

APPENDIX 1

CANTERBURY CHRIST CHURCH UNIVERSITY

CODE OF PRACTICE

RELATING TO THE OPERATION OF CHRIST CHURCH STUDENTS' UNION

BY VIRTUE OF THE EDUCATION ACT 1994

1. Purpose

- 1.1 The purpose of this Code of Practice is to address those matters contained in Sections 20-22 of the Education Act 1994 concerning the operation of Students' Unions. This Code of Practice has been agreed between Canterbury Christ Church University ("the University") and Christ Church Students' Union ("the Union"), pursuant to the provisions of the Act. The quotes in blue italic are directly from the Act.

2. The Status of the Union

- 2.1 The Union is recognised by the Governing Body of the University ("the Governing Body") as an association of students of the University as defined in Article 9 of the University's Articles of Government. The Union is a registered charity and a company limited by guarantee. As prescribed in the Articles of Government the Union conducts and manages its own affairs and funds in accordance with a constitution approved by the Governing Body and is required to present its audited accounts annually to the Governing Body and in accordance with the Financial Memorandum.

3. Constitution of the Union

"The students' union should have a written constitution and the provisions of that constitution should be subject to the approval of the governing body at intervals of not more than five years."

- 3.1 The Students' Union is governed by the Articles of Association and Bye-Laws which together form 'the Constitution'. The Articles of Association are approved by the student body at a General Meeting and by the Governing Body of the University. The Bye-Laws are approved by Union Council and the Board of Trustees.
- 3.2 Copies of the Articles of Association and Bye-Laws are available to any student, on request, from the President of the Students' Union. They are also available on the Students' Union web pages.
- 3.3 The Articles of Association are to be reviewed by the Governing Body at intervals of not more than five years but the Governing Body of the University may take the opportunity to review the terms of the Articles of Association should the Students' Union at any time bring forward proposed amendments.
- 3.4 The process of amending the Bye-Laws of the Union are established in the Bye-Laws.

4. Membership of the Union

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

- 4.1 All registered students of the University will become Ordinary Members of the Union unless they exercise their right to opt out of membership of the Union. Students will be informed of their right to ‘opt-out’ of Ordinary Membership upon initial enrolment with the University.
- 4.2 Any student who wishes not to be a member of the Union shall notify the President of the Union (“the President”) and / or the Vice-Chancellor of the University (“the Vice-Chancellor”) in writing of this intention.
- 4.3 Any such student shall cease to be a member immediately, but may re-apply for membership from the following academic term.
- 4.4 Any student not in membership of the Students’ Union is not entitled:
 - 4.4.1 To participate in the government of the Students’ Union and, in particular, to propose or vote in referenda, attend meetings, stand or vote in the election of Students’ Union Officers, Students’ Union Council and Representative Committees, or play any part in any other comparable bodies that may be established.
 - 4.4.2 To hold office in any Students’ Union Club, Society or Project.
 - 4.4.3 To benefit from any concessionary rates for membership of Clubs and Societies, or for attendance at entertainments events, that may be offered to Students’ Union members.
- 4.5 Students who are eligible for full membership, but have exercised the right not to be a member, shall have access to all services and activities provided by the Students’ Union other than those outlined above, and shall be subject to the same disciplinary procedures in relation to their use of these services and participation in these activities.
- 4.6 The University has made no special arrangements for the provision of services or facilities for non-members of the Students’ Union, since it is satisfied that the provision made by the University and the Students’ Union for all students, whether they are members of the Students’ Union or not, is sufficient to ensure that those who have exercised the right of non-membership under the Act are not unfairly disadvantaged.
- 4.7 There will be no financial compensation to students who have exercised their right of non-membership.

5. Students' Union Election Procedures

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

- 5.1 The Constitution of the Union provides that the appointment to major union offices should be by election in a secret ballot in which all ordinary members are fairly and properly consulted and are entitled to vote.
- 5.2 The Constitution of the Union provides for the nomination of a Returning Officer independent of the Union who may be one of the following:
 - (i) an NUS Regional Officer; or
 - (ii) A qualified person to be nominated and provided by the Electoral Reform Society; or
 - (iii) A suitably qualified person appointed in agreement with the Governing Body.
- 5.3 The Constitution of the Union provides for a Certifying Officer to be appointed by the Governing Body who shall observe and report the outcomes of all elections to major union offices to the Governing Body and confirm that the election was conducted fairly and properly.
- 5.4 Complaints regarding the conduct of the elections will be addressed according to the Constitution of the Union.

“A person should not hold paid elected students’ union office for more than two years in total.”

- 5.5 No person shall hold sabbatical union office, or paid elected union office, for more than two years in total.

6. Finances of the Union

“The financial affairs of the students’ union should be properly conducted and appropriate arrangements should exist for the approval of the students’ union’s budget and the monitoring of its expenditure by the governing body”.

- 6.1 The provisions of the Financial Memorandum between the University and the Union ensure that the financial affairs of the Union are properly conducted and that appropriate arrangements exist for the approval of the Union’s budget, and the monitoring of its expenditure by the Governing Body. The Instruments and Articles of the University require that the Union accounts are subject to internal audit. The Union are also subject to external audit.

- 6.2 The Students' Union shall prepare an annual budget prior to the commencement of each financial year, which shall be submitted to the Students' Union Board of Trustees for approval before presentation to the University's Finance & General Purposes Committee for approval, which will report to the Governing Body.

7. Financial Reports

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

- 7.1 The provisions of the Financial Memorandum require that the Union presents its Management Accounts to the Governing Body on a quarterly basis.
- 7.2 The Financial Reports of the Union are published annually and are made available to the Governing Body through the Annual Report to the Governing Body and to all students through the Union's Annual General Meeting.
- 7.3 The Annual Financial Report shall include:
- (i) A list of external organisations to which the Union has made a donation in the period to which the accounts or reports relate; and
 - (ii) details of such donations.

8. Allocation of Resources to Clubs and Societies

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

- 8.1 A fair procedure for allocating resources to the Union's Clubs and Societies is set out in writing in the Bye-Laws of the Students' Union. A copy of these is available upon request to the President or from the Union's web pages.

9. Affiliation to External Organisations and Donations

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

- 9.1 The Union will publish promptly, by way of minutes to meetings of the Union Council or Union General Meeting, any decision it has made to affiliate to an external

organisation, stating the name of the organisation and details of the subscription fees or donations. The name of the organisation and details of the subscription shall be notified to the Governing Body in the Audited Accounts of the Union.

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

- 9.2 The Union will review all affiliations to external organisations at least once a year through the Unions Annual General Meeting.
- 9.3 A request may be made by not less than 200 Members by way of a petition to the Union Chair, for the question of continued affiliation to any particular organisation to be decided upon by a secret ballot in which all Ordinary Members are entitled to vote.
- 9.4 If the President receives such a petition, they will notify the Returning Officer who will conduct a Referendum in accordance with the Constitution.

10. Complaints Procedure

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

- 10.1 Any registered student having cause to complain about their dealings with the Union, in that they have been unfairly treated or that they are being unfairly disadvantaged by reason of his/her having exercised the right not to be a member of the Union, shall have their complaint dealt with as follows:
 - (i) By the internal complaints procedure set out by the Union in the Bye-Laws, which can be obtained upon request to the President or on the Union’s web pages.
 - (ii) If the student is still dissatisfied, the matter may be referred to the Clerk to the Governing Body who shall refer the complaint to an independent person nominated by the Governing Body who will investigate the complaint.
 - (iii) The President of the Union will prepare an annual report to the Governing Body that details the operation of the complaints procedure and the number and type of complaints that have been received in the current year.

- 10.2 Complaints will be dealt with promptly and fairly and when a complaint is upheld there will be an effective remedy.

The following are not required to be referenced in the Code of Practice, but it is an obligation for the Governing Body to bring these matters to the attention of students at least once a year. These will be published on the Students' Union website and also included alongside this Code.

11. Partnership Agreement

- 11.1 The Partnership Agreement details the shared values of the University, Students' Union and Canterbury Christ Church students. It should be reviewed at least every 5 years by both all parties.

12. Charity Law

- 12.1 The Students' Union is subject to the law relating to charities. While students may collect funds privately for the support of any lawful cause, the Union may not financially support political parties or other causes that are unrelated to its members' interests as students.

13. Freedom of Speech

- 13.1 The University, Union and its registered students and members are bound by the provisions of Section 43 of the Education (No.2) Act 1986 which provide for the maintenance of free speech in higher education institutions. The Union has a statutory duty to ensure, as far as is reasonably practicable, the maintenance of freedom of speech within the law.
- 13.2 The University will make arrangements, as is reasonably practicable and within the law, to ensure the use of any premises of the University is not denied to any individual or body of persons on any ground connected with the beliefs or views of that individual or of any member of that body or the policy or objectives of that body. The University will also meet any other duty, in particular the general duty under the Counter-Terrorism and Security Act 2015 to have due regard to the need to prevent people from being drawn into terrorism.
- 13.3 Any member of a Union Club, Society or an elected representative who wishes to arrange such a meeting or event on University premises must follow the procedures and process detailed in the Union's Freedom of Speech Policy. A copy of this can be obtained upon request from the President or on the Union's web pages.

14. Trademarks and Branding

- 14.1 The Union has the right to use the University trademarks and logos for specified and agreed purposes acknowledged in writing by the University and vice versa.

15. Accountability of Union Officers

- 15.1 The President is accountable to the Governing Body, through the Vice-Chancellor, for the observance of the Union Constitution, the Financial Memorandum and for compliance by the Union with all its statutory obligations.
- 15.2 The Managing Director is accountable to the President and the Board of Trustees of the Union for the overall management of the Union and for compliance by the Union with all its statutory obligations.

16. Dispute Resolution

- 16.1 In the event that there is a dispute between the Union and the University regarding any matter relating to this Code or the Financial Memorandum, both parties will seek a resolution through negotiations between the President and the Vice Chancellor, who have authority to settle the same.
- 16.2 If the matter is not resolved by negotiation within a reasonable time both parties agree to attempt to resolve the dispute in good faith through the appointment of a single arbitrator to be agreed between the parties, or failing agreement on an arbiter, an arbitrator will be appointed by the Chair of the Governing Body of the University.

17. Publication of this Code of Practice

- 17.1 This Code of Practice will be brought to the attention of students by means of the University's and Students' Union web pages.
- 17.2 This Code of Practice has been approved by the Governing Body in accordance with the Education Act 1994. From time to time it may be amended by the Governing Body, following consultation with the Union.