



Requirements to be observed in relation to students' unions under the Education Act

Education Act	How the Students' Union and University comply
(1)The governing body of every establishment to which this Part applies shall take such steps as are reasonably practicable to secure that any students' union for students at the establishment operates in a fair and democratic manner and is accountable for its finances.	The students' union holds elections based off of elections regulations confirmed by both the Returning Officer (an external person) and the Governance, Nominations, and Appointments sub-committee of the Board of Trustees. You can find the elections rules here. The students' union reports on its elections to the university and Board of Trustees each year. Finances of the students' union are monitored by: • Students' Union Executive Committee (a regular meeting of the Sabbatical Trustees and the students' union's senior management) • Students' Union Finance Committee (a sub-committee of the Board of Trustees) • Board of Trustees (receiving management accounts at each meeting) • UWTSD Resources and Performance Committee; a standing committee of University Council (who receive the students' union's management accounts twice a year as well as the union's audited accounts once approved by the Board of Trustees)



(2)The governing body shall in particular take such steps as are reasonably practicable to secure that the following requirements are observed by or in relation to any students' union for students at the establishment–	
(a)the union should have a written constitution;	The students' union has a 'Memorandum & Articles of Association' you can find the most recent version of the governing document here.
(b)the provisions of the constitution should be subject to the approval of the governing body and to review by that body at intervals of not more than five years;	The last review of the Memorandum & Articles of Association took place in the academic year 2020/2021, the next review will be in 2024/2025.
(c)a student should have the right– (i)not to be a member of the union, or (ii)in the case of a representative body which is not an association, to signify that he does not wish to be represented by it, and students who exercise that right should not be unfairly disadvantaged, with regard to the provision of services or otherwise, by reason of their having done so;	Students have the right to not be members of the students' union, for a student to have their membership withdrawn they follow the below process: 1.6.2 of the union's Bye Laws Also highlighted within the students' union's Memorandum & Articles of Association: 12.3 he or she opts out of Student Membership by giving written notice to the Union in accordance with the Bye-Laws; Furthermore, the university offers the ability for students to withdraw from Membership as part of enrolment with the university.



(d)appointment to major union offices should be by election in a secret ballot in which all members are entitled to vote;	The students' union utilising 'Union Cloud' a platform which allows students to cast their vote through a secret ballot. Student data is uploaded to Union Cloud which populates eligible voters. Further details of eligibility are outlined with the Memorandum & Articles of Association.
(e)the governing body should satisfy themselves that the elections are fairly and properly conducted;	The students' union provides a written report of elections to UWTSD senior officers and the students' union's Board of Trustees for their confirmation after each Spring Election.
(f)a person should not hold sabbatical union office, or paid elected union office, for more than two years in total at the establishment;	This is monitored by the students' union's Senior Management Team responsible for the elections. It is also highlighted within the induction of the sabbatical officers.
(g)the financial affairs of the union should be properly conducted and appropriate arrangements should exist for the approval of the union's budget, and the monitoring of its expenditure, by the governing body;	Finances of the students' union are monitored by: • Students' Union Executive Committee (a regular meeting of the Sabbatical Trustees and the students' union's senior management) • Students' Union Finance Committee (a sub-committee of the Board of Trustees) • Board of Trustees (receiving management accounts at each meeting) • UWTSD Audit & Risk Committee; a standing committee of University Council (who receive the students' union's management accounts as well as the union's audited accounts once approved by the Board of Trustees. Previously the management accounts were seen by the University twice a year, however due to increased



	confidence in the union's approach it has been reduced to once a year) The Student Charter agreed between UWTSD and the students' union notes that the students' union block grant is approved on a three-year cycle. With the budget set three years in advance through Resources and Performance Committee and University Council.
(h) financial reports of the union should be published annually or more frequently, and should be made available to the governing body and to all students, and each such report should contain, in particular– (i) a list of the external organisations to which the union has made donations in the period to which the report relates, and (ii) details of those donations;	The students' union's Audited Accounts are: • Published on Companies' House • Published on the students' union's website • SORP Compliant • Contain all of the information required by the charity commission as well as the Education Act
<i>(l) the procedure for allocating resources to groups or clubs should be fair and should be set down in writing and freely accessible to all students;</i>	Both on the webpage for grants and the grant application form the procedure for allocations are provided openly.
(j) if the union decides to affiliate to an external organisation, it should publish notice of its decision stating– (i) the name of the organisation, and	Affiliations are made available through the Audited Accounts (available through Companies House and the students' union website) Affiliations are presented to the students' union's Annual General Meeting of which all students are notified.



(ii) details of any subscription or similar fee paid or proposed to be paid, and of any donation made or proposed to be made, to the organisation, and any such notice should be made available to the governing body and to all students;	
(k) where the union is affiliated to any external organisations, a report should be published annually or more frequently containing– (i) a list of the external organisations to which the union is currently affiliated, and (ii) details of subscriptions or similar fees paid, or donations made, to such organisations in the past year (or since the last report), and such reports should be made available to the governing body and to all students;	Affiliations are made available through the Audited Accounts (available through Companies House and the students' union website) Affiliations are presented to the students' union's Annual General Meeting
(L) there should be procedures for the review of affiliations to external organisations under which– (i) the current list of affiliations is submitted for approval by members annually or more frequently, and	Affiliations are made available through the Audited Accounts (available through Companies House and the students' union website) Affiliations are presented to the students' union's Annual General Meeting



(ii)at such intervals of not more than a year as the governing body may determine, a requisition may be made by such proportion of members (not exceeding 5 per cent.) as the governing body may determine, that the question of continued affiliation to any particular organisation be decided upon by a secret ballot in which all members are entitled to vote;	
(m)there should be a complaints procedure available to all students or groups of students who– (i)are dissatisfied in their dealings with the union, or (ii)claim to be unfairly disadvantaged by reason of their having exercised the right referred to in paragraph (c)(i) or (ii) above, which should include provision for an independent person appointed by the governing body to investigate and report on complaints; (n)complaints should be dealt with promptly and fairly and where a complaint is upheld there should be an effective remedy.	The students' union's complaint procedure is found within the students' union's Bye Laws from point 12 Complaints & Disciplinary Procedures
(3)The governing body of every establishment to which this Part applies shall for the purposes of this section prepare and issue, and when necessary revise, a code of practice as to the	The Code of Practice is reviewed annually by the University and Students' Union.



manner in which the requirements set out above are to be carried into effect in relation to any students' union for students at the establishment, setting out in relation to each of the requirements details of the arrangements made to secure its observance.	
(4)The governing body of every establishment to which this Part applies shall as regards any students' union for students at the establishment bring to the attention of all students, at least once a year– (a)the code of practice currently in force under subsection (3), (b)any restrictions imposed on the activities of the union by the law relating to charities, and (c)where the establishment is one to which section 43 of the M7Education (No.2) Act 1986 applies (freedom of speech in universities and colleges), the provisions of that section, and of any code of practice issued under it, relevant to the activities or conduct of the union.	
(5)The governing body of every establishment to which this Part applies shall bring to the attention of all students, at least once a year, and shall include in any information which is generally made available to persons considering whether to become students at the establishment–	During both the enrolment and induction processes students are notified.



(a)information as to the right referred to in subsection (2)(c)(i) and (ii), and (b)details of any arrangements it has made for services of a kind which a students' union at the establishment provides for its members to be provided for students who are not members of the union.	
(6)In subsections (2), (4) and (5) the expression "all students" shall be construed as follows— (a)in relation to an association or body which is a students' union by virtue of section 20(1), the reference is to all students at the establishment; (b)in relation to an association or body which is a students' union by virtue of section 20(2), the reference is to all undergraduate, or all graduate, students at the establishment or to all students at the hall of residence in question, as the case may be; (c)in relation to an association or body which is a students' union by virtue of section 20(3), the reference is to all the students who by virtue of section 20(1) or (2) are comprehended by that expression in relation to its constituent or affiliated associations or bodies.	



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**Students'
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Education Act 1994 Part 2: UWTSD Compliance Matrix