



## Students' Union Code of Practice

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| <b>Responsibility for Policy:</b>          | University Secretary                 |
| <b>Relevant to:</b>                        | All LJMU Staff/LiverpoolSU           |
| <b>Approved by:</b>                        | Board of Governors, April 2012       |
| <b>Responsibility for Document Review:</b> | As above and/or Manager, Secretariat |
| <b>Date introduced:</b>                    | April 2012                           |
| <b>Date(s) modified:</b>                   | August 2016, August 2017             |
| <b>Next Review Date:</b>                   | September 2018                       |

### RELEVANT DOCUMENTS

Education Act 1994

### RELATED POLICIES & DOCUMENTS

Articles of Government

## **Code of Practice to ensure compliance with the 1994 Education act**

### **1. Section 22(3)**

The Education Act 1994 (Section 22(3)) requires universities to issue a code of practice, setting out the manner in which the requirements of section 22(1) and (2) of the Act, relating to the organisation and activities of the Students' Union, are to be put into effect. Set out below are the requirements of the Act, together with the steps taken by Liverpool John Moores University (LJMU) to ensure compliance.

### **2. Status of the LiverpoolSU**

2.1 The LiverpoolSU is recognised as the official representative body of students at LJMU, as defined in paragraph 12.1 of the University Articles of Government.

2.2 The LiverpoolSU shall conduct and manage its own affairs and funds in accordance with a constitution approved by the Board of Governors and shall present audited accounts on a regular basis to the Finance Committee of the Board of Governors.

2.3 The LiverpoolSU employs its own staff and occupies premises which belong to LJMU. The University provides current revenue funding each year to fund some of LiverpoolSU's activities and, as such, LiverpoolSU is fully accountable for expending monies in accordance with the Financial Regulations of LiverpoolSU set out in a separate document agreed by the governing body.

### **3. Appointed Officer**

The University Secretary shall act as the 'Appointed Officer' on behalf of the Board of Governors in all matters as prescribed in this Code of Practice. The University Secretary may designate another person or group to act on their behalf in this regard. In such cases the University Secretary remains responsible as Appointed Officer in all matters as prescribed in this Code of Practice.

### **4. Constitution of the LiverpoolSU**

4.1 The Constitution of the LiverpoolSU and any subsequent amendment shall be approved by the University's Board of Governors.

4.2 The Board of Governors shall ensure:

a) that the Constitution is subject to review by the Board every five years, or less. Interim amendments are subject to approval by the Board before any such amendments can take legal effect;

b) that LiverpoolSU's Constitution provides for the appointment to major union offices by election in a secret ballot in which all members are entitled

to vote. For the purpose of this Code major union officers shall be sabbatical officers of the LiverpoolSU;

c) that such elections are fairly and properly conducted in accordance with the provisions of the Constitution approved by the Board of Governors. The Board of Governors will receive the signed Returning Officer's Report to this effect.

d) that no person shall hold sabbatical Union office, or paid elected Union office, for more than two years in the LiverpoolSU.

## **5. Accountability of Union Officers**

5.1 The President is accountable to the Vice Chancellor & Chief Executive for the observance of the Union Constitution and for the operation of LiverpoolSU in a fair and democratic manner and to the observance of all statutory obligations.

5.2 The Chief Executive of LiverpoolSU is accountable to the President for the overall management of the Union and for the observance of all statutory obligations.

## **6. Membership of the Students' Union**

6.1 All registered students of LJMU shall be full members of the LiverpoolSU unless they choose not to be, and should not be unfairly disadvantaged, with regard to the provision of services. The University shall notify to students the option not to be a member of the LiverpoolSU via the enrolment form, the student handbook and the Union Constitution.

6.2 Students who wish to opt out (end their union membership) can do so via their enrolment form or by writing to the Chief Executive of the LiverpoolSU. On notification of a student opting out the Chief Executive must inform the Appointed Officer with immediate effect.

6.3 The LiverpoolSU may restrict entitlement of a member, in adherence to the Education Act 1994, if the student is found, under the LiverpoolSU's own procedures, to be acting in gross conflict to the LiverpoolSU's equality and behavioural policies. Any such restrictions should be reported to the Appointed Officer.

6.4 Non-comprehensive membership shall automatically imply non-membership of NUS.

6.5 Students who are not comprehensive members of the LiverpoolSU shall:

- (a) not be permitted to stand for election to hold any office within the LiverpoolSU;
- (b) not be permitted to vote in LiverpoolSU elections or referenda;
- (c) not be permitted to hold office in any Union Club or Society.

6.6 Voluntary non-comprehensive student members shall be entitled to use all other services and facilities provided by the LiverpoolSU. Voluntary non-members are required to obtain a guest card from the LiverpoolSU if they wish to use the LiverpoolSU licensed premises after 5pm.

## **7. Finances of the LiverpoolSU**

7.1 The LiverpoolSU, through its Executive Officers and Trustees, is responsible for the proper conduct of its financial affairs and ensuring that funds provided by the University are used only in accordance with the Education Act 1994.

7.2 The University Secretary and President (or nominee) of the LiverpoolSU shall bring forward the Union's proposed budget for the following financial year to the University's Finance Committee for approval.

7.3 The Finance Director, or nominee, will have access to the financial records of the LiverpoolSU and any trading company(s) of LiverpoolSU.

## **8. Accounts of the Students' Union**

8.1 The Chief Executive shall ensure that the LiverpoolSU accounts are properly drawn up and audited. Financial reports should be published annually or more frequently, and should be made available to the governing body and to all students.

8.2 A copy of the audited accounts shall be forwarded to the Finance Director, or nominee, for submission to the Finance Committee of the Board of Governors.

8.3 The Finance Director, or nominee, will verify that the LiverpoolSU accounts are properly drawn up and audited. The accounts must list any external organisations to which LiverpoolSU has made donations in the period to which the accounts relate, and details of those donations.

8.4 The accounts will also record any affiliation by the LiverpoolSU to any external organisations by naming such organisations and details of any subscriptions, fees or donations paid by the LiverpoolSU to that organisation.

## **9. Affiliation to External Organisations**

The LiverpoolSU will publish promptly, by way of minutes to any meetings, any decisions it has made to affiliate to an external organisation, stating the name of the organisation and details of the subscriptions, fees or donations. This shall include notification to the governing body and to all students.

## **10. Allocation of funds to clubs and societies**

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

## **11. Freedom of Speech**

The LiverpoolSU and its members are bound to observe [LJMU's Freedom of Speech and External Speakers Policy](#), drawn up pursuant to Section 43 of the Education Act (No.2) (1986).

## **12. Requirements of Charity Law**

12.1 The LiverpoolSU, as part of the University, is governed by the law relating to educational charities.

12.2 In particular, whilst it may spend money on political debate, it may not support political or other causes which have nothing to do with its members' interests as students.

12.3 Students may collect funds privately for the support of any lawful cause.

## **13. Complaints Procedure**

13.1 The LiverpoolSU shall have a written complaints procedure, which shall be subject to approval by the Board of Governors of the University. This procedure shall allow students or groups of students who are dissatisfied with their dealings with the LiverpoolSU to have their complaints dealt with promptly and fairly and, if the complaint is upheld, secure an effective remedy.

13.2 The complaints procedure shall include a provision that where a student is not satisfied with the outcome of the procedure an independent person appointed by the Board of Governors will investigate further.

## **14 General**

Changes to this Code of Practice may be made by agreement between the University and the Union. The University reserves the right, after consultation with the Union, to make such changes to the Code of Practice as the Board of Governors deems necessary in order to ensure continued compliance with the provisions of [Section 22 of the Education Act 1994](#).