

Minutes of the Imperial College Union  
Trustee Board  
4 July 2013  
Meeting rooms 4&5, 5.30pm

**Present:**

Lay Trustee - Chair	Julia Higgins (JH)
President	Paul Beaumont (PB)
Council Chair	Michael Foster (MF)
Student Trustee	Nathaniel Bottrell (NB)
Student Trustee	Lejon Chua (LC)
Student Trustee	Nicolas Massie (NM)
Lay Trustee	Simon Maddison (SM)
Lay Trustee	Janet Rogan (JR)
Alumni Trustee	Andy Heeps (AH)
Deputy President (Clubs and Societies)	Henry Whittaker (HW)
Deputy President (Education)	Doug Hunt (DH)
Deputy President (Finance & Services)	Stefan Nubert (SN)
Deputy President (Welfare)	Becky Lane (BL)

**Permanent Observers**

Managing Director	Joe Cooper (JC)
ICU Honorary Senior Treasurer	Colin Kerr (CK),
Finance Manager	Malcolm Martin (MM)
Governance and Administration Manager – Clerk	Rebecca Coxhead (RC)

**Apologies:** Student Trustee Hitesh Hassani (HH), Lay Trustee George Palos (GP)  
**Observers:** David Goldsmith President elect, Kieron Creagh DPFS elect, Marissa Lewis  
Deputy President (Welfare) elect, Natalie Kempston Deputy President (Education) elect,

**1. CHAIRS BUSINESS & APOLOGIES**

NOTED:

- a) Apologies were received from GP and HH.
- b) JH thanked those for who this meeting was there last and that they are leaving the Union is a very good shape.

**2. MINUTES OF LAST MEETING – 13 May 2013**

NOTED:

- a) The committee agreed to pass the presented minutes, as an accurate reflection of the last meeting.

**RESOLVED:**

- 1) To pass the minutes of the last meeting.

**3. MATTERS ARISING**

NOTED:

- a) The Procedures for Dealing with Complaints were circulated after the last meeting with the suggested amendments and the paper was passed unanimously.

**RESOLVED:**

- 1) **To pass the Procedures for Dealing with Complaints.**

**4. DECLARATION OF INTEREST – none**

**5. FINANCE AND RISK COMMITTEE MINUTES 27 JUNE 2013**

RECEIVED: The accounts were presented by JR

NOTED:

- a) The last meeting of the Finance and Risk Committee considered and scrutinised the Budget for 13/14 and it was felt that the document was in a position where the Committee recommend to pass. This is being addressed as a later agenda item.
- b) The presented budget is quite ambitious so the committee pressed as to how the budget was drawn together and it was satisfied that it is robust in the composition and the new budget holders had sufficient input.
- c) The Summer Ball may be bringing in a small loss but the operational implementation and expenditure was well controlled – it was ticket income that had the greatest impact.
- d) The Risk Register is now at the top of the list of works of the committee to get sorted.
- e) The Board moved to a vote to accept the presented minutes and subsequent Management Accounts and they were passed unanimously.

**RESOLVED:**

- 1) **To pass the presented minutes of the FRC and Management Accounts.**

**6. PRESIDENTS REPORT**

RECEIVED: The report was presented by PB

NOTED:

- a) Will know the result of the Green Bid application at around the beginning of August.
  - i. ICU has a 1 in 5 chance of being successful.
- b) A paper regarding the monies attached to the Harlington Fund will go to College Council in September.
- c) The Felix Editor is on board to have the advertising being done centrally and it was stressed that the agreement will in no way impact on the editorial independence of Felix.

**RESOLVED:**

- 1) **To accept the presented report.**

**7. MANAGING DIRECTOR REPORT**

RECEIVED: The report was presented by JC

NOTED:

- a) JC reiterated that the Ball will be making a loss and that costs were managed to budget – low ticket sales were due to not getting the act offer right.
  - i. Decisions were made late as to the line-up which anecdotally impacted in poor ticket sales.
  - ii. Lesson learnt is to ensure that the acts are booked early.
  - iii. The event operationally was extremely well executed and the experience of the students who did attend have indicated 85% satisfaction of the event.
  - iv. Overall, the loss will impact the budget slightly but the year will still end in profit.
  - v. A review and plan will be presented to the next FRC.

- vi. It was suggested that the ball doesn't benefit all members in the event is an 'alcohol fuelled music fest'.
- b) The upcoming capital projects should offer limited disruption in phase 1.
  - i. Funding has not been secured for phase 2 however it is highly likely that this will go ahead.
- c) Handover for Officer Trustees has been reduced to 2.5 weeks which is anticipated to be more effective. A debrief will be included in the next MD and President Report that will come to next Board.

**RESOLVED:**

- 1) **To accept the presented report.**

## **8. OPERATING PLAN**

RECEIVED: The plan was presented by JC

NOTED:

- a) The plan has changed slightly to recognise where situations have changed or was 'too ambitious'
- b) JH stated that she has gone through the plan with JC and PB and she is content as to where things are at and the appropriate adjustments.
- c) The Board moved to a vote to accept the plan and it was passed unanimously.

**RESOLVED:**

- 1) **To accept the Operating Plan.**

## **9. COUNCIL CHAIR REPORT**

RECEIVED: The report was presented by MF

NOTED:

- a) MF has spoken to the incoming Felix Editor about assembling a Felix 'code of conduct' and the Felix Editor elect had stated that this is something that he had intended to pursue.
- b) The Board moved to a vote on accepting the report and it was passed unanimously.

**RESOLVED:**

- 1) **To accept the presented report.**

## **10. STUDENT ACADEMIC CHOICE AWARDS DEBRIEF**

RECEIVED: The report was presented by DH

NOTED:

- a) Natural Sciences and Engineering Faculty have expressed interest in rolling their respective faculty teaching awards in to the SACA's scheme.
- b) The Board moved to a vote on accepting the report and it was passed unanimously.

**RESOLVED:**

- 1) **To accept the presented report.**

## **11. VISITING SPEAKERS REPORT**

RECEIVED: The policy was presented by PB

NOTED:

- a) The room booking system and procedure that exists is robust enough to pick up issues.
- b) Clubs have been extremely accommodating in regards to swiftly dealing with complaints when they have been raised.
- c) It was noted that the Board found the report extremely useful and stated that there is a balance between democracy and free speech.
- d) The Board moved to a vote on accepting the report and it was passed unanimously.

**RESOLVED:**

- 1) To accept the presented report.**

## **12. STRATEGIC PLAN**

RECEIVED: The strategy was presented by JC

NOTED:

- a) The presented version of the strategy is the end product of a prolific amount of consultation to key stakeholders.
  - i. It was questioned as to whether there is a way to quantify the amount of consultation from students has gone in to shape this document.
  - ii. It was suggested that this is a difficult thing to do and it is hoped that it comes across in themes.
- b) The Strategic plan is fundamental to governance and management of the Union.
- c) It was suggested that the language could be changed to replace 'amount' to 'number' when referring to students.
- d) Various small amendments and typographical errors were pointed out.
- e) The Board moved to a vote to accept the document with the minor amendments and it was passed unanimously.

**RESOLVED:**

- 1) To pass the Strategic Plan with suggested amendments.**

## **13. BUDGET 13/14**

RECEIVED: The budget was presented by JC and MM

NOTED:

- a) The Finance and Risk Committee tested the robustness of the budget through ensuring that the consultation process was far reaching and relevant to the new budget holders and existing budget holders. Looking at the risks and that budget holders have 'buy in' which they are assured that they do.
- b) The budget presented to Board was changed slightly to what was agreed by Finance and Risk Committee; changed to reflect their suggested amendments.
- c) The budget has a degree of stretch and risk.
- d) The contingency has been built to reflect the income challenges that may arise.
  - i. The contingency has been calculated at 2% but ideally should be 3-5%.
  - ii. The Union is currently not in the position to do this.
  - iii. If the contingency is not utilised, this will be absorbed in to the surplus.
- e) It was stated that the Union needs to be cautious in regards to how much reserve is held.
  - i. The Charity Commission do not specify an exact amount but set out a frame work for Trustees to consider.
  - ii. A Reserves Policy is being bought to Finance and Risk Committee.

- f) College are looking for assurance that the Union is buoyant and currently this is the case.
- g) The Board moved to a vote on passing the presented budget and it was passed unanimously.

**RESOLVED:**

- 1) **To pass the presented budget.**

**14. CONSTITUTIONAL AND BYE LAW CHANGES**

RECEIVED: The paper was presented by PB

NOTED:

- a) AH stated that the consultation that went in to the changes was excellent and good example of how the process for these changes should happen.
- b) The Board moved to a vote on passing the presented Constitution and Bye Laws and they were passed unanimously.

The meeting closed at 7.45pm  
Approved as a correct record at a meeting  
of the Trustee Board on

\_\_\_\_\_ 2012/13

\_\_\_\_\_ Chair of the Meeting

Appendix

PROPOSED CHANGES TO THE

**Bye-Laws**

**Of**

**Imperial College Union**

# **A. Structure of the Union**

## **Union Council**

### **Membership & Operation**

1. Membership of the Union Council shall be the following:
  - 1.1. The Officer Trustees
  - 1.2. The Council Chair
  - 1.3. The Constituent Union Presidents
  - 1.4. The Management Group Chairs
  - 1.5. The Union Welfare Officers
  - 1.6. One Welfare Officer of each of the Constituent Unions
  - 1.7. One Academic Affairs Officer of each of the Constituent Unions
  - 1.8. Fifteen Ordinary Members elected by cross-campus ballot proportional to the students registered on courses that make up a particular Faculty
  - 1.9. One Ordinary Member elected by cross-campus ballot proportional to the students registered on courses that are not in a particular Faculty
2. No member may hold more than one seat on Union Council at any time.
3. Ordinary Members of the Council who do not attend two consecutive ordinary meetings (irrespective of apologies) shall be deemed to have resigned and their post vacated.
4. Union Council shall meet at least every four (4) weeks during term time.
5. Union Council may be called additionally by the President.
6. Union Council may be called additionally by the Council Chair upon receipt of a request by one of the following:
  - 6.1. The Trustee Board
  - 6.2. The Executive Committee
  - 6.3. A General Meeting
  - 6.4. Ten Members of the Union Council
  - 6.5. 100 Members of the Union
7. The Union will advertise the time and location of each meeting at least five (5) clear College days before each meeting
8. Any Member of the Union may attend and speak at Union Council Meetings. Any Associate Member of the Union may attend but must request the Chair's permission to speak. Any other person must obtain permission from the meeting to attend and speak.
9. Only members of Union Council may vote in Council Meetings
10. The Council Chair may only cast a vote in the event of a tie.

11. All items for debate and discussion must be submitted at least five (5) clear College days before the meeting.
12. All items for debate must have the declared support of two full members of the Union, known as the proposer and the seconder.
13. The Council Chair shall;
  - 13.1. Be any full member of the Union, elected by cross-campus secret ballot.
  - 13.2. Have a period of office until the end of the academic year.
  - 13.3. Declare any interest that they have in any debate or discussion, and relinquish the Chair during any debates in which they have an interest.
  - 13.4. Be responsible for ensuring that the Union Council is fulfilling its obligations set out in the Constitution.
14. The Agenda must include:
  - 14.1. Apologies for absence
  - 14.2. The checking of previous minutes for accuracy
  - 14.3. Matters arising from the previous minutes
  - 14.4. Reports from Officer Trustees and committees (followed by questions)
  - 14.5. Any other Business
  - 14.6. Time, date and place for next meeting.
15. All Union Council Meetings should be conducted according to the Meeting Bye-Laws.

## **Sub-Committees**

16. The Union Council may form and delegate powers to sub-committees of the Council, such powers should be set out in the sub-committee's Standing Orders, amendable by Union Council only, and may not include powers requiring a two-thirds majority resolution.
17. Sub-Committees of the Union Council may not create policy that binds the whole Union, for that power is reserved only for the Union Council (and by extension the Trustee Board).
18. The sub-committees of the Union Council shall be:
  - 18.1. The Executive Committee
  - 18.2. The Clubs, Societies & Projects Board
  - 18.3. The Education & Representation Board
  - 18.4. The Communities & Welfare Board

## **Constituent Unions**

19. Constituent Unions shall be ultimately responsible to the President or their nominee for their operation and policies.
20. Constituent Unions shall operate within the Union's Constitution, Bye-Laws and Policies.



21. There shall be the following Constituent Unions:
  - 21.1. The City & Guilds College Union for the undergraduate students of the Faculty of Engineering, excluding students of the Earth Science Engineering and Materials Departments.
  - 21.2. The Graduate Students' Union for postgraduate students.
  - 21.3. The Imperial College School of Medicine Students' Union for the undergraduate students of the Faculty of Medicine.
  - 21.4. The Royal College of Science Union for the undergraduate students of the Faculty of Natural Sciences.
  - 21.5. The Royal School of Mines for the undergraduate students of the Earth Science Engineering and Materials Departments.
  - 21.6. Silwood Park Students' Union for the students of Silwood Park Campus.

## **Management Groups**

22. Management Groups shall be ultimately responsible to the President or their nominee for their operation and policies.
23. Management Groups shall operate within the Union's Constitution, Bye-Laws and Policies.
24. Management Groups shall provide for the co-ordination and development of student activities within their constituent clubs, societies or projects, and within their central activities.
25. There shall be the following Management Groups:
  - 25.1. Arts and Entertainments
  - 25.2. Athletics
  - 25.3. Community Action
  - 25.4. Media
  - 25.5. Overseas
  - 25.6. Raising And Giving
  - 25.7. Recreational
  - 25.8. Social

## **Union Welfare Officers**

26. The Union Welfare Officers shall be responsible to the Deputy President (Welfare) for their work.
27. The Union Welfare Officers shall work within the Union's Constitution, Bye-Laws and Policies.
28. There shall be the following Union Welfare Officers:
  - 28.1. Black, Minorities & Ethnic
  - 28.2. Campaigns

- 28.3. Disabilities
- 28.4. Ethics & Environmental
- 28.5. Gender Equality
- 28.6. Interfaith
- 28.7. International
- 28.8. LGBT

## **B. Meetings**

No changes

## **C. Policy**

No changes

## **D. Officers of the Union**

1. The Officers of the Union shall be the:
  - 1.1. Officer Trustees:
    - 1.1.1. President,
    - 1.1.2. Deputy President (Clubs & Societies),
    - 1.1.3. Deputy President (Education),
    - 1.1.4. Deputy President (Finance & Services),
    - 1.1.5. Deputy President (Welfare),
  - 1.2. Council Chair,
  - 1.3. Presidents of the Constituent Unions
  - 1.4. Welfare Officers of each of the Constituent Unions
  - 1.5. Academic Affairs Officers of each of the Constituent Unions
  - 1.6. Management Group Chairs
  - 1.7. Union Welfare Officers

## **Register of Interests**

2. A Register of Interests shall be kept for Trustees, Officers of the Union and any other person at the discretion of the Trustee Board or Union Council.
3. The Register shall be available to all Members and Trustees.
4. The Register shall contain

- 4.1. any current part-time external employment,
  - 4.2. directorships and direct shareholdings,
  - 4.3. the Officer's department/division and year
  - 4.4. gifts, hospitality, and free or discounted tickets received in connection with Union business,
  - 4.5. sponsorship by any firm in connection with a course of study or Union business,
  - 4.6. positions of office held within the Union or any constituent part,
5. The Register shall contain any matter not falling in the above categories which could provide information of any pecuniary interest or other material benefit which an Officer receives which might reasonably be thought by others to influence his or her actions, speeches, or votes in committees, or actions taken in his or her capacity as an Officer.
  6. Union Officers shall be required to sign the Register as an accurate record of their interests as a requirement of taking office.
  7. The Register shall be kept and maintained by the President, who shall be responsible for notifying Officers of the responsibilities and requiring Officers to register.

## **Job Descriptions for the Officer Trustees**

### **President**

8. The President shall;
  - 8.1. Act as a Trustee ex-officio,
  - 8.2. Be the chief executive officer of the Union,
  - 8.3. Be the ultimate representative of the Union,
  - 8.4. Be ultimately responsible for the whole Union, its Constituent parts, and its activities and governance,
  - 8.5. Execute the policy and further the aims and objects of the Union,
  - 8.6. Be responsible for constitutional development and preliminary interpretation,
  - 8.7. Be ultimately responsible for the finances of the Union,
  - 8.8. Be ultimately responsible for staffing and discipline issues,
  - 8.9. Be responsible for Member and Associate Member discipline issues,
  - 8.10. Be responsible for the Managing Director,
  - 8.11. Be the manager of the other Officer Trustees in their role as employees and co-ordinate their work and that of the non-sabbatical Officers of the Union,
  - 8.12. Delegate the duties and responsibilities of Officers in the case of vacancies or if any Officer is unable to carry out his or her duties,
  - 8.13. Chair relevant Union Committees,
  - 8.14. Liaise with Union and College staff as appropriate,

- 8.15. Represent the Union on external committees as appropriate,
- 8.16. Be ultimately responsible for Health and Safety across the whole Union,
- 8.17. Report to Union Committees as appropriate, and
- 8.18. Negotiate extra duties for Union Officers where appropriate.

### **Deputy President (Clubs & Societies)**

9. The Deputy President (Clubs & Societies) shall:
  - 9.1. Act as a Trustee ex-officio,
  - 9.2. Uphold the policy and further the aims and objects of the Union,
  - 9.3. Take on Presidential duties as appropriate,
  - 9.4. Be responsible to the President for the effective co-ordination and representation of Clubs, Societies & Projects, in conjunction with the relevant Union committees,
  - 9.5. Be responsible to the President for the effective co-ordination of activities at non-South Kensington campuses, in conjunction with the relevant Union committees,
  - 9.6. Be responsible for the effective co-ordination of volunteering within the Union and surrounding communities,
  - 9.7. Be responsible for the organisation of Freshers' Fair,
  - 9.8. Liaise with Union staff to ensure that appropriate support is being given to all Clubs, Societies & Projects,
  - 9.9. Liaise with other Union and College staff as appropriate,
  - 9.10. Attend the relevant Union Committees,
  - 9.11. Represent the Union on external committees as appropriate,
  - 9.12. Represent Union Clubs and Societies to British Universities & Colleges Sports (BUCS),
  - 9.13. Report to Union Committees as appropriate, and
  - 9.14. Negotiate other duties with the President.

### **Deputy President (Education)**

10. The Deputy President (Education) shall
  - 10.1. Act as a Trustee ex-officio,
  - 10.2. Uphold the policy and further the aims and objects of the Union,
  - 10.3. Take on Presidential duties as appropriate,
  - 10.4. Be responsible to the President for reporting to the College student opinion on academic affairs and suggesting areas for development, and enhancing the student experience, internationalisation, outreach and provision for student development, in conjunction with the relevant Union committees,
  - 10.5. Be for responsible for the training and running of a Representation Network for the Academic Representatives of the Constituent Unions and other

student bodies,

- 10.6. Liaise with the Constituent Unions on all academic matters concerning students,
- 10.7. Liaise with Union and College staff as appropriate,
- 10.8. Attend the relevant Union Committees,
- 10.9. Represent the Union on external committees as appropriate,
- 10.10. Report to Union Committees as appropriate, and
- 10.11. Negotiate other duties with the President.

### **Deputy President (Finance & Services)**

11. The Deputy President (Finance & Services) shall:
  - 11.1. Act as a Trustee ex-officio,
  - 11.2. Uphold the policy and further the aims and objects of the Union,
  - 11.3. Take on Presidential duties as appropriate,
  - 11.4. Be responsible to the President for the services the Union provides,
  - 11.5. Be responsible to the President for day-to-day administration of finances in accordance with the Union's Financial Procedures.
  - 11.6. Be responsible to the President for the finance-related aspects of Clubs, Societies & Projects,
  - 11.7. Be responsible to the President for the effective co-ordination and representation of student skills development and accreditation programmes operated by the Union,
  - 11.8. Be responsible for supporting the postgraduate student experience, in conjunction with the relevant Union committees,
  - 11.9. Liaise with Union and College staff as appropriate,
  - 11.10. Represent the Union on external committees as appropriate,
  - 11.11. Report to Union Committees as appropriate, and
  - 11.12. Negotiate other duties with the President.

### **Deputy President (Welfare)**

12. The Deputy President (Welfare) shall:
  - 12.1. Act as a Trustee ex-officio,
  - 12.2. Uphold the policy and further the aims and objects of the Union,
  - 12.3. Take on Presidential duties as appropriate,
  - 12.4. Be responsible to the President for identifying and informing College of student opinion on welfare issues and suggesting areas for development, and for coordinating and publicising all campaigns concerning,
    - 12.4.1. equal opportunities and welfare issues,

- 12.4.2. liberation of under-represented groups,
- 12.4.3. International students
- 12.5. Be responsible to the President for the Union's involvement in student accommodation provision,
- 12.6. Be responsible for representing the welfare needs of all students, especially minority or under-represented groups to the College,
- 12.7. Be responsible for maintaining and running a Welfare Network for the Union and Constituent Union Welfare Officers,
- 12.8.
- 12.9. Liaise with Union and College staff as appropriate,
- 12.10. Attend the relevant Union Committees,
- 12.11. Represent the Union on external committees as appropriate,
- 12.12. Report to Union Committees as appropriate, and
- 12.13. Negotiate other duties with the President.

## **Job Descriptions for other Union Officers**

### **The Council Chair**

- 13. The Council Chair shall:
  - 13.1. Act as a Trustee ex-officio,
  - 13.2. Chair Union Council and other relevant Union committees,
  - 13.3. Uphold the Constitution and Bye-Laws in Union Council,
  - 13.4. Be independent and impartial in all proceedings and duties as Council Chair,
  - 13.5. Not sit as an ordinary member of the Executive Committee,
  - 13.6. Carry out such duties and responsibilities as may, from time to time, be laid down by the Council.

### **The Presidents of Constituent Unions**

- 14. The Presidents of Constituent Unions, in addition to any duties laid down by their respective Constitution, shall be responsible to the President for:
  - 14.1. Representing the interests of their members at the appropriate Union, Faculty and College Committees,
  - 14.2. Development and preliminary interpretation of their constitutions.
- 15. The Presidents shall also:
  - 15.1. Be responsible to the Deputy President (Finance & Services) for all aspects of their Constituent part's finances,
  - 15.2. Be responsible to the Deputy President (Clubs & Societies) for the duty of care and health and safety of their members,
  - 15.3. Be responsible to the Deputy President (Education) for the academic issues

of their members,

- 15.4. Be responsible to the Deputy President (Welfare) for the welfare issues of their members,
- 15.5. Be accountable to Council for the activities of their Constituent Union, and
- 15.6. Carry out such duties as may from time to time, be laid down by the President, Union Council or Executive Committee.

## **The Academic Affairs Officers**

16. The Academic Affairs Officers of Constituent Unions, in addition to any duties laid down by their respective Constitution, shall be responsible to the President for representing the academic interests of their members,
17. The Academic Affairs Officers shall also:
  - 17.1. Be the academic representative to the Union and the College for the students in their constituency,
  - 17.2. Co-ordinate the activities of the other representatives in their constituency,
  - 17.3. Feedback all relevant decisions and information to students in their constituency,
  - 17.4. Be responsible to the Deputy President (Education) for the academic representation of students in their constituency,
  - 17.5. Hold meetings with all Department Representatives for their constituency,
  - 17.6. Carry out such duties as may, from time to time, be laid down by the Council or the Education & Representation Board,
  - 17.7. Submit termly reports detailing all activity in their capacity as a representative to the Education & Representation Board.

## **The Welfare Officers**

18. The Welfare Officers of Constituent Unions, in addition to any duties laid down by their respective Constitution, shall be responsible to the President for representing the welfare interests of their members,
19. The Welfare Officers shall also:
  - 19.1. Be the welfare representative to the Union and the College for the students in their constituency,
  - 19.2. Co-ordinate the activities of the other representatives in their constituency,
  - 19.3. Feedback all relevant decisions and information to students in their constituency,
  - 19.4. Be responsible to the Deputy President (Welfare) for the welfare issues of students in their constituency,
  - 19.5. Hold meetings with all Department Representatives for their constituency,
  - 19.6. Carry out such duties as may, from time to time, be laid down by the Council or the Communities & Welfare Board,

- 19.7. Submit termly reports detailing all activity in their capacity as a representative to the Communities & Welfare Board.

## **The Management Group Chairs**

20. The Management Group Chairs shall fulfil their duties as set out in their respective Standing Orders.

## **The Union Welfare Officers**

21. The Union Welfare Officers shall be responsible to the Deputy President (Welfare) for representing the welfare interests of the members that affiliate with their remit,
22. The Welfare Officers shall also:
  - 22.1. Be the welfare representative to the Union and the College for the students that affiliate with their remit,
  - 22.2. Co-ordinate the campaigns within their remit,
  - 22.3. Carry out such duties as may, from time to time, be laid down by the Council or the Communities & Welfare Board,
  - 22.4. Submit termly reports detailing all activity in their capacity as a representative to the Communities & Welfare Board.



# E. Complaints & Discipline

## Jurisdiction & Responsibilities

1. These Bye-Laws shall apply to all Members and Associate Members except:
  - 1.1. Trustees of the Union, who shall be dealt with in accordance to the Constitution, and complaints for whom should be directed to the Chair of the Trustee Board, or the President in the case of the Chair of the Trustee Board.
  - 1.2. Members of the College staff who are also registered students of the College shall be dealt with under the relevant College disciplinary procedure for staff, and not this policy. The President may exclude such individuals from Union premises and facilities pending College disciplinary action, and shall inform their head of department if so doing.
  - 1.3. Permanent Union staff who will be disciplined within the provisions of Imperial College HR policy and their contractual agreement. The Managing Director is responsible through the President to the Trustee Board for staff discipline in the Union. The President and the Trustee Board Chair are responsible to the Trustee Board for the discipline of the Managing Director.
2. Officers, volunteers, representatives and holders of committee positions may only be suspended, censured or dismissed within the provisions of these Bye-Laws.
3. Members and Associate Members may only be disciplined within the provisions of these Bye-Laws.
4. The President is responsible to the Trustee Board for Member and Associate Member discipline in the Union.
5. The License holder for the Union's Commercial Services outlets, or their appointed representative, additionally has the right to warn or ban – temporarily or permanently – anyone from the Union's Commercial Services outlets under licensing law. By extension, anyone excluded from any Union premises licensed for the sale of alcohol will be informed that it is College policy that the exclusion will cover all College licensed premises and that the relevant people will be informed.
6. In any case which involves a computing offence or misconduct simultaneously involving the Union and other jurisdictions under the College Code of Discipline, the President shall liaise with the College Tutors in respect of the appropriate disciplinary jurisdiction in the Union or College. In particularly grave cases, the President, may refer a disciplinary matter directly to the College Discipline Committee.
7. A particular area or facility within the Union may have rules applicable to it which involve the restriction, suspension or exclusion of people from its use.
8. These Bye-Laws shall deal with:
  - 8.1. Misconduct
  - 8.2. Bringing, or having the potential to bring, the Union into disrepute.
  - 8.3. Poor performance

and may result in a warning, investigation, censure, a motion of no-confidence, a summary or formal punishment. For the avoidance of doubt, any person reporting on or communicating about another person bringing the Union into disrepute does not itself constitute bringing the Union into disrepute.

## Complaints

9. This complaints procedure is provided for all students or groups of students who:
  - 9.1. Are dissatisfied in their dealings with the Union outside of the electoral process,
  - 9.2. Claim that they have been unfairly disadvantaged by reason of having exercised their right not to be a member of the Union, or
  - 9.3. Are dissatisfied with the conduct or performance of the Union, another Member or Associate Member covered by this Bye-Law.
10. Any complaint shall in the first instance be referred to the President who shall delegate to the relevant authority who shall take such steps as are reasonable to meet the complaint.
11. If a complainant is dissatisfied with the resolution of the complaint by the President or other person, it shall be referred to the Trustee Board's Governance Committee.
12. The President or relevant authority shall respond to any complaint within ten (10) clear College days.
13. If a complaint is upheld an effective remedy should be provided, which may, but need not, involve disciplinary action under this Bye-Law.
14. If a complainant is still dissatisfied with the resolution of the complaint they may pursue the matter with the College under the Code of Practice.

## Discipline

### Warnings

15. A warning shall take the following forms:
  - 15.1. A verbal warning, which may take the form of an informal or formal discussion of the problem. This shall be reported to the Governance Committee.
  - 15.2. A written warning, which will take the form of a letter written by the relevant authority and copied to the Governance Committee.
16. The relevant authority issuing the warning must inform the defendant being warned of his or her rights of appeal.

### Investigations

17. The purpose of the investigation is to establish any facts and explanations that may be relevant to an allegation.
18. The investigation, if undertaken, must:
  - 18.1. Be managed by a person senior in office to the defendant, or an independent person (who may, but need not be a Member or Associate Member of the Union), ,
  - 18.2. Put the allegations and evidence of misconduct to the subject of investigation in a manner he or she can understand,
  - 18.3. Be concluded prior to a decision being taken on whether to uphold disciplinary action.

## **Suspension**

19. The President or the Governance Committee may suspend any defendant from any position they hold within the Union if there are reasonable grounds for so doing, and in particular:
  - 19.1. Gross or serious misconduct is alleged,
  - 19.2. There may be risks to third parties or Union or College property
  - 19.3. Where the working relationship between the defendant and others may be impaired, or
  - 19.4. To assist, if necessary, an investigation.
20. The person or body suspending shall determine the extent of the suspension, which shall not restrict the defendant's ordinary rights as a Member or Associate Member of the Union.
21. A suspension including removing the right to attend and vote at any Union meeting requires the approval of the Governance Committee.
22. A suspension by the President for more than ten (10) clear College days requires the Governance Committee to be satisfied and remain satisfied that the grounds of the suspension are reasonable and proper.
23. The President or Trustee Board, as appropriate, may allocate any duties of a suspended officer during the course of a suspension. Any suspension may only continue for as long as is reasonable. For the avoidance of doubt, voting rights at any Union meeting cannot be transferred from the suspended officer.

## **Censure and No Confidence Motions**

24. The Union Council may censure or dismiss with a two-thirds voting majority any Member of the Union holding elected office within the jurisdiction of these Bye-Laws.
25. Motions of censure or no confidence shall be proposed to the Council by one of the following people and methods:
  - 25.1. By a Member of the Union, seconded by twenty Members of the Union. The petition shall include the signatures or College identification numbers ("CIDs") and printed names, departments and years of the petitioners.
  - 25.2. By the President
  - 25.3. By the Council Chair.
  - 25.4. By a motion from the Executive Committee.
26. The Executive Committee may not act on behalf of Union Council in censuring or dismissing any defendant.
27. All motions of censure or no confidence must:
  - 27.1. Name individual officers or representatives,
  - 27.2. State clearly in writing the grounds of the complaints,
  - 27.3. State the nature and conclusions of any relevant investigations undertaken,
  - 27.4. Include details of previous warnings,

- 27.5. Include details of any part of the Constitution, Bye-Laws or Policies alleged to have been breached,
- 27.6. Be presented with its supporting petition to the relevant authority, at least five (5) clear College days before Union Council.
28. No motion of censure may lie against a person already censured.
29. Upon receipt of the motion of censure or no confidence the relevant authority will take all reasonable steps to inform the defendant of the grounds of the complaint, the procedures laid out in this document and the date of the meeting.
30. The vote upon the motion and any disputed amendment to it shall be held by secret ballot, and may not be proxied.
31. The motion of censure or no confidence must be approved by a two-thirds majority of those present and voting.
32. A motion of censure or no confidence which has been voted on and rejected may not later be reconsidered by the Council.

### **Disqualification from Office**

33. A person dismissed from office by the Council by virtue of a motion of no confidence under these Bye-Laws may not be elected to or hold that office again.
34. The Council may remove this disqualification.

### **Summary Punishment**

35. The power and responsibility for curtailing or containing the immediate effects of misconduct and imposing summary punishment where appropriate rests with the relevant authority outlined in Clauses 4 or 6.
36. Where summary punishment is appropriate, it shall be imposed on the spot, or with the least possible delay, and shall be limited to any, all or a combination of the following:
  - 36.1. a reprimand;
  - 36.2. expulsion, not exceeding seven (7) days, from the use of the area where the misconduct occurred;
  - 36.3. suspension, not exceeding seven (7) days, from the use of a particular facility;
  - 36.4. a charge, up to a maximum to be determined, from time to time, by the College Tutors and the President, to meet the cost in whole or part of replacing the damaged property or equipment;
  - 36.5. a fine, up to a maximum to be determined, from time to time, by the College Tutors and the President;
  - 36.6. 'Union Service', i.e. work on College campuses of benefit to the College community.
  - 36.7. revocation of or reduction in financial authority,
  - 36.8. in relation to a club, society, project or recognised section thereof, a freeze in their budget or other privileges of a club or society for any finite period,
37. Summary punishment may be imposed upon any person, club, society or project. It may not be imposed upon a person or body who is being referred to the

Governance Committee for the same misconduct.

38. The authority imposing summary punishment must inform the person being disciplined of the punishment and his or her right of appeal.

### **Cases where Summary Punishment is inappropriate**

39. The Governance Committee shall deal with misconduct which in the opinion of the relevant authority, cannot be dealt with adequately by means of summary punishment.
40. In cases involving misuse of Union equipment or facilities, breaches of Union or College safety rules or potential danger to students, staff or other persons and where the relevant authority had referred it to the Governance Committee, a suspension or expulsion may be imposed until such time as the Governance Committee has reached a decision.
41. In cases of serious misconduct by medical students, the President should report the allegations against the student to the Principal of the Faculty of Medicine. The Principal shall decide whether and if so what extra restrictions should be placed on the student's activities.
42. Students should be aware of the implications of misconduct which is also a criminal offence. This could invoke criminal investigation in addition to Union or College disciplinary procedures. If considered necessary, Union disciplinary procedures may be suspended by the President pending the outcome of criminal procedures.
43. The Governance Committee may impose one or more of the following penalties:
- 43.1. a reprimand,
  - 43.2. a fine, up to a maximum to be determined, from time to time, by the College Tutors and President;
  - 43.3. a charge to meet the cost in whole or in part of replacing damaged property or equipment,
  - 43.4. a charge to meet the cost in whole or in part of any funds lost through mismanagement,
  - 43.5. expulsion or suspension from any part of the Union or its facilities for such period as the Governance Committee may determine,
  - 43.6. expulsion from any part of the Union's premises for such period as the committee may determine, which may include permanent expulsion,
  - 43.7. expulsion or suspension from membership of a club or society,
  - 43.8. revocation of or reduction in financial authority,
  - 43.9. 'Union service', i.e. work on Union or College campuses of benefit to the College community,
  - 43.10. in relation to a club, society, project or recognised section thereof, a freeze in their budget or other privileges of a club or society for any finite period,
  - 43.11. in relation to a holder of an elected post in the Union, a recommendation to the President or appropriate committee chair that a proposal of censure or no confidence is made to the Council or any other committee entitled to pass it.
44. The Governance Committee may instead refer any disciplinary matter to the College Discipline Committee. If so doing it may impose a suspension or expulsion until such time as the College Discipline Committee reaches a decision.

45. The Union may, in addition to any penalty, take legal action to recover any sums owing to it. Any funds paid as a result of legal action shall be set off against a penalty charge if relating to the same offence.
46. Where a person is excluded from any Union premises licensed for the sale of alcohol, he or she will be informed that it is College policy that the exclusion will cover all College licensed premises and that the relevant people will be informed.
47. Where misconduct leads to prosecution in an outside court, the Governance Committee shall take note of the fact and the outcome in imposing any penalty.
48. Any fine collected shall be donated to the College Student Hardship Fund.
49. If the student or representative of a club or society is absent, the Union shall notify them of any penalty and rights of appeal.

## **Breach of Penalty**

50. If a person or body does not pay any fine or compensation within ten (10) clear College days, or is alleged to have breached any other penalty imposed, the matter will be referred to the Governance Committee by the President. They shall determine whether there are any extenuating circumstances such as financial hardship in relation to paying any fine or charge, and whether or not the penalty was complied with. The Governance Committee may then impose a different or an additional penalty or refer the matter to the College Discipline Committee.

## **Appeal Procedure**

51. Any person subject to disciplinary action under this Bye-Law may appeal to the following authorities, in increasing order of seniority:
  - 51.1. The President,
  - 51.2. The Governance Committee, and
  - 51.3. The Trustee Board (whose decision is final).
52. Any person censured or dismissed under this Bye-Law may appeal to the following authorities, in increasing order of seniority:
  - 52.1. The Governance Committee, and
  - 52.2. The Trustee Board (whose decision is final).

## **F. Major Elections**

### **Application**

1. These Bye-Laws shall apply for all elections conducted by cross-campus ballot, and for all elections of members referred to in the Constitution other than
  - 1.1. Management Group Chairs and Treasurers.
  - 1.2. Ordinary Members of Council

### **The Returning Officer**

2. The Governance Committee will, at least once per academic year, appoint an appropriately qualified person to act as the Returning Officer, who may not be a current Member of the Union and whose appointment must be ratified by the Trustee Board.

3. The Returning Officer shall:
  - 3.1. Be the final interpreter of the Major Elections Bye-Laws.
  - 3.2. Appoint (and dismiss if necessary) deputy returning officers and other officials to ensure the good conduct and administration of the elections.
  - 3.3. Oversee the count and declare the results of the elections.
  - 3.4. Set rules, regulations and guidelines other than these election Bye-Laws to govern the conduct of the election.
  - 3.5. Seek legal advice if he/she believes that statements made or the contents of publicity could leave the Union open to legal action.
  - 3.6. Rule out of order any statement or the content of any publicity which in the Returning Officer's view is in breach of the constitution, the law or any other appropriate rules and guidelines.
  - 3.7. Be empowered to issue warnings to candidates in accordance with these election Bye-Laws and any rules and regulations issued in accordance with the above.
  - 3.8. Be empowered to issue fines to candidates up to a maximum set by the President, in accordance with these election Bye-Laws and any rules and regulations issued in accordance with the above.
  - 3.9. Deliver, or ensure the delivery of, appropriate training to all election candidates.
  - 3.10. Make available an information pack to potential candidates for each election outlining relevant rules and procedures.
4. The following powers shall be reserved by the Governance Committee having taken advice from the Returning Officer:
  - 4.1. Disqualifying a candidate,
  - 4.2. Ordering a re-run, and
  - 4.3. Setting aside ballot papers.

### **Complaints**

5. The Returning Officer shall deal with complaints regarding the conduct of candidates, their supporters and campaigns, and the administration of elections.
6. Complaints regarding the conduct of the Returning Officer shall be referred to the Trustee Board. The onus is on the complainant to set out such complaints in writing for the Trustee Board's consideration. The Trustee Board may order a re-run of the whole or part of the election should the complaint be upheld.

### **The Process of Elections**

7. The Returning Officer shall produce an election timetable, not less than five (5) clear College days in advance of nominations opening which shall outline:
  - 7.1. The process for nomination, with nominations open for at least three (3) College days.
  - 7.2. Details of candidates' meetings
  - 7.3. Details for the submission of manifestos

- 7.4. Details of any hustings
- 7.5. Arrangements for the ballot, with voting open for at least two (2) College days.
- 7.6. Arrangements for the count
8. The Returning Officer shall produce details of the arrangements for balloting and for complaints procedures, and ensure that they are publicised to all Members eligible to stand, and or vote.
9. The election will be conducted in accordance with the rules outlined by the Electoral Reform Society for running elections by the Single Transferable Vote system for elections with more than one position available, and the Alternative Vote system for elections with one position available.
10. The Returning Officer shall ensure that any additional details, or amendments to the arrangements, are publicised to all students in a timely fashion.
11. The Returning Officer shall ensure that all candidates sign a statement of intent that they will take up the position, and that they are satisfied the election has been run fairly before the count.
12. No candidate may challenge the result of the election once the count has been held.

### **Nominations**

13. Nomination forms will be available to all Members eligible to stand.
14. It shall be the responsibility of nominees to ensure that nomination forms are completed accurately and submitted before the deadline.
15. Nomination forms shall require one (1) seconder.
16. Any Member of the Union eligible to vote in the election may second a candidate.
17. The Returning Officer shall have the sole responsibility for declaring a submitted nomination form valid.
18. When the Returning Officer is satisfied, all valid nominations shall be confirmed with the candidates and published.

### **Manifestos**

19. Manifestos must be submitted by the date laid down in the election timetable and must comply with any format requirements stipulated by the Returning Officer.
20. The Returning Officer will ensure that manifestos are available to voters at the point of ballot.

### **Campaign Publicity**

21. The Returning Officer will determine the allowance for publicity available to each candidate for each election.
22. The Returning Officer shall stipulate a maximum amount that candidates may spend on their own election campaigns.
23. All candidates in each election shall have an equal publicity allowance.
24. The Returning Officer shall draw up regulations for the conduct of candidates' campaigns. Any breach of these regulations could lead to disqualification from the election.



## **Hustings**

25. The Returning Officer may arrange a hustings for the candidates in an election.
26. Candidates will be informed of the format of any hustings at the initial candidates' meeting.

## **Withdrawal**

27. Any candidate may withdraw from the election at any point by informing the Returning Officer.
28. If a candidate withdraws during the ballot, or after a point at which the ballots cannot be amended, the Returning Officer will ensure that the voters' next preferences are counted in accordance with the principles of the Electoral Reform Society.

## **Voting**

29. The Returning Officer will ensure that all eligible members of the Union can vote.
30. The Returning Officer shall decide the method of voting and publicise it appropriately.
31. The Voters shall be able to express preferences for as few or as many candidates as they wish subject to the instructions on ballot papers.
32. Ballots shall bear the chosen name of each candidate, and of the position being contested.
33. The order of names on the ballot shall be decided by the drawing of lots or by using an electronic system which ensures the order of names on the ballot is chosen at random.
34. There will be a facility for voting for "Re-Open Nominations".
35. Voting shall be by secret ballot.

## **Declaration**

36. Results of the election shall be declared by the Returning Officer when the count for each post has been successfully completed.
37. A list of successful candidates will be published within one (1) clear day of the declaration of the results.

## **By-Elections and Co-Options**

38. If any Union Office falls vacant, Union Council shall determine if and when a by-election should be called, except the Officer Trustees and elected Student Trustees, in which case the vacancy will be resolved in accordance with the Constitution.

# **G. Minor Elections**

No changes