

Code of Practice Pursuant to the Requirements of Part II of the Education Act 1994

Introduction

Part II of the Education Act 1994 places a range of responsibilities upon the Governing Council of The University of Northampton in respect of the organisation and control of The University of Northampton Students' Union (UNSU). This Code of Practice outlines the University's provisions for compliance with this Act, specifically to take such steps as are reasonably practicable to ensure that the UNSU operates in a fair and democratic manner and is accountable for its finances. By approving the UNSU Constitution, Board of Governors ensures that the Union operates in accordance with the provision of the Act.

Board of Governors shall notify each student of this Code of Practice by publishing on the Student Web pages within the Student Regulations and on the Students' Union website.

1 Accountability of UNSU Officers

1.1 The President of UNSU, the Vice Presidents and the Manager meet regularly with the Chief Operating Officer, Director of Finance and Commercial Services and the Director of Student and Academic Services with regard to:

- i) the financial management of UNSU
- ii) the observance of UNSU Constitution
- iii) the operation of UNSU in a fair and democratic manner
- iv) the observance of this Code of Practice

1.2 Matters relating to the UNSU are considered by the Board of Governors and financial management is also overseen by the Board. Reports are presented to Board of Governors by the UNSU President.

2 UNSU Constitution

UNSU has a written Constitution. Any amendments to the UNSU's Constitution are operative once approved by Board of Governors. The provisions of the UNSU Constitution are reviewed by Board of Governors every five years.

3 UNSU Elections

By approving the Constitution, the Board of Governors ensures that mechanisms are in place, by approving the Constitution, so that:

- i) Officers of UNSU are elected by a secret ballot in which all members are entitled to vote;

- ii) the appointment of an independent Returning Officer is appointed, to ensure that such elections are fairly and properly conducted;

and that:

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

4 Requirements of Charity Law

UNSU is governed by the law relating to educational charities. UNSU shall incur no expenditure, and take no other action, which is inconsistent with the law relating to charities (*ultra vires*). It may spend money on political debate but it may not support political or other causes which do not directly impact on its members' education or welfare as students. This does not stop students from collecting funds privately for the support of any lawful cause.

5 Membership of UNSU

5.1 All registered students of The University of Northampton are full members of UNSU unless they choose not to be by opting out of membership.

5.2 Any registered student has the right not to be a member of UNSU. Non-members shall not be unfairly disadvantaged.

5.3 The consequences for a registered student of the University of Northampton of not being a member of UNSU are as follows:

- i) non-members are not permitted to vote in UNSU elections or referenda;
- ii) non-members are not allowed to stand in any elections in UNSU;
- iii) non-members may not hold office in any club or society, but registered students of The University of Northampton may join any club or society and are covered by Union insurance;
- iv) non-members shall not have access by right to bars, entertainments, etc. organised by UNSU where the terms of UNSU's licence do not extend to non-members;
- v) non-members are not generally eligible for appointment to Committees where student representation is provided via the UNSU. This extends to seats taken by Course Reps, School Reps, Part Time and Full Time Elected Officers.
- vi) Non-members will not receive email communications directly from the Students' Union.

5.4 Students are given the opportunity to opt out of Students' Union membership annually as part of the University of Northampton's online pre-enrolment process.

- 5.5 Students subsequently wishing to opt out of Students' Union membership should contact UNSU's Marketing & Communications Manager in writing or by email.
- 5.6 Students who have opted out of Students' Union membership and wish to resume their membership should complete an "Opt In Form" available by contacting UNSU's Marketing & Communications Manager and returning it to The University of Northampton's IT Helpdesk. Reactivation of a membership can take up to 10 working days.

6 UNSU Finances

6.1 UNSU shall:

- a. keep accounts and accounting records in accordance with accepted professional accounting principles;
- b. maintain a sound system of internal financial management and control;
- c. plan and conduct its financial affairs so as to ensure that its total income is at least sufficient, taking one year with another, to meet its total expenditure and that its financial solvency is maintained;
- d. obtain the prior written consent of the University to the borrowing of any money for a period in excess of twelve months;
- e. not give any guarantees or indemnities incurring contingent liabilities other than in the normal course of business;
- f. maintain adequate insurance cover;
- g. make annual accounts available to all students.

6.2 UNSU is required to:

- a. prepare budgets for the following financial year in accordance with time scales agreed by the University;
- b. prepare an outline of the Union procedures for allocating resources to clubs and societies;
- c. obtain the approval of the Union to such budgets and to submit them to the University at least one month before the commencement of the financial year;
- d. prepare audited accounts which will be published annually and presented to the Board of Governors within six months of the end of the financial year and made available to all students;
- e. provide monthly reports of income and expenditure against budget for consideration by the Director of Finance and Commercial Services or Nominee;
- f. include, within its annual accounts and financial reports:
 - i) a list of the external organisations to which it has made donations and details of such donations
 - ii) a list of any external organisations to which the Union has been affiliated and details of the subscriptions or fees paid to such organisations

7 Affiliation to External Organisations

7.1 The Executive Committee shall have the authority to affiliate the Union to outside organisations, subject to legislation.

7.2 UNSU shall promptly publicise any decision to affiliate by:

- i) a notice (stating the name of the organisation and details of any subscriptions or donations made) displayed in all Union offices and lodged with the Clerk to the Board of Governors
- ii) publishing details on the UNSU website.

7.3 UNSU regulations shall include procedures for the review by UNSU members of affiliations to external organisations annually.

7.4 Requisition may be made to UNSU by at least one hundred members that the question of continued affiliation to any particular external organisation be decided upon by secret ballot of all members; quoracy will require 5% of members to cast their vote. No organisation may be the subject of such a ballot more than once in any academic year.

8 Allocation of Resources to UNSU Clubs and Societies

UNSU publishes annually the procedure for allocating resources to UNSU clubs and societies together with an appeals mechanism. This is freely available to any registered student on application to the President.

9 Complaints Procedure

9.1 Students bringing forward complaints in relation to their dealings with UNSU are entitled to expect that their cases will be dealt with promptly and fairly, and where a complaint is upheld, to be given an effective remedy.

9.2 Complaints by any registered student in relation to their dealings with UNSU or in relation to any claim of unfair disadvantage if a student has exercised her/his right not to be a member will be dealt with in three stages:

- i) informally by the President (within seven days a formal hearing will be heard)
- ii) if the student is still dissatisfied, by the Executive Committee of UNSU within twenty one days
- iii) if the student is still dissatisfied the Vice Chancellor's nominee will determine where the matters should be referred to an independent person appointed by the Board of Governors. The independent person will investigate and make recommendations for consideration at the next meeting of the Board of Governors or its Governance, Administration and Employment Committee but the decision of Board of Governors is final.

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