



**Bye-Laws of the  
University of Birmingham  
Guild of Students  
July 2020**

## Contents

**Foreword**

**Bye-law 1 - Interpretation**

**Bye-law 2 – Membership**

**Bye-law 3 - General Governance of the Guild of Students**

**Bye-law 4 - Committees of the Trustee Board**

**Bye-law 5 – Members Democratic Process**

**Bye-law 6 – Committees Of The Guild**

**Bye-law 7 - Officers**

**Bye-law 8 - Elections**

**Bye-law 9 – Student Activities**

**Bye-law 10 - Appeals Committee**

## Foreword

1. As outlined in the University of Birmingham Guild of Students Articles of Association, the objects of the Guild are:
  - 1.1 The furtherance and the enhancement of the educational purposes of the University of Birmingham including but not limited to:
    - 1.1.1 The promotion of social intercourse between Students of the University of Birmingham and the furtherance of the common interests of such Students; and
    - 1.1.2 The support of such societies that shall from time to time be recognised by the Guild.

## BYE-LAW 1 – Interpretation

### 1. Definition

1.1 Terms defined in the Memorandum and Articles of Association shall have the same meaning within these Bye-laws unless otherwise defined in this Bye-law.

1.2 In these Bye-laws, the following terms shall have the following meanings:

	<b>Term</b>	<b>Meaning</b>
1.2.1	“Alternative Transferable Voting System”	Voting procedure used for single seat elections. Voters rank candidates in order of preference. If no candidate achieves quota, the candidate with the least amount of votes is eliminated and his/her votes are redistributed to the second preferences. This process continues until one candidate achieves quota.
1.2.2	“Allocations Procedure”	Means by which Ideas and Guild Policy are allocated to the relevant forum for consideration.
1.2.3	“All Student Meeting”	A meeting in which all Full Members and Guild Officers are able to attend, discuss and vote on issues submitted through the Members' Democratic Process.
1.2.4	“All Student Vote”	A vote of all Full Members on issues when the All Student Meeting is unable to reach a consensus by a two thirds majority.
1.2.5	“Associations”	Collective bodies of defined groups of Full Members whose interests are deemed to need promoting.
1.2.6	“Appeals Committee”	The Committee convened to hear the appeal of a Trustee who has been removed from office by the Trustee Board.

1.2.7	"Appointments Panel"	Sub-committee of the Trustee Board which oversees the appointments of the Trustee Board and the Chief Executive Officer.
1.2.8	"Audit and Risk Committee"	Sub-committee of the Trustee Board which ensures that the Guild meets its statutory and legal requirements and oversees the management of risk within the Guild.
1.2.9	"Chair of All Student Meeting"	Elected by cross campus ballot to act as the presiding officer during All Student Meetings and oversee the Allocations Procedure.
1.2.10	"Corporate Member"	The University of Birmingham.
1.2.11	"Cross Campus Ballot"	Ballot of the entire Full Membership.
1.2.12	"Decision Making Committees"	Committees with authority as set out in Byelaw 6 which make up part of the Members' Democratic Process.
1.2.13	"Discipline"	The good and proper conduct of Members and their guests in accordance with Guild Policy.
1.2.14	"Discipline Committee"	A committee for imposition of discipline of the membership, as specified in the Guild Policy Documents.
1.2.15	"Membership Disciplinary Policy"	The Discipline Policy as specified in the Guild Policy Documents.
1.2.16	"External Membership"	Members who have requested to join the Guild who are not registered students at the University of Birmingham.
1.2.17	"Fact Finding Commission"	Bodies commissioned by the Guild Officer Group to research and gain insight into issues of interest, producing a report and recommendations.

1.2.18	"Finance Committee"	Sub-committee of the Trustee Board to oversee the Financial aspects of the Guild.
1.2.19	"Full Member"	All registered students of the University of Birmingham who have not opted out, and all Full-Time Officers.
1.2.20	"Full-Time Officer"	Full Member of the Guild of Students elected on a full-time basis to be a Guild Officer, as defined in Bye-Law 7. Full-Time Officers are required to take a leave of absence from their studies at University. (Also known as "Sabbatical Officer".)
1.2.21	"Full-Time Officer Group"	Committee of the Full-Time Officers
1.2.22	"Guild Committees"	Committees which report to and act on matters referred by the Trustee Board and/or the Full Members through the Guild's democratic processes.
1.2.23	"Guild Officer"	The Full-Time and Part-Time Officers of the Guild elected by the Full Membership in a Cross Campus election, as defined in Bye-Law 7.
1.2.24	"Guild Officer Group"	Comprised of the Full-Time and Part-Time Officers to provide political leadership to the Guild.
1.2.25	"Guild Policy"	Policies of the Guild ratified by resolutions of the Trustee Board, which may be initiated and framed by the Members' Democratic Process, Guild Committees and the decisions of Referendums.
1.2.26	"Student Group"	A body of Full Members formally recognised by the Guild.
1.2.27	"Honorary Life Membership"	Life Membership of the Guild bestowed by Nominations Committee.
1.2.28	"HR Committee"	Sub-committee of the Trustee Board to oversee the HR aspects of the Guild.

1.2.29	"Idea"	A proposal put forward by a Full Member for consideration through the Members' Democratic Process.
1.2.30	"International Student"	A student who is classified as an international fee payer by the University of Birmingham, or is from within the European Union but not from the UK.
1.2.31	"Liberation Officer"	Full Member of the Guild of Students elected to be a Guild Officer while continuing their studies at the University, as defined in Bye-Law 7.
1.2.32	"Members' Democratic Process"	The process through which Full Members can influence and direct the work of the Guild, and hold Officers of the Guild to account for their work in accordance with Article 95 and as detailed in Bye-Law 5.
1.2.33	MedSoc	The University of Birmingham Medical Society.
1.2.34	"MedSoc Executive"	The body responsible for representing all Full Members involved in MedSoc activities
1.2.35	"Nominations Committee"	The Committee responsible for bestowing Honorary Life Membership.
1.2.36	"NUS"	National Union of Students of the United Kingdom.
1.2.37	"NUS Delegate"	A Full Member of the Guild who has been duly elected to represent the Guild at an NUS conference.
1.2.38	'NUS Observers'	Observers appointed by national student organisations, who may speak at the invitation of the NUS Conference on matters directly affecting the organisation which appointed them.
1.2.39	"Officer Code of Conduct"	Guild policy document outlining the proper conduct of Guild Officers.

1.2.40	"Officer Discipline Policy"	The discipline procedure for Guild Officers as specified in the Guild Policy Documents.
1.2.41	"Officer Life Membership"	Life membership of the Guild granted to all Full-Time and Part-Time Officers at the end of their term.
1.2.42	"Officials of Guild Committees"	Full Members holding elected positions on Guild Committees.
1.2.43	"Opt-out"	Written confirmation to the President of the Guild that a Full Member no longer wants to be a Full Member of the Guild for that Academic Year.
1.2.44	"Part-Time Officer"	Full Member of the Guild of Students elected to be a Guild Officer while continuing their studies at the University of Birmingham, as defined in Bye-Law 7.
1.2.45	"Postgraduate Student"	Full Member of the Guild registered on a postgraduate programme of study, as determined by the University of Birmingham.
1.2.46	"Quota"	The number of votes required by any candidate to win a seat in an election in the Guild. Determined by dividing the number of valid votes cast in the election by the number of seats in the election plus one, and then adding one to the achieved total.
1.2.47	"Reserved Business"	Discussions and decisions relating to: <ul style="list-style-type: none"> <li>a) the personal affairs of Members</li> <li>b) Employees</li> <li>c) Decisions and appeals from Discipline Committees</li> <li>d) Commercially sensitive information</li> <li>e) Situations where the presence of interested parties or observers may compromise the impartial judgment of the committee members.</li> <li>f)</li> </ul>

1.2.48	"Returning Officer"	The person responsible for holding an election and ensuring that it is run in a fair, open and honest way, as defined in Bye-Law 7.
1.2.49	"Sabbatical Officer"	A student of the University of Birmingham elected to be a full-time Officer of the Guild and who is required to take a leave of absence from his or her studies at the University of Birmingham during his or her term in office. (Also known as "Full-Time Officer").
1.2.50	"Scrutiny Panel"	A group of Full Members who review Officer progress and hold Officers to account.
1.2.51	"Single Transferable Voting System"	Voting procedure used for multi-seat elections. Voters rank candidates in order of preference. If a candidate achieves quota, his/her surplus votes are transferred to the second preferences. If no candidate has achieved quota the candidate with the lowest number of votes is eliminated from the election and his/her votes are redistributed based on second preferences. This process continues until all seats in the election are filled.
1.2.52	"Student Forum"	Commissioned by the Guild Officer Group to gain additional student feedback on Guild Services.
1.2.53	"Students' Association Dubai"	The body responsible for representing Full Members of the University of Birmingham Dubai Campus.
1.2.54	"University School"	Academic area of study within a College as defined by the University of Birmingham.
1.2.55	"Vacation"	Period between the end of the Summer term and the commencement of the Autumn term in the next Academic Year.

## BYE-LAW 2 – Membership

### 1. Membership Types

There shall be the following types of membership at the Guild of Students;

- Full Member
- Corporate Member
- External Member
- Honorary Life Membership
- Officer Life Membership

#### 1.1 *Full Members*

- 1.1.1 In accordance with Article 3, all students registered with the University of Birmingham, who have not opted out, and all Full-Time Officers shall be Full Members of the Guild of Students.
- 1.1.2 No fee shall be payable by Full Members of the Guild.
- 1.1.3 A student who wishes to opt-out or re-join the membership of the Guild must write to the President to notify them of the decision to opt-out or re-join the Guild.

#### 1.2 *Corporate Member*

- 1.2.1 No Fee shall be payable by the Corporate Member of the Guild
- 1.2.2 In accordance with Article 3, the University of Birmingham shall be a Corporate Member of the Guild.

#### 1.3 *External Membership*

- 1.3.1 External Membership is available subject to satisfactory application for External Membership. The application shall be submitted to the President who shall sign it on approval.
- 1.3.2 External Membership of the Guild of Students may be granted if the applicant meets any of the following criteria:
  - Graduate of the University of Birmingham.
  - Student at University of Birmingham who has deferred study.
  - Others at discretion of the President.
- 1.3.3 Fees may be payable by or for External Members.
- 1.3.4 The Guild of Students reserves the right to refuse External Membership, and to revoke an individual's external membership at any time.

#### 1.4 *Honorary Life Membership*

1.4.1 Honorary Life Membership is granted upon the resolution of the Nominations Committee to award Honorary Life Membership. The President shall sign and issue the membership card.

#### 1.5 *Officer Life Membership*

1.5.1 All Full-Time and Part-Time Officers shall be awarded Life Membership on the completion of their term in office, subject to approval at the All Student Meeting. The Chair of the All Student Meeting shall sign and issue the membership card.

### **2. Membership Cards**

- 2.1 Full Members shall use their University of Birmingham ID Card as their membership card. Other membership cards may be issued for all other types of membership.
- 2.2 Membership cards shall only be valid for as long as the period for which the membership is granted.
- 2.3 The membership card of a suspended member shall be immediately withdrawn as suspension commences. At the conclusion of the suspension, the membership card shall be reinstated.

### **3. Rights of Membership**

#### 3.1 *Full Members*

- 3.1.1 Full Members, subject to the discipline procedure, shall be entitled to the following:
- To make use of any services and facilities of the Guild.
  - To hold ordinary membership of any Guild Society.
  - To stand for committee membership of a Guild Society of which they are a member.
  - To attend Guild committees as observers, except in such cases as specified in the Bye-Laws.
  - To take part in the Members Democratic Process meetings as specified in the Bye-Laws.
  - To vote in, and to stand for office in Guild elections; and
  - To attend and vote at General Meetings of the Guild of Students.

#### 3.2 *Corporate Member*

- 3.2.1 The Guild's Corporate Member shall be entitled to the following:
- All the rights and privileges as specified in the Articles of Association of the Guild.
  - To approve changes to these Bye-laws in order to ensure that:
    - The election of officers of the Guild are fairly and properly conducted.

- The proper conduct of financial affairs of the Guild occurs, including the approval of budget and monitoring of expenditure
- The proper conduct of a complaints procedure is available to all students or groups of students.

### 3.3 *Honorary and External Members*

- 3.3.1 Honorary and External Members, subject to the discipline procedure, shall be entitled to the following:
- To make use of any services and facilities of the Guild which may from time to time be available to them.
  - To hold ordinary membership of any Guild Society.
  - To attend General Meetings of the Guild.

### 3.4 *NUS Colleges*

- 3.4.1 An organisation which is affiliated to the National Union of Students shall be deemed to automatically have an open reciprocity agreement with the Guild.

## **4. Discipline**

- 4.1 All Full, Honorary Life, External Members are subject to the Articles of Association, Bye-Laws and Policies of the Guild of Students.
- 4.2 The Guild reserves the right to take disciplinary action against any member who contravenes the Articles of Association, Byelaws, and Policy of the Guild of Students.
- 4.3 The Membership Discipline Procedure shall be published in the Guild's Policy documents.
- 4.4 The scope of the Membership Discipline Procedure relates to behaviour within the Guild Building, and Guild sponsored activity, individuals or groups whether within the Guild Building or elsewhere.
- 4.5 In order to maintain the good order and running of the Guild, the Trustees and nominated staff will have the right to execute powers consistent with Licensing Act 2003. These powers will include temporary or permanent exclusion, subject to the Equality Act 2010, from licenced premises, and or temporary suspension of membership.

## **5. Complaints**

- 5.1 All members, be they Full, Honorary Life, or External Members have the right to submit a complaint regarding an individual or group partaking in Guild sponsored activity.
- 5.2 The Complaints Procedure shall be published in the Guild Policy documents.

## **BYE-LAW 3 – General Governance of the Guild of Students**

### **1. Trustee Board**

#### *1.1 Membership*

- 1.1.1 Pursuant to the Articles of Association, the Full-Time Trustees shall be the President, the Activities and Employability Officer, the Education Officer, the International Officer the Postgraduate Officer, the Sports Officer and the Welfare and Community Officer.
- 1.1.2 The Student, External, and University Trustees of the Guild of Students will be appointed pursuant to the Articles of Association.

#### *1.2 Purpose/Responsibilities*

- 1.2.1 The Trustees are Charity Trustees as defined by the Charities Act 1993.
- 1.2.2 In accordance with Articles 28 and 29, the Trustees are responsible for the management and administration of the Guild, ensuring the Guild remains legally compliant and solvent, in accordance with Guild Policy.
- 1.2.3 The Trustees have overall responsibility for the day-to-day management of the Guild.

#### *1.3 Delegated Committees*

- 1.3.1 In accordance with Article 36 of the Articles of Association the Trustees may delegate any of their powers to any person(s) or committee. The Trustees will determine the number, remit and membership of these committees. A Trustee will chair any committee and membership of the committee may include Trustees, Full Members, and/or Guild of Student staff members.
- 1.3.2 As set out in Article 40, the Trustee Board sub committees will include, but not be limited to:
  - Finance Committee
  - HR Committee
  - Appointments Panel
  - Audit and Risk Committee

#### *1.4 Reporting*

- 1.4.1 The Trustee Board will report to the University of Birmingham, Charity Commission and Companies House as appropriate.

### **2. Representational Structures**

- 2.1 The precedence of representational authority shall be in the following order:
  - General Meetings under company law
  - Referenda
  - Members' Democratic Process

- Full-Time Officer Group
- Guild Officer Group (The Guild Officer Group takes precedence over the Full-Time-Officer Group, in areas of its existing terms of reference only).

## 2.2 General Meetings under Company Law

- 2.2.1 General Meetings under Company Law shall be held upon:
- The decision of the Trustees; or
  - The presentation of a petition of not less than 5% of Full Members to the President.
- 2.2.2 General Meetings under Company Law can be used to:
- Amend the Articles of Association (subject to the approval of University Council in accordance with Clause 6 of the Articles of Association)
  - Amend the Bye-Laws.
- 2.2.3 Decisions of General Meetings under Company Law shall not be reviewed by the Trustee Board but may be overturned by subsequent General Meetings.
- 2.2.4 Quorum for all General Meetings under Company Law shall be 0.5% of the Full Membership.
- 2.2.5 All Full Members who have not opted out of membership and the Corporate Member shall be eligible to attend, speak and vote at all General Meetings under Company Law either in person or by proxy.

## 2.3 Referenda

- 2.3.1 Referenda shall be held upon:
- The resolution by a 75% majority of a General Meeting; or
  - The receipt by the President of a petition signed by not less than either 1.5% of the Full Membership or four hundred Full Members, whichever is the greater.
  - Resolution of a 75% majority of the Guild Officer Group.
  - Resolution of a 75% majority of the Trustee Board.
- 2.3.2 Referenda can be used to:
- Seek opinion from students.
  - Decide Guild Policy.
  - Decide affiliations of the Guild of Students.
- 2.3.3 Decisions of Referenda may be overturned by subsequent Referenda or by a General Meeting under Company Law.
- 2.3.4 A Referendum shall not have the power to appoint or elect any officer, representative or member of staff of the Guild.
- 2.3.5 Quorum for all Referenda referring to governance changes shall be either 5% of the Full Membership or two thousand Full Members, whichever is the greater.
- 2.3.6 All Full Members who have not opted out of membership shall be eligible to vote in all Referenda.
- 2.3.7 The Date of the Referendum shall be set by the Guild Officer Group.
- 2.3.8 Referenda shall not be held in the first week of any term, or in term 3.

## 2.4 **Members' Democratic Process** (*"The Process"*)

- 2.4.1 All Full Members of the Guild can take part in "The Process"
- 2.4.2 The principal purpose of "The Process" is to represent the view of the Guild's Full Members through their submission, debate and voting upon Ideas.
- 2.4.3 In accordance with Article 95, through "The Process" Full Members can influence and direct the Guild's affairs.
- 2.4.4 In accordance with Article 96, decisions made through "The Process" can be overturned by the Trustee Board for financial, legal or Guild reputation issues.
- 2.4.5 A report will be sent on business transacted through the Members' Democratic Process to the Trustee Board after each All Student Meeting.

## 2.5 *Full-Time Officer Group*

- 2.5.1 Membership of the Officer Group shall be the Full-Time Officers of the Guild of Students.
- 2.5.2 The Full-Time Officer Group shall have responsibility for the day to day political decisions within the Guild of Students.
- 2.5.3 The Full-Time Officer Group shall meet on a regular basis.

## 2.6 *Guild Officer Group*

- 2.6.1 Membership of the Guild Officer Group shall be the Guild Officers.
- 2.6.2 The Guild Officer Group shall provide strategic student leadership of the Guild of Students and oversee the Members' Democratic Process
- 2.6.3 The Guild Officer Group shall meet on a regular basis.

## **BYE-LAW 4 – Committees of the Trustee Board**

### **1. Finance Committee**

#### *1.1. Purpose*

- 1.1.1 The purpose of the Finance Committee is to ensure that the Guild of Students meets approved income and expenditure targets, via the annual budget process and the monthly management accounts. The committee will also agree one-off and capital expenditure. The members of the Committee are required to review and consider appropriate methods of overseeing the Guild's financial activities.

#### *1.2. Membership/Composition*

- 1.2.1 The Finance Committee shall consist of:
- President
  - Sports Officer
  - 2 Trustees nominated by the Board of Trustees.
  - 2 individuals of appropriate skill and expertise (of which 1 is independent and not otherwise associated with the Guild).
  - Chief Executive and Finance Manager or nominees shall be in attendance in an advisory capacity.
- 1.2.2 Each member of the Committee cannot serve for more than 6 years in whatever capacity: either as a Trustee or external member.
- 1.2.3 The Chair of the Finance Committee shall be the President.
- 1.2.4 Any Trustee may attend a meeting of the Finance Committee, even where they are not a formally appointed member of the Committee.
- 1.2.5 The Finance Committee may request the attendance of any Officer, Trustee or employee of the Guild to report on any matter raised by the committee.
- 1.2.6 The Finance Committee may appoint or instruct any external professional; advisor, legal or otherwise, to perform its functions.

#### *1.3. Quorum*

- 1.3.1 No business shall be transacted at a Finance Committee meeting unless a quorum is present. A quorum for Committee meetings shall be at least 3 members of the Committee, including at least one Trustee. The Committee shall meet at least 5 times a year.

#### *1.4. Main Duties*

- 1.4.1 To recommend to the Trustee Board a financially sustainable annual budget including the distribution of resources between membership, business and support areas, and between revenue, capital, infrastructure, staff and non-staff costs.

- 1.4.2 To receive the monthly management accounts and regularly monitor the financial performance of the Guild, recommending appropriate action where necessary.
- 1.4.3 To approve amendments to the budget through the termly reforecast process.
- 1.4.4 To consider specific and one-off capital expenditure items that arise during a financial year in addition to the original budget, up to a limit of £10,000 per item.
- 1.4.5 To approve changes in department budgets of over 5% or over £5,000, and up to a limit of £15,000 per item.
- 1.4.6 To approve tender recommendations (except for External Audit).
- 1.4.7 To make recommendations to Audit and Risk Committee regarding the Financial Procedures Manual.
- 1.4.8 To oversee the Investment Policy and make recommendations to the Trustee Board.
- 1.4.9 To oversee the Reserves Policy and make recommendations to the Trustee Board.
- 1.4.10 To provide guidance to Officers and the Management Team regarding financial matters of the Guild.
- 1.4.11 To consider new business opportunities presented as and when they arise for ultimate consideration by the Trustee Board.
- 1.4.12 To ensure expenditure is incurred in line with strategic goals.
- 1.4.13 To consider new projects that may generate significant income streams for ultimate consideration by the Trustee Board.
- 1.4.14 To consider new projects that may involve a significant allocation of resources for ultimate consideration by the Trustee Board.
- 1.4.15 To make other decisions of a financial nature as delegated by the Board of Trustees.
- 1.4.16 To appoint other professional advisors where necessary and request specialist advice as may be required to perform its role effectively.
- 1.4.17 To review all relevant financial policies to ensure they remain effective.
- 1.4.18 To review the effectiveness of the Finance Committee, including terms of reference and the associated management information received, on an annual basis.
- 1.4.19 To receive regular reports from the Ethical & Environmental Committee.

### 1.5. Reporting

- 1.5.1 The Finance Committee will report to the Trustee Board regarding decisions, findings and recommendations made after every meeting.

## 2. HR Committee

### 2.1. Purpose

- 2.1.1 The purpose of the HR Committee is to ensure that the human resources of the Guild are working effectively to deliver the strategy and policy of the Guild.

## 2.2. Membership/Composition

- 2.2.1 The HR Committee shall consist of:
- Welfare and Community Officer
  - International Officer
  - 2 Trustees nominated by the Board of Trustees.
  - 2 individuals of appropriate skill and expertise (of which 1 is independent and not otherwise associated with the Guild.)
  - The Chief Executive and HR Manager or nominees shall be in attendance in an advisory capacity.
- 2.2.2 Each member of the HR Committee cannot serve for more than 6 years in whatever capacity: either as a Trustee or external member.
- 2.2.3 The Chair of the HR Committee shall be the Welfare and Community Officer.
- 2.2.4 Any Trustee may attend a meeting of the HR Committee even where they are not a formally appointed member of the Committee.
- 2.2.5 The HR Committee may request the attendance of any Officer, Trustee or employee of the Guild to report on any matter raised by the Committee.
- 2.2.6 The HR Committee may appoint or instruct any external professional advisor, legal or otherwise to properly perform its functions.

## 2.3. Quorum

- 2.3.1 No business shall be transacted at a HR Committee meeting unless a quorum is present. The quorum for Committee meetings shall be at least 3 members of the Committee including at least 1 Trustee. The Committee shall meet at least 5 times per year.
- 2.3.2 The Chief Executive shall not take part in any decision concerning her/his remuneration.

## 2.4. Main Duties

- 2.4.1 To approve the Guild wide pay award (e.g. cost of living).
- 2.4.2 To agree any significant changes to remuneration systems.
- 2.4.3 To agree the remuneration of the Chief Executive.
- 2.4.4 To receive the results of staff satisfaction surveys and agree any subsequent action to be taken.
- 2.4.5 To receive reports concerning employment statistics e.g. disability, equal opportunities, working time directive, absence and agree any subsequent action to be taken.
- 2.4.6 To oversee compliance with current employment legislation.
- 2.4.7 To review all relevant human resource policies to ensure they remain effective.
- 2.4.8 To review the effectiveness of the HR Committee, including terms of reference and the associated management information received on an annual basis.

- 2.4.9 To receive regular reports from the Health & Safety Committee, and the Equality and Diversity Committee.

## 2.5. Reporting

- 2.5.1 The HR Committee will report to the Trustee Board regarding decisions made after every meeting.

## 3. Appointments Panel

### 3.1. Purpose

- 3.1.1 The purpose of the Appointments Panel is to identify and appoint Student Trustees in accordance with Article 11 of the Articles of Association and to appoint External Trustees and in accordance with Article 15. The Appointments Panel will also be responsible for the Trustees' induction, support and development.

### 3.2. Membership and Composition

- 3.2.1 The Appointments Panel will consist of:
- President;
  - Chair of the Trustees;
  - 2 representatives of the University of Birmingham;
  - 2 Full Members of the Guild elected in a cross campus ballot
  - 3 members of the Guild Officer Group who are not Trustees; and
  - Postgraduate Officer; and
  - Chief Executive or nominee shall be in attendance in an advisory capacity.

### 3.3. Quorum

- 3.3.1 No business shall be transacted at an Appointments Panel meeting unless a quorum is present. A quorum will be at least 5 members of the Panel one of whom must be the Chair of the Trustee Board, or the President or a representative of the University of Birmingham, and one of whom must be a student who is not a Guild Officer.

### 3.4. Main Duties

- 3.4.1 To recruit, shortlist and interview prospective Trustee candidates.
- 3.4.2 To carry out regular skills, experience and diversity audits of the Board of Trustees and identify the skills, experience, characteristics and backgrounds that are needed to provide high quality effective governance.
- 3.4.3 To prepare role descriptions, person specifications and an information pack for prospective Trustees and to be realistic about the time commitments involved and what is expected of each Trustee.

- 3.4.4 To prepare a recruitment plan and timetable, and to consider the most appropriate recruitment mechanisms.
- 3.4.5 To identify a list of prospective Trustees and develop their interest in the work of the organisation.
- 3.4.6 To meet the prospective members of the Board of Trustees, to scrutinise their suitability and to make recommendations to the Board of Trustees.
- 3.4.7 To induct, mentor and involve new members of the Board of Trustees.
- 3.4.8 To appoint the Chief Executive of the Guild.

### 3.5. Reporting

- 3.5.1 The Appointments Panel will report to the Trustee Board at least annually.

## 4. Audit and Risk Committee

### 4.1. Purpose

- 4.1.1 The purpose of the Audit and Risk Committee is to ensure that the Guild of Students complies with all relevant laws and regulations and that an internal system of accountability is formally set up. The members of the Committee are required to review and consider appropriate methods of controlling the Guild's activities (financial and otherwise).

### 4.2. Membership and Composition

- 4.2.1 The Audit & Risk Committee shall consist of:
  - Education Officer.
  - 3 Trustees nominated by the Board of Trustees.
  - 2 individuals of appropriate skill and expertise (of which 1 is independent and not otherwise associated with the Guild).
  - Chief Executive and Finance Manager or nominees shall be in attendance in an advisory capacity.
- 4.2.2 Each member of the Committee cannot serve for more than 6 years in whatever capacity: either as a Trustee or external member.
- 4.2.3 The Chair of the Audit & Risk Committee shall usually be the Education Officer.
- 4.2.4 Any Trustee may attend a meeting of the Audit & Risk Committee, even where they are not a formally appointed member of the Committee.
- 4.2.5 The Audit & Risk Committee may request the attendance of any Officer, Trustee or employee of the Guild to report on any matter raised by the committee.
- 4.2.6 The Audit & Risk Committee may appoint or instruct any external professional; advisor, legal or otherwise, to advise it and allow the committee to perform its functions.

### 4.3. Quorum

- 4.3.1 No business shall be transacted at Audit & Risk Committee meeting unless a quorum is present. A quorum for Committee meetings shall be at least 3 members of the Committee, including at least one Trustee. The Committee shall meet at least 2 times a year.

### 4.4. Main Duties

- 4.4.1 To review the risk register of the Guild and any existing audit framework (both internal and external).
- 4.4.2 To structure and recommend appropriate levels of internal and external audit systems.
- 4.4.3 To monitor the performance of existing audit systems and to present regular reports to Trustee Board in respect of the results of any auditing exercise.
- 4.4.4 To advise on and ensure that audit checks are carried out in all key areas of the Guild's operations: in particular, legal, financial and tax management, investment policies and performance, health and safety and insurance.
- 4.4.5 To promote a culture of accountability throughout the Guild's operations and among its staff and members.
- 4.4.6 To review and advise the Trustee Board in respect of any matter which threatens or carries a risk for the Guild.
- 4.4.7 To institute and monitor any special or ad-hoc audit or investigation, providing a report of its findings to Trustee Board.
- 4.4.8 To oversee the Financial Procedures Manual and make recommendations to the Trustee Board.
- 4.4.9 To liaise with external auditors and promote a more efficient and co-ordinated audit process involving internal and external auditors as appropriate.
- 4.4.10 To monitor the frequency and scope of external audits.
- 4.4.11 To liaise with external auditors and review the preparation of the audit report.
- 4.4.12 To co-ordinate the relationship between the Board of Trustees and external auditors.
- 4.4.13 To review the documentation provided by the Board of Trustees to external auditors, for the preparation of the Guild's statutory accounts and other financial statements.
- 4.4.14 To advise the Board of Trustees on the appointment and to monitor the performance of external auditors.
- 4.4.15 To offer an ultimate port of call for the more urgent or sensitive concerns raised in respect of the Guild's integrity, financial and otherwise.
- 4.4.16 To review existing arrangements of external auditors (and their terms of business/engagement) and make recommendations to tender as and when appropriate.
- 4.4.17 To review the Guild's fraud response policy.
- 4.4.18 To receive whistle blowing reports, and public interest disclosures.

- 4.4.19 To review all relevant policies to ensure they remain effective.
- 4.4.20 To review the effectiveness of the Audit & Risk Committee, including terms of reference and the associated management information received on an annual basis.

#### 4.5. Reporting

- 4.5.1 The Audit & Risk Committee will report findings and recommendations to the Trustee Board after every meeting.

## **BYE-LAW 5 – Members' Democratic Process**

### **1. Powers**

- 1.1 There shall be a Members' Democratic Process ("The Process") in which all Full Members can participate. This process shall consist of the following sections:
  - 1.1.1 An "Allocations Procedure", in which "Ideas" or "Guild Policy" are allocated to the appropriate forum for consideration.
  - 1.1.2 "Decision Making Committees", which shall consider student "Ideas" and are further defined in Bye-Law 6
  - 1.1.3 An "All Student Meeting", in which the "Ideas" are considered and Guild Officers shall be accountable directly to Full Members for their work.
  - 1.1.4 The "All Student Vote", through which, Full Members shall vote on "Ideas" or "Guild Policy" that require additional student input.
  - 1.1.5 A "Scrutiny Panel" in which Scrutiny Panel Members hold Guild Officers to account for their work.
  - 1.1.6 "Student Forums", "Fact Finding Commissions" and "Referendums" to allow additional student consultation as deemed appropriate by the Guild Officer Group.
- 1.2 The Process shall:
  - 1.2.1 Represent and serve the interests of Full Members.
  - 1.2.2 Deliberate on and consider business affecting members of the Guild.
  - 1.2.3 Initiate and frame Guild Policy.
  - 1.2.4 Allow for debate on all ideas sent to NUS
- 1.3 The Process shall not have the power to appoint or elect any Officer, representative or member of staff of the Guild.

### **2. Occurrences**

- 2.1 The Process shall run throughout the academic year, with a minimum of three "All Student Meetings" held each year.

### **3. "Ideas"**

- 3.1 Any Full Member or Officer can submit Ideas relating to things they would like to change or introduce.
- 3.2 Any Full Member or Officer can submit Guild Policy relating to an opinion or stance they believe the Guild should adopt.

- 3.3 Full Members shall indicate whether their submission is intended as an Idea or Guild Policy.
- 3.4 Full Members may submit Ideas and Guild Policy online at any point in the Academic Year
- 3.5 Any Ideas and Guild Policy received during the Academic Year shall be put through the "Allocations Procedure"
- 3.6 Any Ideas and Guild Policy received during the vacation period shall be referred to an online vote by the Full Time Officer Group, in the absence of elected "Decision Making Committees".

#### **4. "Allocations Procedure"**

- 4.1 All Ideas or Guild Policy submitted by a Full Member or Guild Officer shall be subject to an Allocations Procedure, overseen by the elected Chair of the All Student Meeting.
- 4.2 The Allocations Procedure may reject Ideas or Policy that may be illegal, with the proposer receiving written justification when the decision is made.
- 4.3 Ideas and Policy shall be allocated to the most appropriate "Decision Making Committee" or "All Student Meeting" for consideration and decision in line with the Allocations Procedure Guidance.
- 4.4 Ideas and Policy may also be forwarded to the Guild Officer Group, where a Student Forum, Fact Finding Commission or Preferendum is more appropriate, in line with Allocations Procedure Guidance.

#### **5. Purpose of The All Student Meeting**

- 5.1 The purpose of the All Student Meeting is:
  - 5.1.1 To provide a forum for debate and discussion of Guild Policy and Ideas
  - 5.1.2 To consider, approve or reject Guild Policy (as defined in Byelaw 1) and Ideas, or to forward to an All Student Vote where appropriate.
  - 5.1.3 To develop policy that supports the Guild in the advancement of its values and charitable objects
- 5.2 The All Student Meeting will meet at least three times during the academic year.

#### **6. Main duties of All Student Meeting**

- 6.1 The All Student Meeting will discuss Ideas and Policies which are passed to it by the Allocations Procedure or the Decision Making Committees. Following discussion, Ideas or Policy may be:
  - 6.1.1 Approved by a two thirds majority
  - 6.1.2 Rejected by a two thirds majority
  - 6.1.3 Forwarded to All Student Vote
- 6.2 Where a division into two thirds involves a fraction of a number, that fraction shall be taken as whole.
- 6.3 The Meeting shall be chaired by the elected "Chair of All Student Meetings"

- 6.4 Conduct and procedure shall be governed by the "All Student Meeting Procedure" which shall:
- 6.4.1 Encourage fair and accessible discussions
  - 6.4.2 Empower student members to hold to account and direct their elected Guild Officers
  - 6.4.3 Be approved by the Guild Officer Group and reviewed at least once an academic year.

## **7. Attendance at the All Student Meeting**

- 7.1 All Full Members of the Guild shall have the right to attend, comment and vote at the All Student Meeting.
- 7.2 The quorum for the All Student Meeting shall be 1% of the Full members of the Guild, calculated at the start of the Academic Year.
- 7.3 If a quorum cannot be found the Meeting shall not have the power to approve or reject Ideas or Guild Policy. Such proposals will be put to an All Student Vote.
- 7.4 Any Full Member of the Guild may speak in favour of or against a Policy or Idea at All Student Meetings at the discretion of the Chair
- 7.5 The Ideas or Guild Policy being discussed at All Student Meeting shall be published at least 5 working days in advance to allow Full Members to attend and discuss the proposed Idea/ Guild Policy
- 7.6 A record of the All Student Meetings will be kept and made accessible online to the Full Members of the Guild

## **8. Voting During the All Student Vote**

- 8.1 Every Full Member is entitled to ONE vote only. Voting will ordinarily take place online.
- 8.2 Every Full Member shall be entitled to comment on All Student Vote Ideas / Guild Policy online.
  - 8.3 A Full Member may comment anonymously on the basis of Liberation concerns. If they wish to do this, they should contact the relevant Liberation Officer who will put comments forward on their behalf
- 8.4 The quorum for the All Student Vote shall be 1% of the current Full Members of the Guild, calculated at the start of the Academic Year. In order for an Idea/Guild Policy to pass, it must be quorate and receive at least 50% + 1 of votes cast

## **9. Validity of Ideas and Guild Policy**

- 9.1 Any Guild Policy passed as a result of the Process shall be valid for a period of 3 years from the date it passes, unless amended.
- 9.2 Any Idea passed as a result of the Process shall be valid for a period of 1 year from the date it passes, unless completed.

## 10. Officer Accountability During the All Student Meeting

- 10.1 Guild Officers will be held to account in part through All Student Meetings, alongside the Scrutiny Panel.
- 10.2 Officers will give a brief summary of their activity and progress on any Ideas/Guild Policies that were assigned to them.
- 10.3 The Scrutiny Panel shall provide a brief summary of their reports at the All Student Meeting.
- 10.4 Any Full Member can attend and ask questions.
- 10.5 If a Full Member is unable to attend the meeting in person, questions can be submitted online via the Guild of Students website.
- 10.6 Questions for the Liberation Officers can be submitted anonymously in advance if the Full Member does not wish to disclose their liberation status.
- 10.7 If a Full Member is unhappy with the conduct or performance of a member of the Guild Officer Group, they may submit a reprimand, censure or Vote of No Confidence in line with the Guild Officer Discipline & Appeal Policy.

## 11. Student Forums

- 11.1 Student Forums provide Full Members with the opportunity to provide input into the running and configuration of Guild services.
- 11.2 Any full member shall have the opportunity to attend a Student Forum.
- 11.3 The scope of Student Forums shall be agreed by the Guild Officer Group.

## 12. Fact Finding Commissions

- 12.1 Fact Finding Commissions ("Commissions") shall allow for additional research and information gathering to be conducted on topics or Ideas that the Guild Officer Group deem it appropriate to do so.
- 12.2 The Guild Officer Group shall establish a number of Guild Officers to support the work of a Commission as a "Steering Group".
- 12.3 The proposer of an Idea that becomes a Fact-Finding Commission shall be invited to join the Steering Group.
- 12.4 The Steering Group shall publish their findings online to Full Members and make recommendations in a report to the Guild Officer Group.
- 12.5 The Guild Officer Group may send recommendations in the form of Ideas through the Allocations Procedure or where appropriate use them to inform establishing a 'Preferendum'.

## 13. Preferendums

- 13.1 Preferendums allow for Full Members to vote on a range of options through the Single Transferable Vote system, in all other ways the conduct and process of a 'Preferendum' shall be the same as All Student Votes.

- 13.2 The Guild Officer Group may call Preferendums in instances where a range of possible options exist, but they believe student input is required to decide between them.

## 14. Scrutiny Panel

- 14.1 Guild Officers will be held to account through Scrutiny Panel meetings.
- 14.2 Scrutiny Panel meetings will be held at least three times per academic year.
- 14.3 The Guild Officer Group will present a report of their work at each meeting and then take questions from the Scrutiny Panel.
- 14.4 A Member of the relevant Decision-Making Committee may also be invited to contribute to the report of a Guild Officer to Scrutiny Panel.
- 14.5 If a Full Member is unhappy with the conduct or performance of a member of the Guild Officer Group, they may submit a reprimand, censure or Vote of No Confidence in line with the Guild Officer Discipline and Appeals Policy for review by the Scrutiny Panel.
- 14.6 The Membership of the Scrutiny Panel shall be five recruited Full Members of the Guild of Students.
- 14.7 Members of the Guild Officer Group shall not be Scrutiny Panel members.
- 14.8 The Main Duties of the Scrutiny Panel Shall be:
- 14.8.1 Receive and scrutinise reports from the Guild Officer Group in relation to their manifestos, remit and Guild Policy
- 14.8.2 Scrutiny Panel has the right to:
- Ask questions.
  - State a practical point of clarification.
  - Make a comment.
- 14.8.3 If Scrutiny Panel is unhappy with the conduct or performance of a member of the Guild Officer Group, they may submit a reprimand, censure or Vote of No Confidence in line with the Guild Officer Discipline and Appeal Policy.
- 14.8.4 If Scrutiny Panel is happy with the conduct or performance of a member of the Guild Officer Group, they may commend their performance.
- 14.8.5 Scrutiny Panel shall commend, reprimand or censure an Officer on the basis of a unanimous, consensus decision of the panel.
- 14.8.6 Guild Officer Group Reports to the Scrutiny Panel shall be published online for Full Members to view.
- 14.8.7 Decisions and Comments of the Scrutiny Panel on the performance of the Guild Officer Group shall be published online for Full Members to view. The Scrutiny Panel shall provide a brief summary of their reports at All Student Meetings.

## **BYE-LAW 6 – Committees of the Guild**

### **1. Committees of the Guild**

- 1.1 The Committees of the Guild shall be (but not limited to):
- Full-Time Officer Group
  - Guild Officer Group
  - Activities Committee
  - Campaigns Committee
  - Education Committee
  - Nominations Committee
  - Welfare and Liberation Committee
  - Students' Association Dubai
  - Medsoc Executive

### **2. Duties**

- 2.1 All Committees shall be answerable to the Full Members of the Guild
- 2.2 Minutes must be taken for each meeting of a Committee of the Guild. A copy of the ratified minutes for each meeting shall be available for viewing by all Full Members.
- 2.3 Each Committee shall set targets for the achievement of the Committee's objectives.
- 2.4 All committee minutes shall be placed online to allow scrutiny by Full Members. Additional verbal reports can be provided to All Student Meeting as appropriate
- 2.5 Members of Committees may be delegated responsibility for its work.
- 2.6 No Committee of the Guild may discuss members of staff or staffing matters. This does not include matters of staffing resource.
- 2.7 Any member of a Committee of the Guild may resign at any time in writing to the President or Committee Chair as appropriate, with such notice to be effective from the time of receipt unless another time is specified by the resigning member.

### **3. Membership**

- 3.1 Members of a Committee of the Guild may include Trustees, Officers or Full Members. Guild of Students staff shall also be in attendance in an advisory capacity.
- 3.2 Any Full Members elected specifically to a Committee shall be elected by a cross campus ballot and serve a term of one year.

### **4. Quorum**

- 4.1 The quorum for a Committee of the Guild shall be half of the full constitutional members. When the division of half involves a fraction of a number, that fraction shall be taken as a whole.

## 5. Procedure

- 5.1 All Committees of the Guild should be run in line with the Articles of Association, these bylaws and their Terms of Reference.  
Full Members may attend and speak at meetings of Committees of the Guild, other than when discussing reserved business.

## 6. Full-Time Officer Group

### 6.1 Purpose

- 6.1.1 The Full-Time Officer Group shall provide the day to day political leadership to the Guild and its affairs and activities.

### 6.2 Membership

- 6.2.1 The Full-Time Officer Group shall consist of:
- All Full-Time Officers.
  - The Chief Executive or nominee shall be in attendance.

### 6.3 Main Duties

- 6.3.1 Respond to public events and media enquiries.  
6.3.2 Co-ordinate the Guild position on issues that arise.  
6.3.3 Co-ordinate the submission of items for Scrutiny Panel meetings including reports and policies.  
6.3.4 Discuss any significant membership sensitivities arising from Guild operational decisions.  
6.3.5 Act on behalf of the members during vacation periods and report actions taken by the Full-Time Officer Group on behalf of members at the first All Student Meeting of the academic year.  
6.3.6 Delegate any of its powers to any person(s) or committee.

## 7. Guild Officer Group

### 7.1 Purpose

- 7.1.1 The Guild Officer Group shall provide strategic student leadership to the Guild.

### 7.2 Membership/Composition

- 7.2.1 The Guild Officer Group shall consist of:
- All Full-Time Officers
  - All Part-Time Officers
  - The Chief Executive, or nominee, shall be in attendance

### 7.3 Main Duties

- 7.3.1 Provide a representative voice for the constituencies of the membership
- 7.3.2 Act as a consultative body.
- 7.3.3 Provide continuity, consistency and oversight of the Members Democratic Process outlined in Byelaw 5.
- 7.3.4 Approve and review the All Student Meeting Procedure at least once per academic year.
- 7.3.5 The Guild Officer Group is empowered to establish Student Forums, Fact Finding Commissions and Preferendums in order to seek wider student opinion, by two thirds majorities. It shall do so both through considering candidate Ideas from the Allocations Procedure, and on their own initiative.

## 8. Activities Committee

### 8.1 Purpose

- 8.1.1 The Activities Committee shall be responsible for actively representing all Full Members involved in the sports, volunteering and student led activities.

### 8.2 Membership

- 8.2.1 The Activities Committee shall consist of:
  - Activities and Employability Officer ex officio (Chair).
  - Sports Officer ex officio (Co- Chair) Education Officer.
  - 2 elected Student Groups Representatives.
  - 2 elected Sports Representatives.
  - 3 elected student members.
  - The Chief Executive or nominee shall be in attendance.

### 8.3 Main Duties

- 8.3.1 The Activities Committee shall be a "Decision Making Committee", as outlined in Byelaw 5.
- 8.3.2 The Activities Committee shall be responsible for overseeing, allocating, and reviewing the Guild's Student Groups grants.
- 8.3.3 The Activities Committee shall make recommendations on the Guild's position on activities and development issues.
- 8.3.4 The Activities Committee shall consider policy proposals relating to student groups.
- 8.3.5 The Activities Committee shall support the Activities and Employability Officer and Sports Officer to achieve their manifesto pledges and mandates The Activities Committee shall be responsible for reviewing the Guild's Student Groups Policy and for ensuring that student groups adhere to the requirements of the Policy.

## 8.4 Decision Making

- 8.4.1 The Committee shall seek to operate by consensus wherever possible. In matters that are not part of the Members Democratic Process, the Committee may decide things by simple majority.

## 8.5 Policy Proposals

- 8.5.1 In instances where a consensus cannot be reached on matters of Guild Policy or Ideas, proposals can be approved or rejected by a two thirds majority (not counting abstentions).
- 8.5.2 The Committee may amend proposals prior to voting to approve or reject, by a two thirds majority.
- 8.5.3 In instances where a two thirds majority to approve or reject cannot be found, the proposal may be escalated to the next All Student Meeting.

## 9. Nominations Committee

### 9.1 Purpose

- 9.1.1 The Nominations Committee shall be responsible for nominating and appointing those persons who are eligible for Honorary Life Membership of the Guild of Students.

### 9.2 Membership

- 9.2.1 The Nominations Committee shall consist of:
- President, ex officio (Chair).
  - Three Full-Time Officers (elected from Guild Officer Group).
  - Three Part-Time Officers (elected from Guild Officer Group).
  - The Chief Executive Officer or nominee shall be in attendance.

### 9.3 Main Duties

- 9.3.1 Be the committee responsible for accepting and recognising those persons who have been nominated for Honorary Life Membership of the Guild of Students.
- 9.3.2 Have the power to approve or reject Honorary Life Membership based on the criteria for Honorary Life Membership set out in the Guidance documents.

## 10. Campaigns Committee

### 10.1 Purpose

10.1.1 The Campaigns Committee shall be the body which oversees the Guild of Students' campaign activity except for campaigns covered by the Welfare and Liberation Committee.

### 10.2 Membership

10.2.1 The Campaigns Committee Shall Consist of:

- President, *ex officio* (Chair)
- Campaigns Officer
- Ethical and Environmental Officer
- 5 elected student members
- The Chief Executive or nominee shall be in attendance.

### 10.3 Main Duties

10.3.1 The Campaigns Committee shall be a "Decision Making Committee" as outlined in Byelaw 5.

10.3.2 The Campaigns Committee shall be responsible for overseeing, allocating and reviewing the Guild's Student Campaigns Fund.

10.3.3 The Campaigns Committee shall support the development and provide oversight of the Guild's major campaigning activity.

10.3.4 The Campaigns Committee shall consider policy proposals relating to the Guild's campaigns excluding proposals in scope of the Welfare and Liberation Committee.

10.3.5 The Campaigns Committee shall support the President and the Campaigns Officer to achieve their manifesto pledges and mandates.

### 10.4 Decision Making

10.4.1 The Committee shall seek to operate by consensus wherever possible. In matters that are not part of the Members Democratic Process the Committee may decide things by simple majority.

### 10.5 Policy Proposals

10.5.1 In instances where a consensus cannot be reached on matters of Guild Policy or Ideas, proposals can be approved or rejected by a two thirds majority (not counting abstentions).

10.5.2 The Committee may amend Guild Policy or Ideas it is considering by two thirds majority prior to voting to approve or reject them.

10.5.3 In instances where a two thirds majority to approve or reject cannot be found, the proposal may be escalated to the next All Student Meeting.

## 11. Education Committee

### 11.1 Purpose

11.1.1 The Education Committee shall be the body which oversees the Guild's activity relating to academic issues.

### 11.2 Membership

11.2.1 The Education Committee Shall Consist of:

- Education Officer ex officio (Chair).
- Postgraduate Officer.
- International Officer.
- 5 College Reps, 1 per college.
- 5 elected student members, including one commuter student representative.
- The Chief Executive or nominee shall be in attendance.

### 11.3 Main Duties

11.3.1 The Education Committee shall be a "Decision Making Committee" as outlined in Byelaw 5.

11.3.2 The Education Committee shall be responsible for overseeing, allocating and reviewing the Guild's Student Rep Fund.

11.3.3 The Education Committee shall consider policy proposals relating to academic issues.

11.3.4 The Education Committee shall discuss ongoing academic policy issues and developments, mandating and recommending actions as appropriate.

11.3.5 The Education Committee shall support the Education Officer, Postgraduate Officer, and International Officer to achieve their manifesto pledges and mandates.

### 11.4 Decision Making

11.4.1 The Committee shall seek to operate by consensus wherever possible. In matters that are not part of the Members Democratic Process the Committee may decide things by simple majority.

### 11.5 Policy Proposals

11.5.1 In instances where a consensus cannot be reached on matters of Guild Policy or Ideas, proposals can be approved or rejected by a two thirds majority (not counting abstentions).

11.5.2 The Committee may amend Guild Policy or Ideas by a two thirds majority prior to voting to approve or reject them.

11.5.3 In instances where a two thirds majority to approve or reject cannot be found, the proposal may be escalated to the next All Student Meeting.

## 12. Welfare and Liberation Committee

### 12.1 Purpose

12.1.1 The Welfare and Liberation Committee shall be responsible for campaigning and representation activity relating to:

12.1.2 Student Welfare.

12.1.3 Students represented by the five "Liberation Officers", and intersections of those groups.

### 12.2 Membership

12.2.1 The Welfare and Liberation Committee shall consist of:

- Welfare & Community Officer (Chair)
- The five "Liberation Officers":
  - LGBTQ Officer.
  - Trans Officer.
  - Disabled Students' Officer.
  - Ethnic Minorities Officer.
  - Women's Officer.
- Elected Postgraduate Representative.
- Elected International Representative.
- 2 elected student members.
- The Chief Executive or nominee shall be in attendance.

### 12.3 Main Duties

12.3.1 The Welfare and Liberation Committee shall be a "Decision Making Committee", as outlined in Byelaw 5.

12.3.2 The Welfare and Liberation Committee shall be responsible for overseeing, allocating and reviewing relevant Guild campaign expenditure.

12.3.3 The Welfare and Liberation Committee shall consider policy proposals relating to welfare, wellbeing, equality and diversity, and liberation issues.

12.3.4 The Welfare and Liberation Committee shall make recommendations on The Guild's position on welfare and liberation issues.

12.3.5 The Welfare and Liberation Committee shall support the delivery of History Month campaigns and activities.

12.3.6 The Welfare and Liberation Committee shall support the Welfare & Community Officer and Liberation Part Time Officers to achieve their manifesto pledges and mandates.

#### 12.4 Decision Making

12.4.1 The Committee shall seek to operate by consensus wherever possible. In matters that are not part of the Members Democratic Process the Committee may decide things by simple majority.

#### 12.5 Policy Proposals

12.5.1 In instances where a consensus cannot be reached on matters of Guild Policy or Ideas, proposals can be approved or rejected by a two thirds majority (not counting abstentions).

12.5.2 The Committee may amend proposals prior to voting to approve or reject them by a two thirds majority.

12.5.3 In instances where a two thirds majority to approve or reject cannot be found, the proposal may be escalated to the next All Student Meeting.

### **13. Students' Association Dubai and Students' Association Dubai Forum**

The Students' Association Dubai is the recognised body responsible for actively representing all Full Members of the University of Birmingham Dubai Campus. As such there will be a Students' Association Dubai Forum to provide representation for students and support associated activity and events.

#### 13.1 Purpose

13.1.1 The Students' Association Dubai Forum shall be responsible for providing representation for all Full Members of the University of Birmingham Dubai Campus, support for activity and events conducted by those Full Members and recognising student groups comprising those Full Members.

#### 13.2 Membership

13.2.1 The Students' Association Dubai Forum shall consist of:

- Student Chair of the Dubai Student Staff Committee.
- Six Student Leaders elected annually from the University of Birmingham Dubai campus.
- International Officer (ex officio).
- Campus Director (Dubai) or nominee shall be in attendance.

Only Full Members of the University of Birmingham Dubai Campus will be eligible to stand for election to the Student Association Dubai Forum in a campus wide ballot. The Chair will be elected from the membership.

### 13.3 *Main Duties*

- 13.3.1 To provide student leadership to University of Birmingham Dubai students
- 13.3.2 To play an active role in planning and coordinating student activities and events for University of Birmingham Dubai students.
- 13.3.3 To recognise and derecognise University of Birmingham Dubai Student Groups.
- 13.3.4 To enable student participation in the relevant University Committees and decision-making structures at University of Birmingham Dubai.

### 13.4 *Reporting*

- 13.4.1 The Students' Association Dubai Forum will report to the Full Time Officer Group on a regular basis.

## **14. MedSoc Executive**

### 14.1 *Purpose*

- 14.1.1 The MedSoc Executive shall be responsible for actively representing all Full Members involved in MedSoc Activities.

### 14.2 *Membership/Composition*

- 14.2.1 The MedSoc Executive shall consist of:
  - MedSoc President (Chair).
  - Vice-President (Academic).
  - Secretary.
  - Treasurer.
  - Sports Representative.
  - Societies and Charities Representative.
  - Activities and Employability Officer (ex officio).
  - The Chief Executive or nominee shall be in attendance.
- 14.2.2 There shall be other MedSoc Executive positions that shall be determined by the MedSoc Constitution.

- 14.2.3 The quorum for the MedSoc Executive will be four.

### 14.3 *Main Duties*

- 14.3.1 Be the committee responsible for recognising and derecognising MedSoc Student Groups in line with MedSoc Student Group Recognition Guidelines.

- 14.3.2 Ensure the effective running of MedSoc activities.
- 14.3.3 Have the power to set up sub-committees and advisory committees which shall have responsibility for such MedSoc business as is vested in them by the Bye-Laws.
- 14.3.4 Have the power to decide on changes to MedSoc Student Group constitutions.
- 14.3.5 Have the power to make decisions on MedSoc Student Group Grant expenditure, reporting this to Finance Committee on at least an annual basis.
- 14.3.6 Other such duties and activities outlined in the MedSoc Constitution.

## BYE-LAW 7 - Officers

### 1. Categories of Officers

- 1.1 There shall be the following categories of officers:
- Guild Officers
  - Guild Delegates and Observers to Conferences of NUS
  - Officials of Guild Committees
  - Officials of Associations

### 2. Accountability

- 2.1 All Officers shall be accountable through the Scrutiny Panel and All Student Meetings for their activities. Questions for Liberation Officers can be submitted anonymously via the website, if the Full Member does not wish to disclose their status.
- 2.2 Amendments to the Bye-Laws to alter the remits and responsibilities of any officer shall not necessitate the re-election or re-appointment of a person to that office.

### 3. Discipline and Conduct of Officers

- 3.1 Provision for the investigation and discipline of Officers of the Guild shall be outlined in the Officer Discipline & Appeals Policy.

### 4. Communication with the Media

- 4.1 Except with the permission and authority of the President, no officer, with the exception of the President, may discuss with external media any matter concerning the Guild.

### 5. Guild Policy

- 5.1 Guild Policy shall be upheld by all Officers in the course of their duties and work.

### 6. Election and Period of Office

- 6.1 Officers of the Guild shall be elected at times set by the Returning Officer and in accordance with the Bye-Laws.

### 7. Restrictions on Officers of the Guild

- 7.1 Any Member elected to be a Full-Time Officer shall cease to be a member of any Guild Committee (other than *ex officio*).

### 8. Guild Officers

- 8.1 All Guild Officers shall hold office during the dates outlined in the Guild Policy Documents.

8.2 The Full-Time Officers shall be:

- President
- Activities and Employability Officer
- Education Officer
- International Officer
- Postgraduate Officer
- Sports Officer
- Welfare & Community Officer

8.3 The Part-Time Officers shall be:

- Campaigns Officer
- Disabled Students' Officer
- Ethical and Environmental Officer
- Ethnic Minority Students' Officer
- Lesbian, Gay, Bisexual, Trans and Queer+ (LGBTQ+) Students' Officer
- Trans or non-binary Students' Officer
- Women's Officer

8.4 For the avoidance of doubt, the Disabled Students' Officer, Ethnic Minority Students' Officer, LGBTQ+ Students' Officer, Trans or non-binary Students' Officer and Women's Officer, shall be the Liberation Officers of the Guild of Students and may have additional responsibilities for the Liberation Associations as defined in Bye-Law 9.

8.5 *General Guidelines on Guild Officers*

- 8.5.1 All Guild Officers have a responsibility to represent the needs of all Full Members on all campuses.
- 8.5.2 All Guild Officers must act in the best interests of the Guild at all times.
- 8.5.3 All Guild Officers shall take an active role in leading, organising and promoting Guild campaigns.
- 8.5.4 All Guild Officers shall adhere to the Officer's Code of Conduct at all times. This can be found within the Officer Discipline Policy
- 8.5.5 The positions and remits of all Guild Officers shall be reviewed on a regular basis.
- 8.5.6 Where Part-Time Officers within their remit co-convene standing Guild Societies or Associations, they help ensure, drive and coordinate campaigns relating to the groups or the broad objectives of their role and remit. The Guild Society/Association chair explicitly remains responsible for ensuring the organisation of the groups and is accountable for its activities.
- 8.5.7 Upon taking office, Part-Time Officers must cease to undertake any promotional work. Promotional work is defined as 'The publications of external products, organisations or ventures to increase sales for personal financial gain'. This includes commercial activity by the Guild of Students.

## 8.6 Reports

- 8.6.1 Each Guild Officer shall present an update of their work to each Scrutiny Panel and All Student Meeting, outlining their activities in the relevant period.

## 8.7 Duties of Officers

- 8.7.1 It is expected that all Full Time Officers perform duties relevant to the role of a Full-Time Officer in the Guild of Students; these shall include but are not limited to:

- Promote the Guild and its work to all students by participating fully in Guild-organised activities.
- Work to ensure Guild communications, events and activities are accessible and inclusive to all students
- Work with other Officers to campaign on key student issues.
- Attend all relevant committee meetings as required.
- Attend and represent students on relevant university committees as required
- Represent students in academic appeals and mitigations.
- Represent students at relevant national events.
- Work with the University to support and encourage underrepresented students to study at the University of Birmingham.
- Involvement in making relevant decisions regarding the resources of the Guild of Students as required.
- Oversee the Guild's effectiveness as a campaigning organisation

### 8.7.2 President

As Chair of both the Full Time Officer Group and the Guild Officer Group, the President shall act in a leadership role and be responsible for supporting each Full-Time Officer in their role. The President is also responsible for ensuring the effective co-operation and communication within the Officer Team, mediating any disputes when they arise.

The President shall:

- Ensure that the Guild of Students maintains a productive working relationship with the University, community decision makers and other external partners.
- Ensuring that the Guild operates to a high standard in comparison with other students' unions and comparable third sector organisations.
- Oversee media and external relations.
- Monitor the progress and development of the Guild in conjunction with the Memorandum and Articles of Association, Mission Statement, and Strategic Plan and periodically to review those as appropriate.
- Lead the formulation of Guild policy on democracy & governance and oversee its execution.

- Work with relevant staff members in encouraging Full Members to participate in democratic activities and Elections.
- Be the lead Officer involved in the financial issues of the Guild of Students.
- Support the Education Officer relating to academic matters.
- In conjunction with the Officer Team, liaise with and advise the Chief Executive on matters relating to the Guild.
- Be Vice-Chair of the Trustee Board.
- Be a Trustee of the Guild.
- Be a member of University Council.
- Be ultimately accountable for the Guild of Students complying with the provisions of the Bye-Laws and adhering to changes made through the Member's Democratic Process, particularly where relevant to their Officer portfolio.
- Build and develop the Guild's ability to effect positive change on issues decided by the Membership.

### 8.7.3 *Activities and Employability Officer*

The Activities and Employability Officer shall:

- Lead the formulation of Guild policy on student activities and development, and oversee its execution.
- Work with relevant staff members to ensure that all Committee Members are empowered to organise high-quality activities for the benefit of students through the provision of training, advisory briefings and other services.
- Lead the Guild of Students' work to enhance the personal development and future employability of Full Members.
- Shall oversee the Guild's programme of events and commercial activities, including chairing any relevant committees in this area.
- Maintain a productive working relationship with the University over issues relating to student activities and events, including the recognition and accreditation of the work of Student Group Executive Members and volunteers.
- Have responsibility for all membership disciplinary matters with the Guild, delegated to staff where appropriate.
- Be the Editor-in-Chief of all official Guild publications.
- Be a Trustee of the Guild.
- In the absence of the President or other Full-Time Officers, undertake delegated duties of the Full-Time Officer Team.
- Be ultimately accountable for the Guild of Students complying with the provisions of the Bye-Laws and adhering to changes made through the Member's Democratic Process, particularly where relevant to their Officer portfolio.

#### 8.7.4 *Education Officer*

The Education Officer shall:

- Lead the formulation of Guild policy on education and oversee its execution.
- Ensure that students are represented throughout the University on academic issues.
- Maintain a productive working relationship with the University on academic issues.
- Work with relevant staff members to ensure that representatives are empowered to achieve positive change on behalf of students through the provision of training, advisory briefings and/or other services.
- Monitor the progress and impact of Guild representation in addressing the concerns of students on academic issues.
- Be the Guild lead on the Student Representation System as co-chair of the Student Representation System Advisory Board.
- Be the Guild lead on issues relating to the academic infrastructure, including being the key point of contact on matters relating to Institutional Audit.
- Oversee the development and dissemination of the Guild's Student Voice Report.
- Be a Trustee of the Guild
- In the absence of the President or other Full-Time Officers, undertake delegated duties of the Full-Time Officer Team.
- Be ultimately accountable for the Guild of Students complying with the provisions of the Bye-Laws and adhering to changes made through the Members Democratic Process, particularly where relevant to their Officer portfolio.

#### 8.7.5 *International Officer* (who would be expected to be an international student).

The International Officer shall:

- Lead the formulation of Guild policy on international matters and oversee its execution.
- Ensure that international students are represented throughout the University on issues affecting their experience.
- Maintain a productive working relationship with the University on the international student experience, including students with international fee status, those studying on a year abroad and students at Birmingham's international satellite campuses.
- Monitor the progress and impact of Guild representation in addressing international students' issues, providing guidance to staff and officers where appropriate.
- Oversee the organisation of Guild services and activities, including induction and integration activities, for international students and ensuring that all services and activities of the Guild have an internationalisation perspective.

- Be the Guild lead on issues relating to the experience of international students, including acting as a key point of contact for ISAS, BIA and Study Abroad.
- Work with staff to ensure that Guild events, activities and communications are accessible for International students.
- Support the work of the International Students Association.
- Be a Trustee of the Guild.
- In the absence of the President or other Full-Time Officers, undertake delegated duties of the Full-Time Officer Team.
- Be ultimately accountable for the Guild of Students complying with the provisions of the Bye-Laws and adhering to changes made through Member's Democratic Process, particularly where relevant to their Officer portfolio.

#### 8.7.6 *Postgraduate Officer* (who would be expected to be a postgraduate student)

The Postgraduate Officer shall:

- Lead the formulation of Guild policy on postgraduate matters and oversee its execution.
- Ensure that both postgraduate researchers and taught students are represented throughout the University on issues that affect their experience.
- Maintain a productive working relationship with the University on the postgraduate student experience, including being the key point of contact for the Graduate School.
- Work with relevant staff members to ensure that postgraduate representatives are empowered to achieve positive change on behalf of students through the provision of training, advisory briefings and/or other services.
- Oversee the organisation of Guild services and activities, including induction activities, for postgraduate students.
- Be the Guild lead on postgraduate elements of the Student Representation System, providing postgrad student views to relevant University committees.
- Monitor the progress and impact of Guild representation in addressing the concerns of students on postgraduate issues, providing guidance to staff and officers where appropriate.
- Support the work of the Postgraduate and Mature Students Association.
- Be a Trustee of the Guild.
- In the absence of the President or other Full-Time Officers, undertake delegated duties of the Full-Time Officer Team.
- Be ultimately accountable for the Guild of Students complying with the provisions of the Bye-Laws and adhering to changes made through the Member's Democratic Process, particularly where relevant to their Officer portfolio.

### 8.7.7 Sports Officer

The Sports Officer shall:

- Lead the formulation of Guild policy on issues related to sport and healthy living, and oversee its execution.
- Work with relevant staff members and the University to provide all Full Members with the opportunity to be involved in sporting activities, at both participation and performance levels.
- Promote student-led sport and where possible ensure sport is student-led throughout the University.
- Maintain a productive working relationship with the University over issues relating to the management of University of Birmingham Sports.
- Work with the University to ensure that campus facilities are accessible and sufficient for those Full Members participating in sport.
- Work with the University to ensure that student participation in sport is accredited and that the positive impact made by sports clubs is recognised.
- Help Full Members live healthier lives by providing Full Members guidance on relevant issues.
- Act as a key contact for British Universities and Colleges Sport (BUCS) and any other sport-focused external organisations that the Guild is in partnership with.
- To be a member of the Guild's Ethical and Environmental Committee.
- Be a Trustee of the Guild
- In the absence of the President or other Full-Time Officers, undertake delegated duties of the Full-Time Officer Team.
- Be ultimately accountable for the Guild of Students complying with the provisions of the Bye-Laws and adhering to changes made through the Member's Democratic Process, particularly where relevant to their Officer portfolio.

### 8.7.8 Welfare & Community Officer

The Welfare & Community Officer shall:

- Lead the formulation of Guild policy on issues relating to the rights of all students, including student welfare, safety and housing.
- Maintain a productive working relationship with the University over issues relating to the general wellbeing, accommodation and safety of Full Members.
- Oversee the Guild's work to combat crime in student areas of Birmingham
- Be responsible for promoting Equality and Diversity in all aspects of the organisation.

- Be responsible for the support of Liberation Guild Officers and Liberation Associations, including through the Welfare and Liberation Committee.
- Ensure that the Guild is accessible to and supportive of those students who continue to live at home whilst studying at the University of Birmingham.
- Be a Trustee of the Guild.
- In the absence of the President or other Full-Time Officers, undertake delegated duties of the Full-Time Officer Team.
- Be ultimately accountable for the Guild of Students complying with the provisions of the Bye-Laws and adhering to changes made through the Member's Democratic Process, particularly where relevant to their Officer portfolio.
- Work with relevant staff members to enhance the communal life of students in Halls, through the organisation of high-quality events and activities.

#### 8.7.9 *Campaigns Officer*

The Campaigns Officer shall:

- Actively campaign on an issue(s) of interest and concern to University of Birmingham students, as outlined in their manifesto.
- Attend and support the work of the Campaigns Committee
- Encourage Full Members to actively get involved with the aims of their manifesto.
- Ensure that the Guild actively promotes initiatives to support and empower Full Members to campaign on issues of concern to University of Birmingham students to be aware of the needs and priorities of Full Members and respond to them as required.

#### 8.7.10 *Disabled Students' Officer* (who is expected to self-define as a Full Member with a disability)

The Disabled Students Officer shall:

- Campaign on issues of concern to students with disabilities.
- To support the work of the Disability and Mental Health Association
- Promote the interests of students with disabilities to the University of Birmingham, the Guild and wider as appropriate.
- Attend the Welfare and Liberation Committee.
- To ensure that representation of the students supported by the Disability and Mental Health Association occurs at all levels of the Guild in the absence of a committee.

#### 8.7.11 *Ethical and Environmental Officer*

The Ethical and Environmental Officer shall:

- Campaign on issues related to the environment and ethical considerations.

- Support the work (which may include chairing) of any relevant Representation Association or committee.
- Promote environmentally friendly and ethically sound policy and practice to the University of Birmingham, the Guild and wider as appropriate.

8.7.12 *Ethnic Minority Officer* (who is expected to self-define as an Ethnic Minority Full Member)

The Ethnic Minority Officer shall:

- Campaign on issues of concern to students of an ethnic minority.
- To support the work of the Birmingham Ethnic Minority Association
- Promote the interests of Ethnic Minority students to the University of Birmingham, the Guild and wider as appropriate.
- Attend the Welfare and Liberation Committee.
- To ensure that representation of the students supported by the Black & Ethnic Minority Association occurs at all levels of the Guild in the absence of a committee.

8.7.13 *Lesbian, Gay, Bisexual, Trans, and Queer+ Students' Officer* (who shall self-define as a Lesbian, Gay, Bisexual, Trans or Queer Full Member)

The Lesbian, Gay, Bisexual, Trans and Queer Students' Officer shall:

- Campaign on issues of concern for LGBTQ+ students.
- To support the work of the LGBTQ+ Association.
- Promote the interests of LGBTQ+ students to the University of Birmingham, the Guild and wider as appropriate.
- Attend the Welfare and Liberation Committee.
- To ensure that the representation of the students supported by the LGBTQ+ Association occurs at all levels of the Guild in the absence of a committee.

8.7.14 *Trans or non-binary Students' Officer* (who shall self-define as a Trans or non-binary Full Member)

The Trans or non-binary Students' Officer shall:

- Campaign on issues of concern to Trans or non-binary students.
- Promote the interests of Trans or non-binary students to the University of Birmingham, the Guild and wider as appropriate.
- Attend the Welfare and Liberation Committee.
- Ensure that the Guild actively promotes initiatives to ensure that the welfare and interests of Trans or non-binary students are protected.

8.7.15 *Women's Officer* (who is expected to be a Full Member who self-defines as a woman)

The Women's Officer shall:

- Campaign on issues of concern to women and non-binary students.
- Support the work of the Women & Non-Binary Association.

- Promote the interests of women and non-binary students to the University of Birmingham, the Guild and wider as appropriate.
- Attend the Welfare & Liberation committee.
- To ensure that representation of students supported by the Women & Non-Binary Association occurs at all levels of the Guild in the absence of a committee.

## 9. Chair of All Student Meeting

9.1 The Chair of All Student Meeting shall be a Full Member elected in a cross-campus ballot.

9.2 The Chair of All Student Meeting shall refrain from demonstrating bias at any point whilst acting in an official capacity at a meeting of All Student Meeting

9.3 The Chair shall:

- Chair all meetings of All Student Meeting.
- Ensure that minutes and records of All Student Meeting are kept and manage its correspondence and notices.
- Ensure that agendas and papers for All Student Meeting are available to all Full members.
- As part of their role as chair, rule on matters relating to the agenda items.
- Oversee the Allocations Procedure.

## 10. Guild Delegates and Observers to Conferences of NUS.

### 10.1 *Election*

10.1.1 The delegates and observers to NUS National Conference and NUS Liberation Conference shall be elected by cross campus ballot.

10.1.2 The President or nominee shall attend all NUS National Conferences as Delegation Leader.

10.1.3 The President-Elect may attend as an observer as required.

### 10.2 *Period of Office*

10.2.1 The term of office of a Guild Delegate or Observer shall be from his or her election until another election is held.

10.2.2 An election shall be held at least once every year.

## **BYE-LAW 8 – Elections**

### **1. Scope**

1.1 This Bye-Law shall apply to all Guild elections elected via a cross-campus ballot.

### **2. Returning Officer**

2.1 The Returning Officer shall be the Registrar and Secretary of the University of Birmingham.

2.2 The Returning Officer may delegate the management of complaints, appeals, and other appropriate business to a nominee (or nominees), as agreed between the Guild and University, and described in the Guild Election Regulations.

2.3 The Returning Officer shall be responsible for the good conduct and administration of the elections and shall have final interpretation of the Election Regulations. However, the nominee(s) shall be responsible for the day to day good conduct and administration of the elections. The powers and responsibilities of the Returning Officer and their nominee(s) shall be as described in the Guild Elections Regulations.

### **3. Notice**

3.1 The Guild of Students shall publish notice of every election.

3.2 Such notices shall state:

3.2.1. The date(s) and times of ballot

3.2.2. The earliest and latest times of receipt of nominations

3.2.3. The substance of any regulations governing the election

3.2.4. The type and number of vacancies

### **4. Nominations**

4.1 Nominations shall be accepted by the Nominee until the close of nominations.

4.2 Re-open Nominations (RON) shall be a candidate in every election, unless otherwise stated

### **5. Voting**

5.1 All Full Members eligible to vote, as specified in the Election Regulations, shall be allowed to vote.

5.2 The method of voting shall be outlined in the Election Regulations Documents.

5.3 Voting shall be by the Single Transferable Voting System for all multi-seat elections, and by the Alternative Transferable Voting System for all single-seat elections.

5.4 Polling shall be held on at least one day for no less than the advertised number of hours.

## **6. Provision for Secrecy of the Ballot**

- 6.1 At the time of closing the ballot the voting register shall be sealed. Under no circumstances shall the voting register and the ballot papers be viewed together unless the validity or conduct of the election is questioned.
- 6.2 The voting register and ballot papers shall be kept for a minimum of three months after the declaration of the result after which time they will be destroyed unless the validity or conduct of the elections is questioned.

## **7. Ties**

- 7.1 In the event of a tie, the Returning Officer or their representative shall decide the issue by drawing lots, having given the candidates prior notification and the opportunity to be in attendance.

## **8. Election of Re-open Nominations**

- 8.1 The election of Re-open Nominations shall result in nominations being re-opened, and a By-election being held as soon as possible after the time of the original election result.
- 8.2 This shall not affect the return of any candidate elected before Re-open Nominations in an election for a Committee or other role where there is more than one position available.

## **9. Complaints**

- 9.1 Any complaints regarding the conduct of the election shall be dealt with in accordance with the Guild of Students' Elections Complaint Procedure.
- 9.2 Complaints may be received up to two hours after the close of the ballot.

## **10. Declaration**

- 10.1 Results of the elections shall be declared by the Returning Officer or nominee when the count for each post has been successfully completed.
- 10.2 Results shall be provisional until confirmed by the Returning Officer, which will normally be not less than 5 working days after the close of the ballot.
- 10.3 Results of the elections shall be announced as soon as possible after the completion of the count.

## BYE-LAW 9 – Student Groups

### 1. Definition

1.1 A Student Group is a group of Members led by a committee of Full Members representing an area of interest to its members. There shall be the following types of Student Groups within the Guild:

- Representation Associations
- Liberation Associations
- Societies
- Dubai Student Groups
- Medsoc Student Groups

1.2 Privileges of a Student Group, subject to the relevant Guild Policies, include:

- 1.2.1 Use of the prefix “University of Birmingham” and/or “Guild of Students” in its name
- 1.2.2 Use of the Guild and its facilities and services
- 1.2.3 Having notices in such Official Communications and Guild Publications as the Full-Time Officer Group deems fit.
- 1.2.4 Consent to display publicity in the Guild in accordance with the Student Groups Policy.
- 1.2.5 Access to financial grants from the Guild of Students as specified in the various Guild policies and procedures.

### 2. Membership of Student Groups

- 2.1 Membership of Student Groups shall be open to all eligible members of the Guild of Students
- 2.2 For the avoidance of doubt, a member is eligible to join a Student Group if they hold Full, Honorary Life, or External Membership of the Guild of Students, as defined in Byelaw 2.

### 3. Reports

- 3.1 Student Groups will report to relevant Guild Committees on request.

### 4. Representation Associations

#### 4.1 *Definition and Purpose*

- 4.1.1 Representation Associations are groups that can be defined as being, or at risk of being at a disadvantage within Higher Education. *Note: this does not extend to the wider society or include oppression of members*

## 4.2 Main Duties

- 4.2.1 Representation at all levels of the Guild to ensure the voice of disadvantaged groups is heard.
- 4.2.2 Provide the opportunity for people to network and meet likeminded people.
- 4.2.3 To campaign on issues relating to the group within Higher Education
- 4.2.4 To provide information to its members and raise awareness of issues and support structures that may be relevant to members.

## 4.3 De-recognition

- 4.3.1 Representation Association projects are subject to de-recognition if they do not meet certain audit requirements.

## 5. Liberation Associations

### 5.1 Definition and Purpose

- 5.1.1 Liberation groups can be defined as being disadvantaged and at risk of oppression within Higher Education.
- 5.1.2 The Guild of Students' Liberation Associations shall be:
  - Lesbian, Gay, Bisexual, Trans and Queer+ Association (LGBTQ+).
  - Women & Non-Binary Association.
  - Disability and Mental Health Students' Association (DAMSA).
  - Black & Ethnic Minority Association (BEMA).

### 5.2 Main Duties

- 5.2.1 Representation at all levels of the Guild to ensure the voice of disadvantaged groups is heard.
- 5.2.2 Provide the opportunity for people to network and meet likeminded people.
- 5.2.3 To campaign on issues relating to the disadvantaged group within Higher Education.
- 5.2.4 To provide information to its members and raise awareness of issues and support structures that may be relevant to members.

### 5.3 De-recognition

- 5.3.1 In the absence of a committee (or other requirements not being fulfilled), the Part Time Officer will ensure that representation related to the disadvantaged group occurs at all levels of the Guild, until a committee is elected. In the absence of either a committee or a Part-Time Officer, the Welfare & Community Officer will ensure that this representation occurs.

#### 5.4 *Liberation Association Committee members*

- 5.4.1 In cases of Liberation Association Committee members being removed or resigning, Associations can elect a temporary 'Acting Officer' by Alternative Transferrable Vote – in an EGM, called by the Associations with standard EGM quorum. This Officer shall hold Office until a by-election is held, or in cases where by-elections are infeasible.
- 5.4.2 Where an 'Acting Officer' is in place and it is not possible to hold a by-election, the 'Acting Officer' shall be in place until the next election for a full committee

### **6. Societies**

#### 6.1 *Definition and Purpose*

- 6.1.1 A Society is a body of eligible Members representing an area of interest to its members, as recognised by the Full-Time Officer Group or sub-committee by the procedure specified in the Student Group Policy.

#### 6.2 *Constitution*

- 6.2.1 The Society Constitutions shall include the Mandatory Clauses as appended in the Student Group Policy.
- 6.2.2 If the Society Constitution lacks any of the mandatory clauses as specified in the Student Group Policy, such clauses shall automatically be superimposed upon the Society Constitution.

#### 6.3 *De-recognition*

- 6.3.1 Societies are subject to de-recognition if they do not meet certain audit requirements.

### **7. Dubai Student Groups**

#### 7.1 *Definition and Purpose*

- 7.1.1 A Dubai Student Group is a body of eligible members representing an area of interest to its members, as recognised by the Students' Association Dubai Forum, based at the University of Birmingham Dubai campus.

#### 7.2 *Constitution*

- 7.2.1 The Dubai Student Group Constitutions shall include the Mandatory Clauses as appended in the Student Group Policy.

### 7.3 *De-recognition*

- 7.3.1 Dubai Student Groups are subject to de-recognition if they do not meet certain audit requirements.

## **8. MedSoc Student Groups**

### 8.1 *Definition and Purpose*

- 8.1.1 A MedSoc Student Group is a body of eligible members representing an area of interest to its members, as recognised by the MedSoc Executive.

### 8.2 *Constitution*

- 8.2.1 The MedSoc Student Group Constitutions shall include the Mandatory Clauses as appended in the Student Group Policy.

### 8.3 *De-recognition*

- 8.3.1 MedSoc Student Groups are subject to de-recognition if they do not meet certain audit requirements.

## **9. Student Activities Committees**

- 9.1 There shall be committees who shall have delegated power for student activities. These groups shall be defined in Bye-Law 6.

## **BYE-LAW 10 - Appeals Committee**

### **1. Appeal against removal as a Trustee of the Guild of Students**

- 1.1 In accordance with Article 24.2, a Trustee removed from office in accordance with Article 22 or 23 shall be entitled to appeal the decision to remove them to an Appeals Committee. The Trustee appealing shall be called "the Appellant".
- 1.2 The Appellant has the right to appeal against a decision of the Trustees provided that they lodge their appeal in writing with the Chief Executive not more than 14 days after the receipt of the written notice of the decision of the Trustees.
- 1.3 The appeal should contain a statement of the grounds upon which the appeal is brought and of the new facts and matters relied upon.

### **2. Notification of hearing and exchange of information**

- 2.1 The Appellant shall be given at least 7 days' written notice of the date, time and place of the appeal hearing.
- 2.2 At least 4 days prior to the date of the hearing, the Appellant shall:
- 2.3
  - 2.3.1 Confirm whether or not they intend to attend the hearing and, if so, the name of any person who will be accompanying or representing them; and
  - 2.3.2 Submit any fresh evidence that they wish to reply upon.
- 2.4 At least 2 days prior to the date of the hearing, the Guild shall provide the Appellant with any further evidence which it wishes to rely upon.
- 2.5 Neither party shall without the consent of the other or the permission of the Appeals Committee rely on any statement or document other than those provided or identified under paragraphs 1.4, 2.2 or 2.3 above.

### **3. Composition of the Appeals Committee**

- 3.1 The Appeals Committee shall consist of three of the following:
  - 3.1.1 a Full Member of the Guild (who, for the avoidance of doubt, is not a Trustee of the Guild), appointed by the Chief Executive of the Guild;
  - 3.1.2 a University nominee, appointed by the University;
  - 3.1.3 a Chief Executive or General Manager of another students' union, (appointed by the NUS); and
  - 3.1.4 An Officer of another students' union, appointed by NUS.
- 3.2 Each member of the Appeals Committee shall be independent and shall not have had any substantive involvement in the matter under appeal. Their relationship with the Appellant should not give rise to any conflict of interest.
- 3.3 The members of the Appeals Committee shall elect one of their number to preside as chair of the Appeals Committee (the "Chair").

#### **4. The parties in proceedings before the Appeals Committee**

- 4.1 The Appellant shall be entitled to be accompanied or represented by one other person of his or her own choice except where, in the opinion of the Chair of the Appeals Committee, such person has a conflict of interest.
- 4.2 The Chair of the Board of Trustees shall act on behalf of the Guild as the Respondent to the appeal and for this purpose may instruct a representative. Where the Chair of the Board of Trustees is also the Appellant, one of the other Trustees shall be elected by the Board to act on behalf of the Guild as the Respondent to the appeal and for this purpose may instruct a representative.

#### **5. Procedure before the Appeals Committee**

- 5.1 The function of the Appeals Committee is to review the reasonableness of the decision to dismiss the Appellant. On the appeal, the Appeals Committee will consider the documents, statements and other evidence produced in the original Trustee Board meeting. The Appeals Committee shall not interview or cross examine any witnesses.
- 5.2 The hearing of an appeal shall be conducted in accordance with paragraph 8 below except where to do so would be inconvenient or unjust. In such circumstances, the Chair of the Appeals Committee may modify the procedure to the extent that they deem necessary provided that the result is fair to the Appellant.

#### **6. Courses of action which the Appeals Committee may take**

6.1 The courses of action which the Appeals Committee may take are:

- 6.1.1 To uphold the appeal; or
- 6.1.2 To reject the appeal.

6.2 Within seven days of the Appeals Committee deciding on the appropriate course of action, the Chief Executive will notify the Appellant in writing of the decision, and reasons for decision of the Appeals Committee.

#### **7. The absence of the Appellant**

7.1 If at the Appeal hearing, the Appellant is not present or represented, the Appeals Committee may proceed to consider the matter in the Appellant's absence if it is satisfied that notice was properly served upon him or her in accordance with paragraph 2.1 above.

#### **8. Order of proceedings**

- 8.1 The order of proceedings for the Appeals Committee meeting, unless the Chair otherwise directs, will be as follows:
  - i. Submissions by or on behalf of the Appellant.

- ii. Submissions by or on behalf of the Respondent.
- iii. Consideration of the evidence by the Appeals Committee.
- iv. Closing submissions by or on behalf of the Appellant.
- v. Closing submissions by or on behalf of the Respondent.