Democratic Events

1. At such times as the Union is affiliated with the National Union of Students (NUS), the following provisions shall apply.
2. The Union may send representatives to NUS conferences and democratic events in accordance with NUS rules and procedures for each event.

1002 - Selection of NUS Representatives

1. The Board of Trustees shall have the discretion to appoint NUS Representatives from among existing Union representatives, including but not limited to:
    - Sabbatical Officers
    - Course Representatives
    - Society Officers
    - Other elected or appointed Student Representatives
2. Representatives shall be selected in line with the criteria and processes set out by NUS for each specific event.

1003 - Conduct of NUS Representatives

1. All NUS Representatives must act in accordance with Union Policy while attending NUS events.
2. The delegation leader shall provide clarification where required to ensure representatives are informed about Union Policy.
3. Representatives are expected to provide a report on their participation and key outcomes from NUS events to the Board of Trustees and Student Members where appropriate.

1100 - Voting Procedure for Company Law Members

1101 - Decision-Making at Company Law Meetings

1. Any vote at a Company Law Meeting shall be decided by a show of hands of Trustees present in person or by proxy unless, before or on the declaration of the result, a poll is demanded by:
    - The person chairing the meeting; or
    - At least three Members present in person or by proxy and having the right to vote at the meeting; or
    - Members present in person or by proxy representing not less than one-tenth of the total voting rights of all Members having the right to vote at the meeting.
2. The declaration by the person who is chairing the meeting of the result of a vote shall be conclusive unless a poll is demanded.
3. The result of the vote must be recorded in the minutes of the Union, but the number or proportion of votes cast need not be recorded.

1102 - Procedures for Polls

1. A demand for a poll may be withdrawn before the poll is taken but only with the consent of the person who is chairing the meeting.
2. If the demand for a poll is withdrawn, the demand shall not invalidate the result of a show of hands declared before the demand was made.
3. A poll must be taken as the person who is chairing the meeting directs. They may:
    - Appoint scrutineers (who need not be members); and
    - Fix a time and place for declaring the results of the poll.
4. The result of the poll shall be deemed to be the resolution of the meeting at which the poll is demanded.
5. A poll demanded on the election of a person to chair a meeting or on a question of adjournment must be taken immediately.
6. A poll demanded on any other question must be taken either immediately or at such time and place as the person who is chairing the meeting directs.
7. The poll must be taken within thirty days after it has been demanded.
    - If the poll is not taken immediately, at least seven clear days' notice shall be given specifying the time and place at which the poll is to be taken.
8. If a poll is demanded, the meeting may continue to deal with any other business that may be conducted at the meeting.

1103 - Use of Proxies

1. Proxies may only be appointed for a Company Law Meeting by a notice in writing (a 'proxy notice') which:
    - States the name and address of the Company Law Member appointing the proxy;
    - Identifies the person appointed to be that Trustee's proxy and the Company Law Members' Meeting in relation to which that person is appointed;
    - Is signed by or on behalf of the Company Law Member appointing the proxy, or is authenticated in such manner as the Trustees may determine; and
    - Is delivered to the Union in accordance with the Articles of Association and any instructions contained in the notice of the Company Law Members' Meeting to which they relate.
2. The Union may require proxy notices to be delivered in a particular form and may specify different forms for different purposes.
3. Proxy notices may specify how the proxy appointed under them is to vote (or that the proxy is to abstain from voting) on one or more resolutions.
4. Unless a proxy notice indicates otherwise, it must be treated as:
    - Allowing the person appointed under it as a proxy discretion as to how to vote on any ancillary or procedural resolutions put to the meeting; and
    - Appointing that person as a proxy in relation to any adjournment of the Company Law Members' Meeting to which it relates as well as the meeting itself.
5. A person who is entitled to attend, speak, or vote (either on a show of hands or on a poll) at a Company Law Meeting remains so entitled in respect of that meeting or any adjournment of it, even though a valid proxy notice has been delivered to the Union by or on behalf of that person.
6. An appointment under a proxy notice may be revoked by delivering to the Union a notice in writing given by or on behalf of the person by whom or on whose behalf the proxy notice was given.
7. A notice revoking a proxy appointment only takes effect if it is delivered before the start of the meeting or adjourned meeting to which it relates.
8. If a proxy notice is not executed by the person appointing the proxy, it must be accompanied by written evidence of the authority of the person who executed it to do so on the appointer's behalf.

1200 - Union Policy

1201 - Development of Union Policy

Union Policy is made by a forum of (but not limited to) student reps, sabbatical officers, and society committee members, whose functions, composition, and role, shall be set out by the SU on an annual basis. Their role shall include:

1. Coordinating student feedback to share with the Union
2. Formulating policy ideas to either be shared with the Union directly or the Board
3. Co-developing campaigns and ideas emerging from their constituents
4. Working with the officers on supporting their campaigns.

These functions shall be the default unless updated by the Students' Union

1300 - Officers of the Union

1301 - Purpose and Structure of Officer Roles

1. The Officers of the Union are elected representatives responsible for leading student representation, campaigns, and engagement with the student body.
2. Officers shall work within the governance framework of the Union, ensuring alignment with student priorities and regulatory obligations.
3. The Union shall have two full-time Sabbatical Officers:
    - President: Sunderland
    - President: London
4. Additional representative roles may be created by the Board of Trustees where necessary, provided these do not conflict with the Union's democratic principles.

1302 - Responsibilities of Sabbatical Officers

1. The President: Sunderland and President: London shall:
    - Represent students at their respective campuses in all matters concerning the Union.
    - Be responsible for the execution of Union policies and democratic mandates.
    - Act as key liaisons between students, the University, and external bodies.
    - Lead campaigns, student engagement, and representation initiatives.
2. Officers shall provide termly reports to Student Members detailing their activities and progress on Union priorities.
3. Officers shall work collaboratively with Student Representatives, societies, and committees to enhance student experience and representation.

1303 - Accountability and Oversight

1. Officers shall be accountable to Student Members through direct engagement with students at the course, department, and society level. Officers will regularly consult with Student Voice Representatives, Course Reps, Society Committees, and other student leaders to gather feedback, address concerns, and shape Union activities.
2. Officers will provide regular updates on their work and decisions, ensuring transparency and responsiveness. These updates will be shared through Union communications, meetings with student groups, and structured feedback mechanisms. Referenda may be used as needed to allow students to influence key Union decisions.
3. Officers may be subject to disciplinary action in accordance with the Union's governance and employment policies. Any concerns regarding officer conduct or performance can be raised through the Union's complaints and review processes.

4. The Board of Trustees shall oversee Sabbatical Officers, ensuring their activities align with the Union's strategic objectives, governance standards, and the best interests of the student body.
5. Participatory budgeting will ensure that students have a direct role in deciding how Union funds are allocated, reinforcing financial transparency and shared decision-making.

1304 - Election and Term of Office

1. Officers shall be elected in accordance with the Union's Elections Regulations, ensuring a fair and transparent process.
2. The term of office for a Sabbatical Officer shall be one year, with the option for re-election for a second and final term.
3. Officers shall assume office at the beginning of the academic year following their election.

1305 - Vacancies and Interim Appointments

1. In the event of a vacancy, the Board shall consider how best to respond:
    - If a vacancy occurs prior to the start of a sabbatical officer taking office, the Board of trustees shall have the power to order the original count to be re-run, treating this as a withdrawal from the original election.
    - If the vacancy falls at any other time, and should re-running the original count not be possible or successful, the Board shall consider one of the following options:
        - To leave the role vacant
        - To run a by-election subject to the requirements of the byelaws covering elections.
        - The Board of Trustees may appoint an interim officer where a by-election is not feasible, ensuring continuity in representation.

1306 - Review and Amendments

1. The structure and responsibilities of Officers shall be reviewed periodically to ensure they remain effective and reflective of student needs.
2. Any amendments must be approved by the Board of Trustees following consultation with Student Members.