

Imperial College Union
Union Council / 28 February 2024

Bye-Law B

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Purpose: To further clarify clause 7 of Bye-Law B ahead of Union Council ratification

Decision(s): To approve

1. Background

At its meeting on 27 June 2023, Union Council carried a motion proposing [a number of amendments to the Union's Bye-Laws](#), subject to ratification by the Board of Trustees. The motion noted that the existing Clause 7 of Bye-Law B (Trustees) effectively prohibits a large segment of postgraduates and Business School students from becoming Student Trustees.

On 19 July 2023, the Board of Trustees ratified the majority of the proposed amendments to the Bye-Laws. However, the proposed wording to amend Clause 7 of Bye-Law B was not agreed by the meeting and the Interim Board Clerk was requested to draft an alternative version. It was circulated for comments to the 2022/23 Board via email, but no comments were returned. This alternative wording was agreed by the Board Chair and 2022/23 Union President. The alternative wording was approved by the Board in September 2023.

As Union Council has not to date seen/approved this alternative wording, the alternative wording requires ratification by Union Council before Bye-Law B is considered to be officially updated.

2. Context

That the alternate wording approved by Board in September 2023 was as follows (approved September 2023 changes shown in red below):

Bye-Law B:

7. Each Student Trustee must be a Student at the time of their election ~~(and must continue to be a Student for the duration of their term as a Student Trustee).~~

*8. Student Trustees shall remain in office for a term of one year commencing in accordance with the Bye-Laws. The term of office may be shorter or longer on a transitional basis to coincide with the alteration of the academic year start or end unless their appointment is terminated in accordance with these Bye-Laws. **For the avoidance of doubt a Student Trustee may continue in their position for a period after they finish their study at Imperial College, but they shall remain subject to any procedures of the union.***

Delete 11.

Article D4 of the Constitution notes that the Trustees and a two-thirds majority of the Union Council shall have the power from time to time to jointly make, repeal or amend Bye-Laws. Therefore, the alternative wording to clause 7 of Byelaw-B now requires ratification by Union Council. Therefore, the Union President and Union Council Chair have been preparing to bring the alternate wording back to Council for ratification.

However, in discussion with Union staff and student leaders (including current members of Union Council), we propose that Board could make the alternate wording even clearer before seeking Union Council ratification.

3. Rationale for a further slight change to Bye-Law B

The principle of ICU having student trustees on the Union's trustee board is clearly to ensure that said student trustees have recent student experience of Imperial and are in touch with contemporary Imperial student experience. The wording that Board approved in September 2023 technically means that the Union would be able to allow someone to become a student trustee even if they were no longer an Imperial student *for any period* of their trusteeship term.

We propose to *re-add the bracketed phrase into clause 7*, except for *replacing the word "duration" with "majority"* (as laid out below). This would make it clearer that students running/applying for student trustee would still need to be a student for *most* of their time as a trustee, i.e., a student couldn't just run/apply for a trustee role in their final year and then do the whole trusteeship term after they graduate. In terms of 'policing' whether a potential student trustee will be a student for the "majority" of a student trusteeship term, it will be taken in good faith at the point of nomination/application that the student intends to be a student for the majority of an upcoming student trusteeship term.

4. Recommendation

That Board further amend Bye-Law B clause 7 as set out, for clarity, in Appendix 1 below.

Note: If approved by Board, Union Council then need to ratify the proposed clause 7 changes in order for Byelaw B to be updated.

Appendix 1 (proposed further updates post-September 2023 in [green](#) below)

Bye-Law B:

7. Each Student Trustee must be a Student at the time of their election (and must continue to be a Student for the ~~duration~~ majority of their term as a Student Trustee).

8. Student Trustees shall remain in office for a term of one year commencing in accordance with the Bye-Laws. The term of office may be shorter or longer on a transitional basis to coincide with the alteration of the academic year start or end unless their appointment is terminated in accordance with these Bye-Laws. For the avoidance of doubt a Student Trustee may continue in their position for a period after they finish their study at Imperial College, but they shall remain subject to any procedures of the union.

Delete 11.