

Constitution
of
Cambridge University Graduate Union

**THE CONSTITUTION
of
CAMBRIDGE UNIVERSITY
GRADUATE UNION
(An Unincorporated Association)**

**together with
the Schedules to the Constitution
and
Relevant Legislation and Regulations**



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Preface

The Constitution of the Union comprises the Constitution proper, which establishes the Union and provides frameworks for its governance, alongside several Schedules, which give detailed rules for the Union's day-to-day workings.

Following the Schedules are two Appendices giving extracts from the Education Act 1994, the Act of Parliament which governs Students' Unions such as the Graduate Union, and the Chapter of the University of Cambridge's Ordinances, which provide regulations governing the Union. These are provided herein as a convenience; authoritative versions can be sourced from the websites of the Government and the University respectively.

Historical Note

Graduate study at Cambridge is a relatively recent phenomenon. The PhD as a formal arrangement developed as a response to growing demand from domestic and international research students following the Second World War, and this demand has risen ever since.

The initial boom in student numbers of the 1940s and '50s led to a severe shortage of College accommodation. Whilst science students spent most of their time in departments, arts and humanities students suffered from isolated accommodation in rented houses away from College. As this was a new problem for Colleges and the University, it was at first ignored.

In 1954 the wife of the then Master of Peterhouse, Mrs Burkill, intervened on behalf of graduate students against treatment that she regarded as unfair. She called a meeting that resulted in the formation of the Junior Graduate Society, later the Graduate Union Society, against considerable University opposition. In 1962 the University finally officially recognised this group as The Graduate Society, with Mrs Burkill as its President. Initially operating out of Fitzwilliam House, opposite the Fitzwilliam Museum, she provided a space in which graduates could socialize, and was at one point cooking meals daily for upwards of 150 people. "GradSoc" quickly became the social focus of graduate life, and rapidly demonstrated to the Colleges how large and valuable the graduate population had become.

In 1969 Mrs Burkill handed over responsibility of GradSoc to graduate students themselves, and by 1981 GradSoc had become Cambridge University Graduate Union.

The Constitution

Background

- A. Cambridge University Graduate Union (the “Union”) is a students’ union within the meaning of the Education Act 1994. The Union is devoted to the educational interests and welfare of Graduate Students (as defined in this constitution).
- B. The Union will seek at all times to:
 - (i) ensure that the diversity of the Students is recognised and that equal access is available to all Students of whatever origin or orientation;
 - (ii) pursue its aims and objectives independent of any political party or religious group; and
 - (iii) pursue equal opportunities by taking positive action within the law to facilitate participation as Students of groups discriminated against by society.
- C. This Constitution has been structured to give the Board of Trustees reasonable authority to manage the affairs of the Union in a professional manner. The Members enjoy the right, which must be exercised in accordance with charity law, to elect a proportion of the Trustees (via the Student Council) and to dismiss all of the Trustees. The Board of Trustees will give the utmost consideration to the views of Members.
- D. Under the Education Act 1994, the University of Cambridge has a statutory duty to ensure that the Union operates in a fair and democratic manner and is held to proper account for its finances. The Union therefore works alongside the University of Cambridge in ensuring that the affairs of the Union are properly conducted and that the educational and welfare needs of Students and the Union’s Members are met.
- E. The Union is a student-led organisation, and therefore the presumption throughout this Constitution is that students should form the majority of its management and governance committees (without prejudice to the provisions of this Constitution regarding the proceedings of any such committee, in particular in relation to the management of conflicts of interest).

SECTION I

Name, objects and powers

Definitions and interpretation

1. The meanings of any defined terms used in this Constitution are set out in Clause 144. If any dispute arises in relation to the interpretation of this Constitution or any of the Schedules, it shall be resolved by the President.
2. In the event of a challenge to the President's ruling, following legal advice, the decision shall be taken to the Student Council.
3. If a Member of the Union remains unsatisfied with the ruling of the Student Council they may appeal to the Junior Proctor. The ruling of the Junior Proctor shall be final.

Name

4. There shall be a students' union in the name of "Cambridge University Graduate Union" (and in this Constitution it is called "the Union").

Objects

5. The Union's objects are the advancement of education of graduate students at the University and any other persons who are members of the Union by:
 - 5.1. promoting the interests and welfare of graduate students and other members of the Union, and providing support and advice to them;
 - 5.2. being a recognised representative channel between graduate students (other than those who are not members of the Union) and the University and bodies external to the University; and
 - 5.3. providing social, cultural, sporting and recreational activities and forums for discussions and debate for the personal development of graduate students and any other persons who are members of the Union,

and “graduate students” shall mean any individual who is formally matriculated and registered for an approved graduate or postgraduate programme provided by the University, all undergraduates of the University who are in their fourth or higher year of residence, or who are formally registered for an approved programme of study provided by the University and are 21 years of age or over at the commencement of their course of study, and any student who is a member of the institutions belonging to the Cambridge Theological Federation or any successor body.

Powers

6. To further its objects, but not to further any other purpose, the Union may:
 - 6.1. provide services and facilities for Students;
 - 6.2. establish, support, promote and operate a network of student activities for Students;
 - 6.3. support any RAG or similar fundraising activities carried out by Students for charitable causes, including the provision of administrative support, banking facilities and acting as a holding trustee of any funds raised;
 - 6.4. alone or with other organisations:
 - 6.4.1. carry out campaigning activities;
 - 6.4.2. seek to influence public opinion; and
 - 6.4.3. make representations to and seek to influence governmental and other bodies and institutionsregarding the reform, development and implementation of appropriate policies, legislation and regulations provided that all such activities shall be confined to the activities which an English and Welsh charity may properly undertake and provided that the Union complies with the Education Act and any guidance published by the Charity Commission;
 - 6.5. write, make, commission, print, publish or distribute materials or information or assist in these activities;
 - 6.6. promote, initiate, develop or carry out education and training and arrange, provide or assist with exhibitions, lectures, meetings, seminars, displays or classes;

- 6.7. promote, encourage, carry out or commission research, surveys, studies or other work and publish the useful results;
- 6.8. provide or appoint others to provide advice, guidance, representation and advocacy;
- 6.9. co-operate with other charities and bodies and exchange information and advice with them;
- 6.10. become a member, affiliate or associate of other charities and bodies;
- 6.11. support, set up or amalgamate with other charities with objects identical or similar to the Union's objects, and act as or appoint trustees, agents, nominees or delegates to control and manage such charities;
- 6.12. purchase or acquire all or any of the property, assets, liabilities and engagements of any charity with objects similar to the Union's objects;
- 6.13. raise funds and invite and receive contributions from any person provided that the Union shall not carry out any Taxable Trading activities in raising funds;
- 6.14. borrow and raise money on such terms and security as the Union may think suitable (but only in accordance with the restrictions imposed by the Charities Act 2011);
- 6.15. purchase, lease, hire or receive property of any kind including land, buildings and equipment and maintain and equip it for use;
- 6.16. incorporate a charitable limited liability legal entity, transfer the Union's assets and undertaking to that entity, and dissolve at any time following such incorporation and transfer if the Trustees consider it appropriate to do so, and provided that:
 - 6.16.1. provisions of the incorporated entity's constitution replicate Clauses 5, 7, and 11-15 of this Constitution;
 - 6.16.2. the new charitable limited liability legal entity's constitution is approved by the University prior to the transfer of the Union's assets and undertaking; and
 - 6.16.3. the Union consults the University in relation to the timing and manner of the transfer of the Union's assets and undertaking to the incorporated entity;

- 6.17. sell, manage, lease, mortgage, exchange, dispose of or deal with all or any of its property (but only in accordance with the restrictions imposed by the Charities Act 2011);
- 6.18. make grants or loans of money and give guarantees;
- 6.19. set aside funds for special purposes or as reserves against future expenditure;
- 6.20. invest and deal with the Union's money not immediately required for its objects in or upon any investments, securities, or property;
- 6.21. delegate the management of investments to an appropriately experienced and qualified financial expert provided that:
 - 6.21.1. the investment policy is set down in writing for the financial expert by the Trustees;
 - 6.21.2. every transaction is reported promptly to the Trustees;
 - 6.21.3. the performance of the investment is reviewed regularly by the Trustees;
 - 6.21.4. the Trustees are entitled to cancel the delegation at any time;
 - 6.21.5. the investment policy and the delegation arrangements are reviewed at least once a year;
 - 6.21.6. all payments due to the financial expert are on a scale or at a level which is agreed in advance and are notified promptly to the Trustees on receipt; and
 - 6.21.7. the financial expert may not do anything outside the powers of the Trustees;
- 6.22. arrange for investments or other property of the Union to be held in the name of a nominee (being a company or a limited liability partnership registered or having an established place of business in England and Wales) under the control of the Trustees or a financial expert acting under their instructions and to pay any reasonable fee required;
- 6.23. lend money and give credit to, take security for such loans or credit and guarantee or give security for the performance of contracts by any person or company;

- 6.24. open and operate banking accounts and other facilities for banking and draw, accept, endorse, negotiate, discount, issue or execute negotiable instruments such as promissory notes or bills of exchange;
- 6.25. trade in the course of carrying out any of its objects;
- 6.26. establish or acquire subsidiary companies to carry on any Taxable Trading
- 6.27. subject to Clauses 7 to 10 (Limitation on private benefits), employ and pay employees and professionals or other advisors;
- 6.28. grant pensions and retirement benefits to employees of the Union and to their dependants and subscribe to funds or schemes for providing pensions and retirement benefits for employees of the Union and their dependants;
- 6.29. pay out of the funds of the Union the cost of any premium in respect of any indemnity insurance to cover the liability of the Trustees (or any of them) which by virtue of any rule of law would otherwise attach to them in respect of any negligence, default, breach of trust or breach of duty of which they may be guilty in relation to the Union provided that no such insurance shall extend to:
 - 6.29.1. any claim arising from any liability incurred by a Trustee to pay a fine imposed in criminal proceedings or a sum payable to a regulatory authority by way of a penalty in respect of non-compliance with any requirement of a regulatory nature (however arising);
 - 6.29.2. any liability incurred by a Trustee in defending any criminal proceedings in which a Trustee is convicted of an offence arising out of any fraud or dishonesty, or wilful or reckless misconduct; or
 - 6.29.3. any liability incurred by a Trustee to the Union that arises out of any conduct which the Trustee knew (or must reasonably be assumed to have known) was not in the interests of the Union or in the case of which they did not care whether it was in the best interests of the Union or not; and
- 6.30. do all such other lawful things as shall further the Union's objects.

Limitation on private benefits

7. The income and property of the Union shall be applied solely towards the promotion of its objects.
8. Except as provided below no part of the income and property of the Union may be paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to any Member of the Union. This shall not prevent any payment in good faith by the Union of:
 - 8.1. any payments made to any Member in their capacity as a beneficiary of the Union;
 - 8.2. reasonable and proper remuneration to any Member for any goods or services supplied to the Union provided that if such Member is a Trustee Clause 9 shall apply;
 - 8.3. interest on money lent by any Member to the Union at a reasonable and proper rate; and
 - 8.4. any reasonable and proper rent for premises let by any Member to the Union.
9. Except as provided below no Trustee may sell goods, services or any interest in land to the Union; be employed by, or receive any remuneration from, the Union; or receive any other financial benefit from the Union. This shall not prevent any payment in good faith by the Union of:
 - 9.1. any payments made to any Trustee or Connected Person in their capacity as a beneficiary of the Union;
 - 9.2. reasonable and proper out of pocket expenses of the Trustees;
 - 9.3. reasonable and proper remuneration to any Sabbatical Trustee or Connected Person for any goods or services supplied to the Union on the instructions of the Trustees provided that:
 - 9.3.1. for the avoidance of doubt, the authorisation under this provision shall extend to the remuneration of Sabbatical Trustees and Connected Persons under contracts of employment with the Union;
 - 9.3.2. subject to Clause 9.3.1, the authorisation under this provision shall not extend to the service of acting as Trustee;

- 9.3.3. if the person being remunerated is a Trustee the procedure described in Clause 119 (Conflicts of Interest) must be followed in considering the appointment of the Trustee and in relation to any other decisions regarding the remuneration authorised by this provision;
 - 9.3.4. if the person being remunerated is a Connected Person the procedure described in Clause 119 (Conflicts of Interest) must be followed by the relevant Trustee in relation to any decisions regarding such Connected Person;
 - 9.3.5. subject to Clause 10, this provision may not apply to more than half of the Trustees in any financial year (and for these purposes such provision shall be treated as applying to a Trustee if it applies to a person who is a Connected Person in relation to that Trustee); and
 - 9.3.6. at all times the provisions of the Education Act and the Charities Act 2011 are complied with;
 - 9.4. interest on money lent by any Trustee or Connected Person to the Union at a reasonable and proper rate;
 - 9.5. any reasonable and proper rent for premises let by any Trustee or Connected Person to the Union;
 - 9.6. reasonable and proper premiums in respect of indemnity insurance effected in accordance with Clause 6.29;
 - 9.7. any payments made to any Trustee or officer under the indemnity provisions set out at Clause 137; and
 - 9.8. any payments authorised in writing by the Charity Commission.
10. Where a vacancy arises on the Board of Trustees with the result that Clause 9.3 applies to more than half of the Trustees, the Union may continue to pay remuneration to its Sabbatical Trustees and any Connected Persons receiving remuneration in accordance with Clause 9.3 provided that the Union uses all reasonable endeavours to fill the vacancy as soon as possible.

Dissolution

11. If any property remains after the Union has been wound up or dissolved and all debts and liabilities have been satisfied, it shall not be paid to or distributed among the Members of the Union. It shall instead be given or transferred to some other charitable institution or institutions having similar objects to those of the Union and which prohibits the distribution of its or their income and property among its or their members to an extent at least as great as this Constitution imposes upon the Union. The institution or institutions which are to benefit shall be chosen by the Members of the Union at or before the time of winding up or dissolution.

SECTION II

Amendments to the Constitution

12. The Trustees and the University Council shall review this Constitution at least once every five years, with effect from the date that this Constitution comes into effect.
13. The prior approval of the University shall be required for any amendments to:
 - 13.1. this Constitution (as required for the purposes of compliance with the Education Act);
 - 13.2. Schedules D, E, F and G to this Constitution;
 - 13.3. the Schedules where such changes concern the appointment and qualifications of Trustees, eligibility for Membership and the rights of Members, elections, referenda or the Union's complaints procedure.
14. No amendment to this Constitution or the Schedules shall be made which would have the effect of the Union ceasing to be a charity.
15. Clause 5 (Objects), Clauses 7 to 10 (Limitation on private benefits), and Clause 11 (Dissolution) may not be amended without the prior written consent of the Charity Commission.
16. Subject to Clauses 13 to 15, the Schedules may be amended pursuant to Clause 99 and the Constitution may be amended by:
 - 16.1. A two-thirds majority vote of those present and eligible to vote at a quorate meeting of the Student Council, provided the proposed amendments and the fact of the University's approval of them have been notified in writing to the Student Council, and also Publicised, at least ten days before the date of the meeting; or
 - 16.2. If Student Council does not approve the amendments, or if a Referendum on the amendments is called before Student Council votes on them, by a resolution passed by a 75% majority of the Members voting in a Referendum provided that at least 200 Members cast a vote in that Referendum.

17. The President shall notify the University of any proposed amendment to the Constitution or the Schedules, and shall be responsible for presenting the Constitution to the University for annual review in the Easter Term.

SECTION III

Membership

Members

18. Subject to Clause 19, the Members shall be:
 - 18.1. each and every Student who is formally matriculated and registered for an approved graduate or postgraduate programme provided by the University;
 - 18.2. the Sabbatical Officers; and
 - 18.3. Non-Graduate Members as defined in Clauses 24 and 25.
19. Membership shall not be transferable and shall cease on death. A Member shall automatically cease to be a Member of the Union if:
 - 19.1. he or she ceases to be a Student. For the avoidance of doubt, this will include the situation where a Member's Student status with the University is revoked by the University;
 - 19.2. he or she ceases to be a Sabbatical Officer;
 - 19.3. he or she opts out of membership of the Union by giving written notice to the Union in accordance with the Code of Practice; or
 - 19.4. a decision is made to remove him or her from membership of the Union in accordance with the code of conduct.
20. Members' details shall be entered in a register of Members.
21. Members of the Union shall be entitled to the benefits set out in the Code of Practice.
22. Membership of the Union shall be without compulsory subscription. However, those Middle Common Rooms (or equivalent bodies) that wish to affiliate by financial contribution to the Union, for the purpose of the provision of additional defined services or otherwise, may do so and shall be the Affiliated Common

Rooms of the Union. The rate of contribution for affiliation shall be determined by the Student Council.

23. All Members of the Union shall be entitled to attend and speak at meetings of the Student Council and the Executive Committee. No Member may vote at these meetings unless so entitled by the provisions in this Constitution. If a majority of those present and entitled to vote so decide, individual non-members of the Council or the Executive Committee may be excluded from the respective meeting.

Non-Graduate Members

24. Non-Graduate Members shall be Members of the Union with the same rights as other Members, with the exception that they may not stand for election to a GU-only sabbatical office, nor vote in such an election, nor may they vote at an AGM a general meeting or in Referenda. They shall not be Members for the purposes of the Education Act.
25. Subject to Clause 19, Non-Graduate Members are:
 - 25.1. Mature Undergraduates, defined as those undergraduates who are 21 years of age or over at the commencement of their course of study.
 - 25.2. Adjoined Students; and
 - 25.3. all undergraduates in their fourth or higher year of residence.

Associates

26. The Student Council may elect to and remove as Associates of the Union such persons as they consider to be fit, and may create or amend Schedules for this purpose in accordance with Clause 99. The Student Council shall determine the form of application for Associates, and Associates shall be subject to such rights and obligations as the Student Council consider appropriate.
27. Associates shall not be Members for the purposes of this Constitution and shall not be entitled to vote on any matter.

The code of conduct

28. The Board of Trustees will establish and monitor a code of conduct that all Members shall be required to adhere to, including when Members are involved in ac-

tivities or at events that are administered or organised by the Union. The code of conduct shall be approved by majority vote of the Student Council.

29. The code of conduct may include a range of sanctions for breach of the code of conduct by a Member, including the suspension or removal of any or all of the rights and privileges of membership, including the holding of office.

SECTION IV

Referenda

30. Save as provided by Clause 31, a Referendum may be called on any issue except the interpretation of this Constitution by:
 - 30.1. a resolution of the Trustees;
 - 30.2. a majority vote of the Student Council;
 - 30.3. a Secure Petition signed by at least 100 Members; or
 - 30.4. in the case of a Referendum on the question of affiliation to a particular organisation pursuant to Clause 142, by at least 100 Members or 5% of the Members, whichever is the lower.
31. A Referendum to pass a motion of no confidence in an Elected Officer or Trustee must be called by a Secure Petition signed by at least 100 Members in accordance with Clauses 68.1 or 70.2.
32. Except as provided in Clauses 16.2, 68.1 and 70.2, a resolution may only be passed by Referendum if at least 200 Members cast a vote in the Referendum and a majority of the votes cast are in favour of the resolution.
33. Subject to Clause 79, the Members may set Policy by Referenda. Policy set by Referenda may overturn Policy set either by the Members in general meeting or by the Student Council.

SECTION V

General Meetings

Annual general meeting

34. The Union shall hold an annual general meeting (“AGM”) once in each calendar year. Not more than 18 months shall pass between the date of one annual general meeting and the next. The annual general meeting shall be held at such time and place as the Trustees shall think suitable to allow the maximum number of Members to attend.

General meetings

35. The Trustees may call a general meeting at any time. The Trustees shall call a general meeting on receiving a requisition to that effect, signed by at least 50 Members having the right to attend and vote at general meetings.

Location of meetings

36. AGMs and general meetings may be carried out at one single venue or simultaneously at a maximum of three separate venues with a video, audio or other real-time link between all of the venues. At the start of such meetings, each venue must indicate by majority vote that they are satisfied with the meeting set-up and technology.

Length of Notice

37. AGMs and general meetings shall be called by at least 14 clear days’ written notice.

Contents of Notice

38. Every notice calling an AGM or general meeting shall specify the place, day and time of the meeting and the general nature of the business to be transacted. If

the meeting is an AGM, the notice must say so and the business to be transacted shall include:

- 38.1. ratification of minutes of previous AGM;
- 38.2. receiving the report of the Trustees on the Union's activities since the previous AGM;
- 38.3. receiving the accounts of the Union for the previous financial year;
- 38.4. appointment of the auditors;
- 38.5. approving the list of affiliations of the Union; and
- 38.6. open questions to the Trustees by the Members.

Service of Notice

39. Notice of AGMs and general meetings shall be given to every Member, to the Trustees, to the University and to any patron of the Union.

Quorum

40. No business shall be transacted at any AGM or general meeting unless a quorum is present. 20 persons entitled to vote upon the business to be transacted, each being a Member (but excluding Trustees and Non-Graduate Members), shall be a quorum.
41. If such a quorum is not present within half an hour from the time appointed for the meeting, the meeting shall stand adjourned to the same day in the next week at the same time and place or to such other day, time and place as the Trustees may determine and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting the Members present shall be a quorum.

Chair

42. The chair of Student Council or in his or her absence the deputy chair of Student Council shall preside as chair of the meeting. In the absence of the chair and deputy chair of Student Council, the Members present and entitled to vote shall choose one of their number to be chair.

Attendance

43. A Trustee may, even if not a Member, attend and speak at any AGM or general meeting.
44. The Trustees may invite a representative of the University to attend and speak at an AGM or general meeting, but if a majority of those present and entitled to vote so decide the representative may be excluded from the meeting.

Adjournment

45. The chair may, with the consent of a meeting at which a quorum is present (and shall if so directed by the meeting), adjourn the meeting from time to time and from place to place, but no business shall be transacted at an adjourned meeting other than business which might properly have been transacted at the meeting had the adjournment not taken place. When a meeting is adjourned for fourteen days or more, at least seven clear days' notice shall be given specifying the time and place of the adjourned meeting and the general nature of the business to be transacted. Otherwise it shall not be necessary to give any such notice.

Votes of Members at general meetings

46. Every Member has the right to attend AGMs and general meetings and (other than Non-Graduate Members, who may only attend) the right to vote. A resolution put to the vote of an AGM or general meeting shall be decided on a show of hands, and every Member (other than Non-Graduate Members) shall have one vote.
47. Every resolution put to the vote of an AGM or general meeting shall be decided by a simple majority of the votes cast unless this Constitution provides otherwise.

SECTION VI

Trustees

Appointment of Trustees

48. The Board of Trustees when complete consist of:
 - 48.1. not more than 2 Sabbatical Officers, elected in accordance with Clauses 49 and 50;
 - 48.2. not more than 2 Student Trustees, who shall not be voting members of the Student Council, elected in accordance with Clause 55;
 - 48.3. not more than 1 Alumnus Trustee, appointed in accordance with Clause 59; and
 - 48.4. not more than 2 External Trustees, appointed in accordance with Clause 63.

Sabbatical Trustees and Officers

49. The Sabbatical Officers shall be elected by secret ballot by the Members of the Union (other than Non-Graduate Members) at an election to be held in accordance with the Schedules.
50. Up to 2 Sabbatical Officers shall be elected in accordance with Clause 49 to posts specified in the Schedules and each of these Sabbatical Officers shall also hold office as a Sabbatical Trustee until he or she ceases to be a Sabbatical Officer in accordance with Clauses 51 or 70 or ceases to be a Sabbatical Trustee in accordance with Clauses 67 or 68. Except where otherwise indicated, references in this Constitution to "Sabbatical Trustees" are to individuals acting solely in their capacity as Sabbatical Trustees. Other Sabbatical Officers may be elected in accordance with Clause 49 to such other posts as may be specified in the Schedules from time to time but such Sabbatical Officers will not also hold office as Sabbatical Trustees.
51. The Sabbatical Officers shall remain in office for a term of one year commenc-

ing in accordance with the Schedules, unless removed in accordance with this Constitution. The term of office may be shorter or longer on a transitional basis to coincide with an alteration of the year start or end. Subject to a transitional change in the year of office, a Sabbatical Officer may be re-elected for a maximum further term of one year by the Members of the Union at an election to be held in accordance with Clause 49. For the avoidance of doubt, a Sabbatical Officer's terms of office may be either consecutive or non-consecutive.

52. Each Sabbatical Officer must be a Student or a Sabbatical Officer at the time of his or her election, and the President may not be a Non-Graduate Member. In accordance with Clause 18, each Sabbatical Officer shall become a Member of the Union on commencement of his or her appointment or re-appointment as a Sabbatical Officer. Such membership shall cease when the Sabbatical Officer ceases to be a Sabbatical Officer.
53. The Sabbatical Officers shall be deemed to be "major union office holders" for the purposes of Section 22 of the Education Act.
54. At the same time as commencing the term of office as a Sabbatical Officer, the Sabbatical Officer will enter into a contract of employment with the Union (or CUSU, as appropriate) for a term to be determined by this Constitution. The duties and method of remuneration of each Sabbatical Officer shall be as set out in the Schedules.

Student Trustees

55. Subject to Clause 56, up to 2 Student Trustees shall be nominated for appointment by the Executive Committee and appointed by a two thirds majority of those present and eligible to vote at a meeting of the Student Council. Any person eligible and wishing to stand as a Student Trustee for appointment by the Student Council and who is not nominated for appointment by the Executive Committee has the right to appeal the decision of the Executive Committee to the Board of Trustees, which may either overturn or uphold the decision of the Executive Committee.
56. Each Student Trustee must be a Student and a Member at the time of his or her election, and reasonably anticipate that they will continue as a Student and a Member for the remainder of the Academic Year in which they are elected.
57. Unless their appointment is terminated in accordance with Clauses 67, 68 or 69, Student Trustees shall remain in office for a term of one Academic Year commencing in accordance with the Schedules. The term of office may be shorter or

longer on a transitional basis to coincide with the alteration of the year start or end.

58. A Student Trustee may serve a maximum of two consecutive terms.

Alumnus Trustee

59. Up to 1 Alumnus Trustee shall be nominated for appointment by the Executive Committee and appointed by a two thirds majority vote of those present and eligible to vote at a meeting of the Student Council. Any person eligible and wishing to stand for appointment as an Alumnus Trustee by the Student Council who is not nominated for appointment by the Executive Committee has the right to appeal the decision of the Executive Committee to the Board of Trustees, which may either overturn or uphold the decision of the Executive Committee.
60. Any person nominated for appointment as an Alumnus Trustee must have graduated from the University at least a year before the date on which his or her appointment would take effect.
61. Unless their appointment is terminated in accordance with Clauses 67, 68 or 69, an Alumnus Trustee shall remain in office for a term of up to four years commencing in accordance with the Schedules.
62. Subject to Clause 67, an Alumnus Trustee may serve for a maximum of two terms which may be either consecutive or non-consecutive.

External Trustees

63. Up to 2 External Trustees shall be nominated for appointment by the Executive Committee, and appointed by a two thirds majority vote of those present and eligible to vote at a meeting of the Student Council. Any person eligible and wishing to stand for appointment as an External Trustee by the Student Council who is not nominated for appointment by the Executive Committee has the right to appeal the decision of the Executive Committee to the Board of Trustees, which may either overturn or uphold the decision of the Executive Committee.
64. Any person nominated for appointment as an External Trustee must not be a Student, a Sabbatical Officer or a member of the Executive Committee and must not have been a Student, Sabbatical Officer or member of the Executive Committee within the two years immediately prior to the date on which his or her appointment would take effect.

65. Unless their appointment is terminated in accordance with Clauses 67, 68 or 69, an External Trustee shall remain in office for a term of up to four years commencing in accordance with the Schedules.
66. Subject to Clause 67, an External Trustee may serve a maximum of two terms which may either be consecutive or non-consecutive.

Disqualification, resignation and removal of Trustees

67. The office of a Trustee shall be vacated if:
 - 67.1. he or she becomes prohibited by law from being a charity trustee;
 - 67.2. he or she ceases to be recognised by HM Revenue & Customs as a fit and proper person for the purposes of the Finance Act 2010;
 - 67.3. in the case of a Sabbatical Trustee, he or she ceases to be a Sabbatical Officer or an employee of the Union;
 - 67.4. in the case of a Student Trustee, he or she ceases to be a Student;
 - 67.5. in the case of a Sabbatical Trustee or a Student Trustee, he or she is removed from Membership of the Union in accordance with the Union's code of conduct;
 - 67.6. he or she resigns by notice to the Union (but only if at least four Trustees will remain in office when the notice of resignation is to take effect);
 - 67.7. the Trustees reasonably believe he or she is suffering from mental or physical disorder and is incapable of acting as a trustee and they resolve that he or she be removed from office;
 - 67.8. he or she fails to attend three consecutive meetings of the Trustees and in the opinion of the Trustees there are no mitigating circumstances for that failure and the Trustees therefore resolve that he or she be removed for this reason;
 - 67.9. he or she is removed from office under Clauses 68 or 69; or
 - 67.10. he or she has served as a Trustee (of any description) for a total of eight years consecutively or non-consecutively.

Removal of Trustees by the Members or the Student Council

68. The office of a Trustee shall be vacated if:
- 68.1. a motion of no confidence in the Trustee is passed by a simple majority of the Members voting in a Referendum, provided that at least 200 Members cast a vote in the Referendum. Such a motion shall only be triggered by a Secure Petition of no confidence signed by at least 100 Members; or
 - 68.2. a motion of no confidence in the Trustee is passed by a two thirds majority of those present and eligible to vote at a meeting of the Student Council, provided the motion is Publicised at least ten days in advance of the meeting at which the vote is to be taken, and the Trustee in question is entitled to make a short written or oral statement in connection with the motion at the meeting, before the vote is taken.

Removal of Trustees by the Board of Trustees

69. The office of Student Trustee, Alumnus Trustee or External Trustee shall be vacated if a majority resolution of no confidence is passed by the Board of Trustees, on the basis that the Trustee in question is guilty of conduct likely to undermine the objects, reputation or goodwill of the Union. The Trustee in question shall be given at least 14 days' notice of the proposed resolution and the circumstances alleged to justify it, and shall be entitled to make representations in writing or in person in advance of any vote on the resolution. For the avoidance of doubt, the Trustee concerned and any Trustee who has a conflict of interest in relation to the matter shall not vote on this resolution and the quorum shall be adjusted accordingly in accordance with Clause 107.

Removal of Elected Officers

70. An Elected Officer shall be removed from office if he or she:
- 70.1. resigns or dies;
 - 70.2. is removed from office as an Elected Officer by:
 - 70.2.1. a motion of no confidence in the Elected Officer passed by a simple majority of the Members voting in a Referendum, provided that at least 200 Members cast a vote in the Referendum. Such a motion shall only be triggered by a Secure Petition of no confidence signed by at least 100 Members; or

70.2.2. a motion of no confidence in the Elected Officer passed by a two thirds majority of those present and eligible to vote at a meeting of the Student Council, in accordance with the procedure set out at Clause 68.2.

provided that, in the case of a Sabbatical Officer, such removal shall be subject to the Union having first carried out any steps it is required to take under the Sabbatical Officer's contract of employment and/or the applicable disciplinary procedure and otherwise in accordance with good employment practice.

Replacement of Trustees

71. If a Sabbatical Trustee resigns, is disqualified or removed from office at any time prior to the commencement of the Academic Year, the vacancy that results on the Board of Trustees shall be filled in accordance with the Schedules.
72. If a Sabbatical Trustee resigns, is disqualified or removed from office after the commencement of the Academic Year the vacancy shall be filled in accordance with the Schedules. Any person elected under this Clause may be required to assume the responsibilities of the Sabbatical Trustee.
73. If a Student Trustee resigns, is disqualified or removed from office, a Student Trustee may be elected to the vacancy in accordance with Clause 55 or by the Student Council provided that the election of each Student Trustee is approved by a two thirds majority of those present and eligible to vote at a meeting of the Student Council.
74. If an Alumnus Trustee or an External Trustee resigns, is disqualified or removed from office, an Alumnus Trustee or an External Trustee (as appropriate) shall be appointed to the vacancy in accordance with Clauses 59 or 63 respectively.

Powers and responsibilities of the Trustees

75. The Board of Trustees shall be responsible for the management and administration of the Union and (subject to the Education Act, this Constitution and the Schedules) may exercise all the powers of the Union. A meeting of the Trustees at which a quorum is present may exercise all powers exercisable by the Trustees.
76. Subject to the approval of the University body for the supervision of students' unions and with due consideration to the existence of sufficient funding, the Board of Trustees may create or dissolve full-time Sabbatical Officer positions,

provided any decision is ratified by a two thirds majority of those present and eligible to vote at a meeting of the Student Council. Such a decision will be determined by a Referendum if called in accordance with Clause 30. All sabbatical positions shall be elected in accordance with the Schedules.

77. No alteration of this Constitution or the Schedules shall invalidate any prior act of the Trustees which would have been valid if that alteration had not been made.
78. The Trustees shall be responsible for:
 - 78.1. the effective governance of the Union;
 - 78.2. ensuring that the audited accounts and all other appropriate financial reports and financial proposals are presented to Student Council;
 - 78.3. ensuring that the Union's budget, annual report and the audited accounts are given promptly to the University each financial year for approval;
 - 78.4. the management, administration and strategy of the Union;
 - 78.5. ensuring that all graduate students (whether or not they are Members) and Members have appropriate access to the services and facilities provided by the Union;
 - 78.6. promptly providing to the University such information as is reasonably requested by the University to enable it to perform its obligations under the Education Act;
 - 78.7. preparing the Union's annual report detailing the activities of the Union, the Union's finances, including details of donations made to external organisations (including the name of the organisation), and any other information required by law, and then publishing this report to the Students and the University;
 - 78.8. ensuring compliance with all laws and regulations relating to the Union's activities; and
 - 78.9. reviewing this Constitution at least every five years, with the oversight of the University.
79. The Board of Trustees may override any decision or Policy made by the Members in general meeting or Referendum or by the Student Council which the Trustees consider (in their absolute discretion):
 - 79.1. has or may have financial implications for the Union;

- 79.2. is or may be in breach of, contrary to or otherwise inconsistent with charity or education law or any other legal requirements (including ultra vires);
 - 79.3. is not or may not be in the best interests of the Union or all or any of its charitable objects; or
 - 79.4. will or may otherwise affect the discharge of any or all of the responsibilities referred to in Clause 78.
80. The continuing Trustees or a sole continuing Trustee may act notwithstanding any vacancies in their number. However, if and so long as the number of Trustees is less than the number fixed as the quorum in Clause 107, the Trustees may only act to increase the number of Trustees (including by arranging an election) so that there is a quorum.
81. All acts done by a meeting of Trustees, or of a committee of the Trustees, shall be valid, even if it is later discovered that any Trustee who participated in the vote:
- 81.1. was not properly appointed;
 - 81.2. was disqualified from holding office;
 - 81.3. had vacated office; or
 - 81.4. was not entitled to vote.

Delegation of Trustees' powers

82. The Trustees may, by power of attorney or otherwise, appoint any person to be the agent of the Union for such purposes and on such conditions as they determine.
83. The Trustees may delegate any of their powers or functions to any committee or the implementation of any of their resolutions and day-to-day management of the affairs of the Union to any person or committee in accordance with the conditions set out in this Constitution.

Delegation to committees

84. In the case of delegation to committees:
- 84.1. the resolution making that delegation shall specify those who shall serve

- or be asked to serve on such committee (though the resolution may allow the committee to make co-options up to a specified number);
- 84.2. subject to Clause 88, the composition of any such committee shall be entirely in the discretion of the Trustees and may comprise such of their number (if any) as the resolution may specify;
- 84.3. the deliberations of any such committee shall be reported regularly to the Trustees and any resolution passed or decision taken by any such committee shall be reported forthwith to the Trustees and for that purpose every committee shall appoint a secretary;
- 84.4. all delegations under this Clause shall be revocable at any time; and
- 84.5. the Trustees may make such regulations and impose such terms and conditions and give such mandates to any such committee or committees as they may from time to time think fit.
85. The Trustees shall establish the following committees (which is a non-exhaustive list) in accordance with their powers under Clauses 83 and 84:
- 85.1. Executive Committee (as further described in Clause 90);
- 85.2. Elections Committee (as further described in the Schedules).

Responsibilities and powers of the President

86. The Trustees shall be entitled to delegate any of their powers or responsibilities to the President in his or her capacity as an employee of the Union, and in relation to such delegation:
- 86.1. the delegated power may include the management of the Union by implementing the policy and strategy adopted by and within a budget approved by the Trustees and if applicable to advise the Trustees in relation to such policy, strategy and budget;
- 86.2. the Trustees shall provide the President with a description of his or her role and the extent of his or her authority, and shall appoint a Trustee to act as line manager in respect of his or her employment status. The Trustee so appointed shall normally be an External or Alumnus Trustee, but the remainder of the Trustees acting by majority may appoint a Sabbatical Trustee to act as line manager on a temporary basis or in relation to specific delegated matters;

- 86.3. the President shall report regularly to the Trustees on the activities undertaken in managing the Union and provide them regularly with management accounts sufficient to explain the financial position of the Union; and
- 86.4. the Trustees shall provide the President with a performance management structure to aid his or her work plan and development.
87. The President shall be separately accountable to the Council, the Executive Committee and the Members for the implementation of Policy and the representation of Members, in his or her role as an elected officer.

Delegation of financial matters

88. For the avoidance of doubt, the Trustees may (in accordance with Clauses 83 and 84) delegate all financial matters to any committee provided that such committee shall include at least one Trustee. The Trustees may empower such committee to resolve upon the operation of any financial matters according to such mandate as it shall think fit provided that the signature of at least one Trustee shall be required for cheques and/or approval of expenditure forms above a certain amount as set out in written policies or schemes of delegation which are regularly reviewed by the Trustees and provided always that no committee shall incur expenditure on behalf of the Union except in accordance with a budget which has been approved by the Trustees.

Proceedings of committees

89. The meetings and proceedings of any committee shall be governed by the provisions of this Constitution which regulate the meetings and proceedings of the Trustees so far as the same are applicable and any applicable provisions in the Schedules.

SECTION VII

The Executive Committee

90. Unless the Trustees determine otherwise, the Executive Committee shall include:
 - 90.1. the Sabbatical Officers; and
 - 90.2. the Part-Time Officers, elected as specified in the Schedules; and
 - 90.3. any Members co-opted by the Executive Committee to represent campaigns, particular issues or groups of Members. Co-opted Members shall not be entitled to vote in meetings of the Executive Committee or Student Council, and shall serve for a specified period not more than the time until the next annual elections.
91. The Executive Committee shall meet in accordance with the Schedules. The Executive Committee's responsibilities shall not include the duties of the Trustees as set out in Clause 75 but shall include representation and campaigning work and the implementation of Policy save in so far as these responsibilities have not been delegated to another committee and subject to Clause 84.
92. The Trustees, if not already members of the Executive Committee as set out in Clause 90 above, may attend meetings of the Executive Committee.
93. No individual may hold two offices at the same time.
94. Two individuals may jointly hold one position, and shall have one vote between them. In the elections they shall stand as one candidate.
95. The Executive Committee shall meet at least three times during full term, and at least four times during the Long Vacation. Meetings shall be convened by the President or appointed deputy, who shall give at least two days' notice.
96. Voting at Executive Committee meetings shall be in person and proxy voting will not be permitted.
97. Any Executive Committee Member may require any item to be put on the agenda of an Executive Committee meeting, in accordance with the Schedules.

98. Minutes of meetings of the Executive Committee shall be recorded and published by the Secretary or appointed deputy within 14 days of the meeting.

SECTION VIII

Schedules

99. Subject to Clauses 13 and 14, the Student Council, with the prior approval of the Trustees, shall have the power from time to time to make, repeal or amend Schedules as to the management of the Union and its working practices provided that such Schedules shall not be inconsistent with this Constitution and provided such changes are ratified by a two-thirds majority of those present and entitled to vote at a meeting of the Student Council. In the event that a provision of the Schedules is inconsistent with this Constitution, the provisions of this Constitution shall take precedence over the Schedules.

SECTION IX

Proceedings of Trustees

100. Subject to the provisions of this Constitution and the Schedules, the Trustees may regulate their proceedings as they think fit.

Trustees' meetings

101. The Trustees shall hold a minimum of four meetings in any Academic Year.
102. Two Trustees may, and the President at the request of two Trustees shall, call a meeting of the Trustees.
103. Guests or observers (including Members of the Union) can attend and speak at meetings of the Trustees at the discretion of the Trustees.

Length of Notice

104. A Trustees' meeting shall be called by at least seven clear days' notice unless either:
- 104.1. all the Trustees agree to shorter notice; or
 - 104.2. urgent circumstances require shorter notice.

Contents of Notice

105. Every notice calling a Trustees' meeting shall specify the place, day and time of the meeting and the general particulars of all business to be considered at such meeting.

Service of Notice

106. Notice of Trustees' meetings shall be sent to each Trustee by post or by electronic communication.

Quorum

107. The quorum for Trustees' meetings shall be four and such quorum must include at least one Sabbatical and one External Trustee. If at a meeting, as a result of the operation of Clause 119, the number of Trustees who can count in the quorum is not otherwise sufficient for the meeting to be quorate under this Clause 107, the quorum for a decision shall be the number of Trustees present who can count in the quorum under Clause 119.3 provided that there is at least one such Trustee present.

Chair and Deputy Chair

108. The President shall be the Chair of the Trustees (other than in relation to matters relating to his or her employment, in relation to which the External or Alumnus Trustee appointed under Clause 86.2 above shall act as chair).
109. The Trustees shall appoint a Trustee to be Deputy Chair of the Trustees and may at any time remove him or her from the office of Deputy Chair. The role of the Deputy Chair will be to support the Chair.
110. In the absence of the Chair and the Deputy Chair, another Trustee appointed by the Trustees present shall preside as chair of the meeting.

Decision making by Trustees at meetings

111. Questions arising at a meeting shall be decided by a majority of votes. In the case of an equality of votes, the Chair shall be entitled to a casting vote in addition to any other vote he or she may have.

Virtual meetings

112. A Trustees' meeting may be held by telephone or by televisual or other electronic or virtual means agreed by resolution of the Trustees in which all participants may communicate simultaneously with all other participants.

Majority decisions without Trustees' meeting

113. The Trustees may, in the circumstances outlined in this Clause, make a simple majority decision without holding a Trustees' meeting, if:

- 113.1. a Trustee has become aware of a matter on which the Trustees need to take a decision;
 - 113.2. that Trustee has taken all reasonable steps to make all the other Trustees aware of the matter and the decision;
 - 113.3. the Trustees have had a reasonable opportunity to communicate their views on the matter and the decision to each other; and
 - 113.4. a simple majority of the Trustees vote in favour of a particular decision on that matter.
114. A decision of the Trustees made under Clause 113 shall be as valid and effectual as if it had been taken at a Trustees' meeting duly convened and held.
115. Trustees participating in the taking of a majority decision otherwise than at a Trustees' meeting in accordance with this Clause:
- 115.1. may be in different places, and may participate at different times; and
 - 115.2. may communicate with each other by any means.
116. No decision shall be taken by the Trustees in accordance with this Clause unless a quorum participates in the decision-making process. The quorum for Trustees' decision-making in accordance with this Clause shall be the same as the quorum for Trustees' meetings as set out in Clause 107.
117. The Chair or such other Trustee as shall be appointed by the Trustees shall be the chair of the process of decision-making in accordance with this Clause. The process shall include:
- 117.1. circulation of the proposed decision with an indication of the time period for discussion and the date by which Trustees are asked to cast their votes;
 - 117.2. the nomination of a person to whom all Trustees' votes must be communicated;
 - 117.3. if a majority of the Trustees vote in favour of the decision, the nominated person shall communicate the decision to all the Trustees and the date of the decision shall be the date of the communication from the nominated person confirming formal approval; and
 - 117.4. the nominated person must prepare a minute of the decision in accordance with Article 127.

118. In the case of an equality of votes in any decision-making process in accordance with this Clause, the Chair shall be entitled to a casting vote in addition to any other vote he or she may have but this does not apply if, in accordance with the Constitution, the Chair or specified Trustee is not to be counted as participating in the decision-making process for quorum, voting or agreement purposes.

Conflicts of interest

119. Whenever a matter is to be discussed at a meeting or decided in accordance with Clause 113 and a Trustee has a Personal Interest in respect of that matter then he or she must:
- 119.1. declare his or her interest to the Trustees;
 - 119.2. remain only for such part of the meeting as in the view of the other Trustees is necessary to inform the debate;
 - 119.3. not be counted in the quorum
 - 119.4. quorum!at Trustees' meetings for that part of the meeting or decision-making process; and
 - 119.5. withdraw during the vote and have no vote on the matter.
120. If any question arises as to whether a Trustee has a Personal Interest, the question shall be decided by a majority decision of the other Trustees.
121. For the avoidance of doubt, Clause 119 shall apply to any matter that may directly or indirectly relate to the position of a Sabbatical Trustee who is or is to be remunerated as an employee by the Union.

SECTION X

Student Council

122. The Student Council shall have the authority to:
 - 122.1. represent the voice of the Students;
 - 122.2. subject to Clause 79, set the Policy of the Union and refer Policy to Referenda of the Members or to the Members in a general meeting (in accordance with the Schedules);
 - 122.3. make, repeal and amend the Schedules in accordance with Clause 99;
 - 122.4. receive a quarterly report from the Trustees; and
 - 122.5. appoint Associates and honorary members in accordance with Clause 26 and the Schedules.
123. The composition and proceedings of the Student Council shall be set out in the Schedules. No Member may hold more than one seat on the Student Council at any one time.
124. Any Member who serves as a Trustee or member of the Executive Committee shall not be entitled to a vote on the Student Council unless acting in a separate capacity in which they are entitled to vote.
125. The Student Council will carry out a rolling review of all Policy, such that any Policy set by the Student Council or Members shall be reviewed prior to the fourth anniversary of the date on which it was adopted, and the Student Council shall consider whether the Policy should continue in force or be revoked. The President will be required to bring to the final Student Council meeting of each Easter Term a schedule of Policy to be reviewed at that meeting, as applicable.

SECTION XI

General

Irregularities

126. The proceedings at any meeting or the passing of a written resolution or the making of any decision shall not be invalidated by reason of any accidental informality or irregularity (including but not limited to any accidental omission to give or any non-receipt of notice) or by reason of any business being considered which is not specified in the notice.

Minutes

127. The Trustees shall keep minutes of:
- 127.1. all proceedings at general meetings of the Union and of meetings of the Trustees, and of committees of Trustees, including the names of the Trustees present at each such meeting; and
 - 127.2. all resolutions of the Members and of the Trustees.
128. Any such minute, if purported to be signed by the chair of the meeting at which the proceedings were had, or by the chair of the next succeeding meeting, shall, as against any Member or Trustee of the Union, be sufficient evidence of the proceedings or the resolution.
129. The minutes of the meetings referred to in Clause 127 above shall normally be considered open and shall be available to the Members on the Union's website, except where those minutes relate to any reserved or confidential matters, including without limitation staff-related or disciplinary matters. Copies of the minutes shall also be kept in the Office.

Accounts and reports

130. The Trustees shall comply with the requirements of the Education Act and the Charities Act 2011 as to keeping financial records, the audit or examinations of

accounts.

131. The Members of the Union have the right to ask the Trustees questions in writing about the content of any documents referred to in Clause 130.
132. Should the Union have any resources to allocate to groups or clubs, acting in furtherance of the Objects, the Trustees (or on their delegation, the Executive Committee) shall set out in writing and follow a fair procedure for allocating such resources to groups or clubs. The procedure shall be freely accessible to Graduate Students and Members.

Notices

133. Subject to Clause 126, any notice to be given to or by any person pursuant to this Constitution shall be in writing except that a notice calling a meeting of the Trustees need not be in writing.
134. The Union may give any notice to a Member either:
 - 134.1. personally;
 - 134.2. by sending it by post in a prepaid envelope addressed to the Member at his or her address;
 - 134.3. by leaving it at the address of the Member;
 - 134.4. by electronic communication to the Member's address; or
 - 134.5. by posting it on the Union's website.
135. A Member present at any meeting of the Union shall be deemed to have received notice of the meeting and, where requisite, of the purpose for which it was called.
136. Proof that an envelope containing a notice was properly addressed, prepaid and posted shall be conclusive evidence that the notice was given. A notice shall be deemed to be given at the expiration of 48 hours after the envelope containing it was posted or, in the case of a notice contained in an electronic communication, at the expiration of 48 hours after the time it was sent or in the case of a notice posted on the Union's website at the expiration of 48 hours after it was posted.

Indemnity

137. Without prejudice to any indemnity to which a Trustee may otherwise be entitled, every Trustee shall and every other officer or auditor of the Union may be indemnified out of the assets of the Union against any liability incurred by him or her in defending any proceedings, whether civil or criminal, in which judgment is given in his or her favour or in which he or she is acquitted or in connection with any application in which relief is granted to him or her by the court from liability for negligence, default, breach of duty or breach of trust in relation to the affairs of the Union, and against all costs, charges, losses, expenses or liabilities incurred by him or her in the execution and discharge of his or her duties or in relation thereto.

Trustees' indemnity insurance

138. The Trustees shall have power to resolve pursuant to Clause 6.29 to effect trustees' indemnity insurance, despite their interest in such policy and notwithstanding Clause 119.

Affiliations to external organisations

139. Immediate notice shall be given by the President of a decision by Council to affiliate to an external organisation stating the name of the organisation and details of any subscription or similar fee paid to be made available to all students and the University Council.
140. Notice shall be given annually of proposed affiliations to external organisations, to include the proposed subscription of fee and any donation. Such notice shall be circulated to the Student Council and the University Council.
141. An annual report of the external organisations to which the Union is affiliated and any fees or donations paid in respect thereof during the previous year shall be made available to all Students and the University Council.
142. A requisition for a Referendum to be held on the question of affiliation to a particular organisation can be made as outlined in Clause 30.

Complaints procedure

143. Complaints about an individual officer, the Board of Trustees, the Executive Committee or any member of the Student Council shall be dealt with under the com-

plaints procedure contained in the Schedules.

Definitions and interpretations

144. In this Constitution and the Schedules, the following terms shall have the following meanings:

Term	Meaning
144.1. “Academic Year”	means one full calendar year beginning on the first day of the Michaelmas term. Each Academic Year is for the time being divided into three terms;
144.2. “Adjoined Student”	any of: a) a Student who is a member of one of the institutions belonging to the Cambridge Theological Federation or any successor body; b) a spouse or civil partner of any graduate student; c) a post-doctoral researcher working within the University who is a member of the University.
144.3. “Alumnus Trustee”	a Trustee appointed in accordance with Clause 59 who must have graduated from the University at least one year before his or her appointment and for the avoidance of doubt shall not be deemed to be either a major union office holder or a sabbatical union office holder for the purposes of Section 22 of the Education Act (and who for the avoidance of doubt may be of any gender);
144.4. “Associate”	means such persons who are admitted to the category of Associate in accordance with Clause 26 and the relevant Schedules;
144.5. “Board of Trustees”	the board of Trustees of the Union;
144.6. “Chair”	the chair of the Board of Trustees, who shall be the President of the Union in accordance with Clause 108;

Term	Meaning
144.7. “clear days”	in relation to the period of a notice, that period excluding the day when the notice is given or deemed to be given and the day for which it is given or on which it is to take effect;
144.8. “code of conduct”	A code established by the Union’s Trustees regarding the conduct of Members in accordance with Clause 28;
144.9. “Code of Practice”	The code of practice established by the University Council relating to the University of Cambridge’s obligations under Section 22 of the Education Act;
144.10. “Connected Person”	any person falling within one of the following categories and where payment to that person might result in the relevant Trustee obtaining benefit: (a) any spouse, civil partner, parent, child, brother, sister, grandparent or grandchild of a Trustee; or (b) the spouse or civil partner of any person in (a); or (c) any other person in a relationship with a Trustee which may reasonably be regarded as equivalent to such a relationship; or (d) any company or LLP or firm of which a Trustee is a paid director, member, partner or employee, or shareholder holding more than 1% of the capital;
144.11. “Constitution”	this constitution of the Union;
144.12. “CUSU”	the Cambridge University Students’ Union;
144.13. “Deputy Chair”	the deputy chair of the Board of Trustees, who shall be appointed in accordance with Clause 109;
144.14. “Education Act”	the Education Act 1994;
144.15. “Elected Officers”	the Sabbatical Officers and the Part-Time Officers;
144.16. “the Executive Committee”	means the Sabbatical Officers and the Part-Time Officers;

Term	Meaning
144.17. “External Trustee”	a Trustee appointed in accordance with Clause 63 who for the avoidance of doubt shall not be deemed to be either a major union office holder or a sabbatical union office holder for the purposes of section 22 of the Education Act;
144.18. “graduate student”	Shall have the meaning set out in Clause 5;
144.19. “in writing”	Means written, printed or transmitted in writing including by electronic communication;
144.20. “Members”	members of the Union as further defined in Clause 18;
144.21. “Non-Graduate Member”	A Member falling into the categories set out in Clause 25;
144.22. “NUS”	National Union of Students;
144.23. “Office”	the head office of the Union;
144.24. “Part-Time Officers”	the Members elected to be officers of the Union while continuing their studies at the University of Cambridge, as set out in the Schedules;
144.25. “Personal Interest”	a financial interest or an interest that does not arise in the ordinary course of being a Member or a Trustee (for example, being a member of a club or society);
144.26. “Policy”	representative and campaigning policy set by Referenda or the Student Council in accordance with Clauses 30 to 33 and Clause 122.2 respectively or by the Members in general meeting (and for the avoidance of doubt “Policy” shall not refer to internal management policies of the Union, for example in relation to employee or health and safety matters);
144.27. “President”	the president of the Union, as elected by the Members in accordance with the Schedules;

Term	Meaning
144.28. “Publicised”	published either: a) by being posted on the Union website; or b) by being circulated in writing to all Union Members, and in either case also by being made publicly available in hard copy or electronically at the Office between at least 9am and 5pm on weekdays;
144.29. “RAG”	the raise and give society which develops Students by providing them with an opportunity to raise funds for charitable causes;
144.30. “Referendum”	a ballot in which all Members of the Union are entitled to cast a vote, the protocol for which is set out in this Constitution and the Schedules;
144.31. “Sabbatical Officers”	the individuals elected in accordance with Clause 49 (each of whom is a major union office holder for the purposes of section 22 of the Education Act);
144.32. “Sabbatical Trustee”	a Trustee elected in accordance with Clauses 49 and 50;
144.33. “Schedules”	the Schedules to this Constitution setting out the working practices of the Union made from time to time in accordance with Clause 99;
144.34. “Secure Petition”	a written request to the Union which shall be fixed in a pre-arranged place or places or held securely on-line;
144.35. “Student”	any individual who is formally matriculated and registered for an approved programme of study provided by the University of Cambridge. For the avoidance of doubt, the University of Cambridge shall determine whether or not an individual has student status;
144.36. “Student Council” or “Council”	the Student body elected by and from Students constituted in accordance with this Constitution and the Schedules;

Term	Meaning
144.37. “Student Trustee”	a Trustee elected in accordance with Clause 55 who is a Student and for the avoidance of doubt shall not, for the purposes of Section 22 of the Education Act, be a major union office holder;
144.38. “Trustee” and “Trustees”	the Sabbatical Trustees, the Student Trustees, the Alumnus Trustee and the External Trustees;
144.39. “University” or “University of Cambridge”	The Chancellor, Masters, and Scholars of the University of Cambridge;
144.40. “University Council”	the body constituted as the Council of the University under its Statutes and Ordinances, or any body succeeding to its functions;
144.41. “Union”, “Graduate Union” or “GU”	Cambridge University Graduate Union; and

145. Words importing the singular shall include the plural and vice versa and words importing the masculine shall include the feminine and vice versa.

146. Any reference to a statute, statutory provision or subordinate legislation (“legislation”) shall (except where the context otherwise requires) be construed as referring to such legislation as amended and in force from time to time and to any legislation which (either with or without modification) re-enacts, consolidates or enacts in rewritten form any such legislation.

The Schedules to the Constitution

SCHEDULE A

The Sabbatical Officers

1. The two permanent Sabbatical Officers of the GU shall be the President and the Welfare and Rights Officer, who shall:
 - (a) be elected by a general ballot of all full members of the Union at the annual Lent elections. The President shall be elected by graduate members in accordance with Clause 49 of the Constitution;
 - (b) on election, shall be appointed as Sabbatical Trustees of the Union, and hold legal responsibility for the proper management of the Union jointly and severally with the other Trustees, as required by law;
 - (c) upon election, sign a contract of employment with the GU (or, in the case of the Welfare and Rights Officer, the CUSU) prior to confirmation of their election, upon doing so they shall become a GU Sabbatical Officer-elect until taking up their post. The said contract shall be drawn up by the President in conjunction with the Executive Committee and the CUSU Coordinator (in the case of the Welfare and Rights Officer), agreed by the Student Council and made available to all prospective candidates. The said contract shall incorporate all relevant provisions of the Constitution expressly or by reference and include a job description of the individual post to be taken; and
 - (d) receive appropriate remuneration as determined by the Trustee Board. The salary of the Welfare and Rights Officer shall be met in equal measure by the CUSU and the GU. Any salary increases above the rate of inflation must be agreed by the Student Council.
2. Should a vacancy of a sabbatical office arise in the course of the Academic Year, a by-election shall take place as soon as possible, and shall be undertaken in accordance with the Constitution and Schedules.
3. A Sabbatical Officer who has been removed from office pursuant to Clause 70 of the Constitution against his or her own will shall be paid his or her salary for two weeks after the date of effect of his or her removal. All reasonable expenses incurred transacting the business of the Union shall be refunded providing always that internal policy is followed.

4. From time to time the Council of the Union, on the recommendation of the Trustees, may vote to create an additional sabbatical officer post. A decision regarding the allocation of funding for the post of an additional Sabbatical Officer shall be made annually by the Student Council. In the event that Council deems funding to be sustainable for the next year, the position shall continue as a sabbatical office elected in accordance with the provisions of the Constitution and Schedules. The responsibilities and role description of the additional Sabbatical Officer shall be established by the Trustees before they make any recommendation to the Student Council for the establishment of such a post.
5. A Sabbatical Officer may resign by submitting a letter of notice in writing to the Trustees and the Executive Committee, and (in the case of a jointly-appointed officer such as the Welfare and Rights Officer) to the CUSU.
6. The Sabbatical Officers shall transact the ordinary business of the GU at the direction of the Trustees and the Council and as laid down in the Constitution, Schedules, Policy established by the Council or Members, and internal GU policy in relation to operational matters.
7. The **President**, who shall be a Trustee of the Graduate Union and a member of the Executive Committee, and shall normally take up his/her post in July for one calendar year, shall:
 - (a) be the prime representative of the Union and seek to involve as many Members in the Union as possible
 - (b) be the Chair of the Trustee Board and undertake duties delegated to him/her in accordance with Clause 86 of the Constitution
 - (c) attend all relevant University committees to represent student views and GU Policy and report back to the Union
 - (d) working with the Trustees, be the financial head of the Union, responsible for presenting all expenditure and submitting the budget and audited accounts to the University
 - (e) be the prime representative of the Union to liaise with the University over any matters affecting students
 - (f) compile termly and annual reports on his/her activities for consideration at the Student Council
 - (g) ensure that elections are undertaken and administered in accordance with the Constitution and Schedules

- (h) chair and participate fully in Executive Committee meetings
 - (i) maintain all legal documentation relating to the Union, including the Constitution, the Schedules, instruments and articles of government, the Code of Practice and all legal advice
 - (j) arrange training for the Executive Committee following their elections
 - (k) be a non-voting member of GU Council and ensure that the decisions made are implemented where practicable
 - (l) act reasonably and prudently in all matters and in the best interests of the Union on consultation with the Trustee Board, the Student Council and the Executive Committee.
8. The **Welfare and Rights Officer**, who shall be a Trustee of the Union and a member of the Executive Committee, and shall normally take up his/her post in July for one calendar year, shall:
- (a) be an Officer of both the CUSU and the GU, but shall be an employee of the CUSU. Whenever and wherever the Welfare and Rights Officer is acting in their capacity as an Officer of the GU they will be primarily bound by the Constitution, Schedules, Policy and internal policies of the GU and secondarily by the Constitution, Schedules and Policy of the CUSU. In the event of conflicting policies or differences in interpretation, the CUSU President, GU President and the Welfare and Rights Officer will meet to devise a resolution which must be presented for approval to both CUSU and GU Council before any policy can take effect
 - (b) coordinate and be responsible for the Union's Student Advice Service, including resources required to ensure the Service functions correctly
 - (c) be a caseworker for students concerned with issues relating to health, mental wellbeing, sexual health, safety, resources to cope with hardship and support for graduate students
 - (d) provide training and support for the Welfare and Student Support Officers of the Affiliated Common Rooms and other student bodies, including through meetings and online resources
 - (e) organise and lead welfare campaigning and events for both the CUSU and the GU

- (f) attend all relevant University committees to represent student views and CUSU and GU policy and report back to the Union
- (g) participate fully in Executive Committee meetings
- (h) compile termly and annual reports on his/her activities for consideration at GU Council
- (i) act reasonably and prudently in all matters and in the best interests of the Union on consultation with the Trustee Board, GU Council and the GU Executive Committee.

SCHEDULE B

The Executive Committee

1. The Executive Committee shall be responsible for:
 - (a) the organisational strategy of the GU
 - (b) representation of the GU's Members
 - (c) campaigns that promote and protect the interests of the Members
 - (d) the implementation of Policy set by the Student Council (unless amended or revoked by the Trustees)
 - (e) the allocation of GU funds to specific projects up to a maximum limit set by the Board of Trustees
2. The Executive Committee may not employ or dismiss staff without the permission of the Board of Trustees.
3. The Executive Committee shall be accountable to Council, and shall present a report of its activities at the Annual General Meeting.
4. The Executive Committee when complete shall consist of:
 - (a) The **President**, who shall Chair meetings, or appoint a deputy in his or her place.
 - (b) The **Welfare and Rights Officer**

and any other Sabbatical Officers appointed in accordance with these Schedules, along with the following Part-Time Officers:

- (c) The **Treasurer**, who shall be responsible with the Trustee Board for administering the finances of the Union. S/he shall oversee the preparation of the annual budget and accounts, ensure that they are properly audited and present them to the Council at the Annual General Meeting.
- (d) The **Secretary**, who shall be responsible for the administration of all Committee and Council meetings, for creating and distributing agendas, and for

taking and publishing minutes from such meetings.

- (e) The **Academic Affairs Officer**, who shall be responsible for all events, campaigns and projects relating to the promotion and protection of the interests of the Members with regard to academic affairs.
 - (f) The **Welfare Officer**, who shall be responsible for all events, campaigns and projects that promote and protect the interests of the Members with regard to welfare.
 - (g) The **International Officer**, who shall be responsible for all events, campaigns and projects relating to the promotion and protection of the interests of the GU's international members.
 - (h) The **Events Officer**, who shall be responsible for organising a variety of events throughout the year that contribute to the social wellbeing of Members and generating income for the GU through events.
 - (i) The **Communications Officer**, who shall be responsible for the GU's publicity material, online presence and membership engagement.
 - (j) The **Families Officer**, who shall be responsible for all events, campaigns and projects that promote and protect the interests of families amongst the Members, as well as helping to maintain the Family Society.
 - (k) The **Environmental Officer**, who shall be responsible for ensuring that the GU's projects and administration are sustainable and environmentally friendly and liaise with College Green Officers.
 - (l) The **Mature Undergraduates Officer**, who shall be responsible for ensuring that Mature Undergraduates are properly represented within the GU and the CUSU, run all events, campaigns and projects that promote and protect the interest of the GU's non-graduate members, and be responsible for maintaining a network of these members.
 - (m) The **Women's Officer**, who shall be a self-defined woman whose role is to support the rights and welfare of female graduate students.
5. The Executive Committee may from time to time co-opt members to organise campaigns, promote particular issues or represent groups of members. Sabbatical Officers-elect may be co-opted onto the Executive Committee. Co-opted members will not be eligible to vote, and will hold office for no longer than one calendar year.

6. The quorum for Executive Committee shall be four members who are eligible to vote. Unless specified otherwise in the Constitution or Schedules, a motion shall be carried only if two thirds of those present and eligible to vote are in favour of the decision. Where a role is shared between two people, they shall have one vote jointly.
7. Elections to the Executive Committee will be administered in accordance with the Constitution and the Schedules.
8. Should a vacancy for a part-time role arise on the Executive Committee, a by-election may be held in accordance with the Constitution and the Schedules, or the Executive Committee may co-opt a member until such time as an election can be held.
9. An inquorate meeting may vote on any matter except suspension of a member or a vote of no confidence. Any decision of the meeting must, however, be ratified at the first subsequent meeting of the Executive Committee. Provided minutes of the inquorate meeting have been delivered to members of the Executive Committee concerned at least two days before the subsequent meeting, ratification will be automatic unless objection has been made to the President or Secretary before the start of the subsequent meeting, in which case a vote may be taken.
10. In the event of a tied vote the President may exercise a casting vote, ask for another vote, or defer the vote.
11. The Executive Committee may invite any person to attend a meeting of the Executive Committee as an observer, save that an observer may be requested to leave all or part of the meeting by decision of the majority of the Executive Committee members present.

SCHEDULE C

The Student Council

1. The Council shall be the ultimate Policy-making body of the GU, subject to Clauses 79 and 122 of the Constitution.
2. Any Member of the Union (in any category) may attend and have speaking rights at the Student Council.
3. People or groups who are not Members of the Union may attend Council provided the voting members agree to their presence and any speaking rights by an indicative vote.
4. Members of the Council are required to act in the best interests of the Union and the furtherance of its charitable purposes in conducting business of the Council.

Membership of the Student Council

5. The voting members of Council shall consist of:
 - (a) One representative of the body of graduate students of each affiliated college, each such body deciding for itself how its representative shall be elected;
 - (b) The elected graduate representatives from each Faculty Board, or equivalent body, provided that when there is more than one representative from each Faculty Board or equivalent body they shall share only one vote, and in the event of disagreement neither shall exercise a vote; and
 - (c) A representative of the CUSU.
6. The following people shall be non-voting members of Council:
 - (a) Trustees (who may vote in a separate capacity if entitled to do so under paragraph 5 above);
 - (b) The Executive Committee (who may vote in a separate capacity if entitled to do so under paragraph 5 above);

- (c) Up to four representatives of Associates of the Union, appointed by the Council, as necessary, for a specified period not more than the time until the next annual elections.

Meetings of the Student Council

7. The Student Council shall meet at least once in each term and once during the long vacation. The Secretary shall convene the meeting and shall give at least ten days' notice of the meeting, including the time and venue of the meeting.
8. An emergency meeting of the Student Council shall be called at the request of either of:
 - (a) a quorate Executive Committee meeting
 - (b) at least five Student Council members, or at least forty full Members of the Union.

The request shall be in writing to the President or his/her appointed deputy, who shall instruct the Secretary to convene the meeting, giving at least ten days' notice. The meeting shall take place not more than fourteen days after the request is received.

9. A meeting of the Student Council shall be quorate only if 15 voting members (as defined in paragraph 5 above) are present. If such a quorum is not present within half an hour from the time appointed for the meeting, the meeting shall stand adjourned to the same day in the next week at the same time and place, or to such other day, time and place as the Executive Committee may determine, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting the members of Student Council who are present and eligible to vote shall be a quorum.
10. Meetings of the Student Council shall be chaired by a Member of the Union who is recommended by the Executive Committee and elected as chair by a majority of those present and eligible to vote at the first Student Council meeting of the Michaelmas term, and shall hold office for one Academic Year. If the chair is absent or unwilling to act in relation to any particular meeting, the Student Council shall appoint a replacement chair for that meeting, acting by majority. The chair shall not be permitted to vote, but if they would otherwise be eligible to vote, may appoint a proxy to do so in their place. The Secretary to the Student Council shall be the Executive Committee Secretary or a nominated deputy.

The Agenda

11. Any Member of the Union may require any item to be put on the agenda of a Council meeting by submitting their item to the Secretary.
12. The deadline for submitting all agenda items, save emergency motions, shall be five days before the meeting.
13. The Secretary shall distribute the agenda and any relevant papers to members of Council five days before the meeting.
14. Any Member of the Union may submit an "Emergency Motion" to Council after the deadline in paragraph 12, provided that
 - (a) The substance of the motion arose after the deadline for submission of motions
 - (b) The motion is submitted before the start of the meeting
 - (c) The Secretary may refuse to accept any Emergency Motion that does not meet these criteria or can reasonably be deemed to not be an emergency.
15. The Secretary must distribute the text of emergency motions to Council members as soon as reasonably practical.

The Minutes

16. Full minutes of the meetings of the Council shall be recorded and published by the Secretary or his/her appointed deputy within fourteen days of the meeting.
17. Amendments or corrections may be made to the minutes until they are approved by the next meeting of the Council.

The Format of Council Meetings

18. Meetings of the Council shall follow the following format:
 - (a) Approval of the minutes of the previous Council meeting
 - (b) Matters arising from the minutes of the previous Council meeting
 - (c) Reports to Council from Sabbatical Officers and Officers of the Executive Committee. Questions may be asked, pertaining only to issues highlighted in these reports, by those with speaking rights.

- (d) Motions to be ratified (i.e. those requiring a second vote)
 - (e) Council discussions and questions to Council. Such discussions may be used to gauge the opinion of Council and could include non-binding indicative votes.
 - (f) Ordinary Motions to form Graduate Union Policy. Such motions may mandate Officers to certain actions.
 - (g) Emergency Motions, as defined in paragraph 13, which will form Graduate Union Policy. Such motions may mandate Officers to certain actions.
 - (h) Elections to be held at Council (including any appointments of Trustees).
 - (i) Any other business
19. There shall be the following procedural motions which may be proposed during discussion of motions. Procedural motions have precedence over all other motions and their associated speeches.
- (a) That the motion not be put. If this motion passes, the ordinary or Emergency Motion in question will not be discussed further at that Council, nor voted on.
 - (b) That the Council moves immediately to a vote.
 - (c) That the motion be voted on in parts. In this case the motion may be split into any constituent sections and each discussed and voted upon separately.
 - (d) That the motion be deferred to the next Council meeting
20. Further, there shall be a procedural motion that the chair stand down for the remainder of the meeting. In such a situation the Executive Committee must decide on a replacement chair in a timely manner.

Safe Space

21. Graduate Union Student Council meetings are a safe space. Remarks, behaviour or language that is aggressive, disrespectful, threatening, intimidating, or designed to cause harm or disruption is unacceptable and will not be tolerated.
22. If anyone in attendance feels that someone is engaging or has engaged in any activity laid out in paragraph 20 they may bring it to the attention of the chair. The

Chair may demand the ceasing of such behaviour or the withdrawal of any remark they deem to contravene paragraph 20. The chair may ask those concerned to leave the meeting if this demand is refused or the activity continues.

23. Any Member present has the right not to be photographed, filmed, or recorded electronically at a Council meeting. Permission must be sought from the chair in order to photograph, film or electronically record Council meetings.

Time Limits and Speaking on Motions

24. Discussion of any item on the agenda shall be limited to 20 minutes each.
25. Reports to Council shall be limited to three minutes each.
26. The chair shall ensure that the discussion of ordinary and emergency motions remains balanced. In order to facilitate this:
 - (a) Speeches for and against shall be limited to three minutes each.
 - (b) There shall be an equal number of speeches for and against, provided someone decides to speak against.
 - (c) Questions on motions should be aimed at providing clarification only; as such answers should aim to be as neutral as possible.
 - (d) There shall be the right for the proposer to make a 30 second summation speech immediately before voting.
 - (e) Procedural motions shall be voted on after only one speech for and one against, each lasting only 30 seconds.
27. The chair shall have the right to extend discussions and allow additional rounds of speeches should he/she feel that such alterations would be of benefit to the Council.

Voting

28. Voting members shall be required to sign in at the start of Council meetings in order for quoracy to be determined.
29. Votes on all agenda items except elections shall be carried out by raising ballot papers.

30. All votes must also be recorded on ballot papers and these should be collected by the chair at the end of the meeting to verify the count. Ballot papers shall be kept for a minimum of one year after the relevant Council.
31. At the discretion of the chair, in situations where a vote is close or subject to error the paper ballots may be collected and counted during Council and then re-distributed upon commencement of proceedings.
32. In the event of a tied vote, the chair will cast the deciding vote.
33. Voting in Council elections shall be by secret ballot and counted by Single Transferable Vote as outlined in Schedule E governing elections.
34. Council members may vote by proxy provided that they are also Members of the Graduate Union and that the chair of the Council is provided with information on the name of the vote-holder and the proxy before the start of the meeting.

Votes of No Confidence

35. The Council may discuss a vote of no confidence in any elected Officer of the Union (including Sabbatical Officers) and remove an Officer from Office, in accordance with the Constitution.
36. In order to remove an Officer from Office the motion must pass by at least two-thirds at a quorate Council meeting.
37. When the Council is to debate a motion of no confidence in the Welfare and Rights Officer, members of the Council of the CUSU shall be entitled to attend in addition to the membership defined in Schedule C. They shall have no voting rights.

Explicit Rights of the Student Council

38. Ordinary and emergency motions passed by Council shall become binding Policy of the Graduate Union, unless such motions are inconsistent with the Constitution or the Schedules, and in particular (but without limitation) subject to Clause 79. Officers of the Union shall be required to work in accordance with such Policy as outlined in this Schedule C.
39. Policy passed at Council shall take effect immediately, save motions of no confidence and those requiring a second vote, unless the motion specifies otherwise.

40. The Student Council may create an elected Office of the Executive Committee if it believes that a greater degree of permanence or responsibility is required for the role than is appropriate for a co-opted member. Such an Office may only be created or removed if ratified by a General Meeting following a quorate vote in favour of the amendment at Student Council meeting and subject to the name and responsibilities of the Office being added to Schedule B4 in accordance with Clause 99 of the Constitution.
41. The Council may call a referendum of full members of the Union upon any matter which it thinks fit, with the exception of either the interpretation of the Constitution, the questioning of the action of a Returning Officer in an Election or referendum or the removal of a person from office in accordance with Clause 31 of the Constitution.

SCHEDULE D

Membership

1. **Graduate Members** of the GU shall be full members, and shall consist of those Students who are matriculated and registered on a graduate or postgraduate programme provided by the University.
2. **Non-Graduate Members** of the GU shall be full members, and shall consist of Mature Undergraduates, defined as those undergraduates who were 21 years of age or over at the commencement of their course of study, those undergraduates in the 4th year or higher of residence, students who are members of institutions belonging to the Cambridge Theological Federation (or any successor body), post-doctoral researchers working within the University who are members of the University, and spouses or civil partners of graduate students (as defined in Clause 5 of the Constitution)
3. **Associates** of the GU shall not be entitled to vote on any matter, and shall consist of the following:
 - (a) graduate research workers who are not registered graduate students or members of Regent House.
 - (b) graduate students at other Universities who are visiting Cambridge in connection with their studies and other people in similar standing.
 - (c) spouses or partners of associates in the classes listed above.
4. **Honorary Life Members** of the GU shall not be entitled to vote on any matter, and shall be such persons as the Council shall from time to time deem fit for honorary life membership. A list of such people shall be kept by the GU.

SCHEDULE E

Elections

Timeframe

1. The President shall each year in the Michaelmas Term present an electoral scheme for the conduct of Sabbatical Officer and Executive Committee elections, and Student Trustee nominations and appointments, to the University and to GU Council. The appointment of Trustees other than Student Trustees shall be carried out as specified in the Constitution and Schedule C, as vacancies in the Trustee body arise.
2. The Council shall determine dates for the Sabbatical Officer and Executive Committee elections, and the timetable for nomination and appointment of Student Trustees, giving at least twenty-four days' notice of the opening of the ballot in the case of elections. The Sabbatical elections shall be held in conjunction with the CUSU elections in Lent Term.
3. The election of the Welfare and Rights Officer shall be governed by the CUSU Elections Committee, with the GU President holding a vote on all matters pertaining to the Welfare and Rights Officer.

Voting System and Counting

4. All GU elections shall be conducted by secret ballot and counted by Single Transferable Vote. The method of counting Single Transferable Vote used in all GU elections shall be outlined in 'How to conduct an election by the Single Transferable Vote' by Robert Newland and Frank Britton, Third Edition, 1997.
5. For the purpose of counting votes, the 're-open nominations' box is treated as a candidate. If at any stage of the count the 're-open nominations' candidate gains the required number of votes to be elected, that place is reserved to be filled by a further election.
6. The GU cross-campus elections held in Lent Term for sabbatical positions shall be conducted by both online and paper balloting. All other cross-campus elections or by-elections shall be conducted by online ballot only unless directed otherwise

by a resolution of the Council. The conduct of the election may be delegated to CUSU, and will then be governed by CUSU electoral rules and procedures. The Graduate Union Returning Officer shall be a member of the CUSU Elections Committee for this purpose.

Elections Committee

7. An Elections Committee shall be convened by the Council before the opening of nominations for all GU elections and by-elections, or by the Trustees in relation to the conduct of a Referendum, and shall sit until all complaints are ruled upon and the Returning Officer's report has been approved by the Council. The Elections Committee shall carry out and uphold all rules pertaining to the conduct of elections. No member of the Elections Committee may stand for election for any position whilst also a member of the Committee.
8. The Election Committee shall normally comprise five people, consisting of the Returning Officer, two members of the GU Council, the CUSU Co-Ordinator and one member of the Trustees, unless otherwise determined by the Council.
9. The Returning Officer for elections shall normally be the President, or his/her deputy appointed by the Elections Committee or the Student Council.
10. The Returning Officer and Elections Committee are required to act impartially at all times, and may not campaign for any candidate.
11. The Elections Committee shall establish Rules for the conduct of an election. For the annual cross-campus elections, these Rules shall be reported to GU Council no later than the First Council of Lent Term. Election Rules and rulings on the conduct of elections made by the Elections Committee shall have the force of Schedules, providing they do not conflict with the Constitution or Schedules.
12. Nominations for an election will be in such form as the Elections Committee determine in the Rules, but shall normally comprise an electronic statement to include the name, degree course and college of the nominee, a statement of their eligibility, and a candidate statement in English of no more than 500 words in length.

Eligibility

13. All Members of the GU shall be eligible to stand for all positions in the GU unless otherwise stated herein:

- (a) Candidates for the position of GU President must be Graduate Members as defined in Clause 18.1 of the Constitution.
- (b) Candidates for the position of Welfare and Rights Officer must be students in their third year or higher of residence in Cambridge upon standing for election (e.g. third year undergraduates) or Members as specified in the Constitution.
- (c) No person may stand as a Sabbatical Officer of the GU for more than two terms of office.
- (d) No person shall be eligible to stand for election if they have been a member of the Elections Committee within the four weeks immediately preceding the opening of nominations.

By-elections

- 14. Vacancies in any part-time offices may be filled by a co-option of Council. This counts as an election.
- 15. Sabbatical Officer vacancies can only be filled by an election. In the case of an irregular sabbatical vacancy or impending sabbatical officer vacancy then an Elections Committee must be established by the Council and a cross-campus by-election must be held following the same procedure as scheduled elections in Lent Term.
- 16. In the event of no nominations being submitted for a Sabbatical Officer vacancy, the Council can either:
 - (a) Mandate the Elections Committee to re-open nominations
 - (b) Mandate the Sabbatical Officers to temporarily employ a member of staff to carry out the non-representational elements of the post.
- 17. If an individual is elected to a vacant office they shall take office immediately

Complaints

- 18. The Elections Committee shall acknowledge all complaints within 24 hours of receiving them. The Elections Committee shall record all discussions, decisions and votes, regardless of the method of communication.

19. The Elections Committee shall decide on the merits of the objection by collecting information from all interested parties in order to ascertain whether they support or not the upholding of the complaint.
20. The Elections Committee shall look to resolve all complaints thoroughly and as quickly as possible. The Elections Committee shall endeavor to keep all involved with the complaint informed about the progress of the complaint and resolve it within three working days.
21. Any party may appeal to overturn the decision of the Elections Committee in writing, within 72 hours of the Elections Committee announcing their decision. The Elections Committee may choose to review their own decision. The deadline for appeal shall in that case be extended to 72 hours after the Elections Committee makes their final ruling. Appeals not reviewed by the Elections Committee, or made in response to a reviewed decision, shall be directed to the Junior Proctor.

Voting Materials

22. The only writing on the ballot paper itself should be a list of candidates and instructions as to how to vote.
23. Voting materials shall be kept for a period of one month before being destroyed, apart from principal documents which shall be archived in the usual way.

SCHEDULE F

Referenda

Timeframe

1. If a Referendum is called in accordance with Clause 30 of the Constitution, the Trustees shall give at least 14 clear days' notice of a General Meeting to discuss the matter raised in the Referendum petition.
2. Voting on the matter set out in the Referendum petition shall begin within five days of the General Meeting at which it was discussed.

Voting System

3. Referenda amending the Constitution require a 75% majority, with at least 200 members casting a vote. All other referenda are by simple majority vote. The count in any referendum is public.
4. For any question put in a referendum, the two answers are to the affirmative and to the negative, in that order. A ballot form submitted unmarked indicates the recording of an abstention.
5. For referenda amending the Constitution voting shall take place electronically or by paper ballot.

Conduct of Referenda

6. The Elections Committee appointed by the GU Council to oversee elections, including the President as Returning Officer or his or her appointed deputy, shall oversee the running of any referendum. Should a vacancy arise on the committee, Council shall appoint someone in the category to fill the vacancy.
7. Rulings made by the Elections Committee pertaining to the conduct of any referendum shall be issued in writing for the information of all voters.
8. The Returning Officer and Elections Committee must remain impartial throughout the course of a referendum, and may not participate in either a 'Yes' or 'No'

Campaign. Information disseminated should include neutral information as well as material for both campaigns, where submitted.

9. The Elections Committee is responsible for producing objective neutral information relevant to the referendum, which should be distributed to all voters.

Voting Materials

10. The only writing on the ballot paper itself should be the question put, along with affirmative and negative answers and instructions as to how to vote.
11. Voting materials shall be kept for a period of one month before being destroyed, apart from principal documents which shall be archived in the usual way.

SCHEDULE G

Complaints procedure

Complaints Principles and Revision Limitations

1. Preamble: That the GU has a Complaints Procedure is, as of November 2008, a requirement of national law, as required by the Education Act 1994.
2. References are made in this section to the Junior Proctor of the University of Cambridge as an avenue of appeal regarding decisions made about complaints. This is because the Education Act 1994 requires that “an independent person should be appointed by the governing body of the University to investigate and report on complaints”; the Junior Proctor is designated by the University to be this independent person. Should the University designate another person for this role, then the part played by the Junior Proctor in this section should instead be played by whatever person is so designated.
3. Principle of adjudication: GU Officers or Trustees should consider complaints first and foremost on the basis of fairness. While they must consider the health of the GU, financial and otherwise, in any decision, Officers and Trustees should seek to rule on the basis of fairness to the furthest extent that is reasonable and feasible. They should not simply seek to minimise the GU’s exposure to criticism or financial outlay, except insofar as legally obliged to do so.
4. Transparency: GU complaints procedures should be made easy to locate and use. Any GU Officer or Trustee involved in advising on, processing, or adjudicating a complaint should not simply disclose required information but should also volunteer procedural information helpful to the making of a complaint. At each phase of any complaints process, the complainant and any other directly interested parties should be given full information about their potential avenues of appeal.
5. Merger and Severance: At any stage of a complaints process, relevant officers may rule that multiple complaints should be considered together or that a single complaint should be considered in separate parts or processes. Such officers have an obligation to ensure that the specifics of complaints being merged are still addressed or that the holistic merits of a complaint being separated are still

considered.

Formal and Informal Complaints

6. The procedures outlined in this Schedule (G) apply to formal complaints unless otherwise noted. Anyone who contacts a GU Officer with a query or statement that reasonably may be construed as a complaint or as leading to a complaint should be informed about their right to issue a formal complaint and directed to information about how to do so.
7. A formal complaint shall consist of a text submitted in any reasonable format noting all of the following:
 - (a) The desire to make a complaint
 - (b) The specifics of the issue about which they wish to complain
 - (c) The details of any specific harms caused by the issue
 - (d) A method by which the complainant can be reached for correspondence
8. Forms should be made readily available offering templates for making formal complaints
9. Any person who is the subject of a complaint or has a personal interest in the outcome of a complaint must recuse him or herself from any deliberations of any body or office involved in adjudicating the complaint
10. Privacy: Specific contingencies should be built into complaints procedures allowing particularly sensitive complaints (or parts thereof) involving compelling issues of personal privacy to be dealt with by alternate means when the normal means would be inappropriately public. In instances where officers or a body adjudicating complaints find that a certain compelling issue of personal privacy cannot be adequately addressed, they should refer the matter to the GU Board of Trustees. When in doubt, reviewers of complaints should discuss with complainants and other concerned individuals their intentions regarding potentially sensitive information.

Employment Complaints

11. Complaints by GU Staff, whether appointed or seconded, shall be dealt with in accordance with the GU's legal obligations as an employer or manager, GU in-

ternal policy on staff procedures, and the contents of individual staff members' contracts.

12. The Board of Trustees and such officers as shall undertake the task of offering contracts or setting employment procedures shall ensure that the various documents governing each staff member's employment provide clear instructions for the submission and adjudication of complaints.

Complaints about the Conduct of Staff

13. Complaints about the conduct of GU staff made by anyone other than GU staff should be referred first to the GU President. Complaints made by GU staff themselves should be dealt with through an Employment Complaints procedure as laid down by the GU Board of Trustees or in GU staff contracts or collective employment agreements.
14. The President should acknowledge receipt of a formal complaint to the complainant within 3 working days of receiving it. Within 10 working days of receiving a complaint, the President should do one or more of the following:
 - (a) Recuse himself or herself from the procedure and designate another person or body to carry out one or more of the steps that follow
 - (b) Respond to the complainant outlining why a specific amount of additional time is needed for specific tasks that are necessary to properly investigating the complaint.
 - (c) Judge the GU complaints procedures incompetent to hear the complaint and take all reasonable measures to refer the complainant to a body with proper jurisdiction
 - (d) Reject the Complaint
 - (e) Uphold the Complaint in part and set out corrective action
 - (f) Uphold the Complaint in full and set out corrective action
 - (g) Refer the complaint to the Board of Trustees. If the President's ruling on the complaint would involve a serious admission of civil or criminal liability, the President should automatically refer the complaint to the Board of Trustees.
15. Any ruling of the President may be appealed to the Board of Trustees by anyone directly involved in the complaint or in corrective action set out by the President.

16. Complaints referred or appealed to the Board of Trustees shall be put on the Board's agenda for its next regular meeting. If Board members feel that the complaint must be dealt with urgently, they may call an emergency meeting.
17. If students directly involved in the complaint or in the decision of the Board of Trustees are dissatisfied with that decision, they may appeal it to the Junior Proctor, and the Board of Trustees should advise all relevant parties of this fact and of how such an appeal could be made.
18. If the complaint is not referred to the Board of Trustees, the President should report the complaint and its disposition to the next regular meeting of the Board of Trustees.

Complaints about the Conduct of Elected Officers

19. For the purposes of this section, "elected officer conduct" shall refer to the behaviour of an elected officer in his or her capacity as an elected officer or to behaviour by an elected officer that may be directly relevant to his or her work as an elected officer
20. For the avoidance of doubt, the GU Trustees and members of the Executive Committee should be considered elected officers for the purposes of paragraphs 19 to 27. Student officers such as MCR Presidents, Faculty Representatives, and student members of the University Council and General Board, though they may be afforded particular powers within GU structures, shall not be considered elected officers for the purposes of this section. Complaints about these persons should be dealt with under the procedure for complaints about students' behaviour at GU functions.
21. Complaints about the conduct of elected officers of the GU may be made by:
 - (a) Any member of the GU
 - (b) GU Staff
 - (c) Any member of the public or any legal entity that has been directly impacted by elected officer conduct
22. Complaints about the conduct of elected officers who are not the GU President should be directed first to the GU President. Complaints about the conduct of the GU President should be directed first to the GU Welfare and Rights Officer. In the case of a complaint about the conduct of the GU President, the GU Welfare and

Rights officer should perform all functions nominally to be carried out by the GU President pursuant to this section.

23. If a complaint under paragraph 21 involves discrimination against or offence to a certain distinct group and there are GU representative officers whose portfolios cover those groups, those officers should be solicited for their advice on the complaint and provided with all details about the complaint that it is reasonable to disclose to them, provided that any reasonable privacy concerns can be satisfied.
24. The President should acknowledge receipt of a formal complaint to the complainant within 3 working days of receiving it. Within 10 working days of receiving a complaint, the President should do one or more of the following:
 - (a) Recuse himself or herself from the procedure and designate another person or body to carry out one or more of the steps that follow
 - (b) Respond to the complainant outlining why a specific amount of additional time is needed for specific tasks that are necessary to properly investigating the complaint.
 - (c) Judge the GU complaints procedures incompetent to hear the complaint and take all reasonable measures to refer the complainant to a body with proper jurisdiction
 - (d) Reject the complaint
 - (e) Uphold the complaint in part and set out corrective action
 - (f) Uphold the complaint in full and set out corrective action
 - (g) Refer the complaint to the GU Council as a motion or set of motions, with or without a President's recommendation
 - (h) Identify that a ruling on the complaint (or a part thereof) may involve a serious admission of civil or criminal liability or a compelling issue of privacy and therefore refer the complaint to the Board of Trustees of the GU
25. Anyone directly involved in the complaint or in corrective action set out by the President may appeal a President's ruling to the GU Council in the form of a motion to the Council. If the motion involves a serious admission of civil or criminal liability or a compelling issue of privacy, the GU chair shall rule the motion out of order and refer the issue to the Board of Trustees.
26. Complaints referred or appealed to the Board of Trustees shall be put on the

Board's agenda for its next regular meeting. If Board members feel that the complaint must be dealt with urgently, they may call an emergency meeting.

27. If students directly involved in the complaint or in the decision of the GU Council or the Board of Trustees (whichever has acted as the appellate body) are dissatisfied with that decision, they may appeal it to the Junior Proctor, and either the GU Council Chair or the Board of Trustees should advise all relevant parties of this fact and of how such an appeal could be made.

Complaints about GU Services, Facilities or Products

28. Complaints about GU Services, facilities or products should be referred first to the GU President
29. If a complaint under paragraph 28 involves discrimination against or offence to a certain distinct group and there are GU representative officers whose portfolios cover those groups, those officers should be solicited for their advice on the complaint and provided with all details about the complaint that it is reasonable to disclose to them, provided that any reasonable privacy concerns can be satisfied.
30. The President should acknowledge receipt of a formal complaint to the complainant within 3 working days of receiving it. Within 10 working days of receiving a complaint, the President should do one or more of the following:
 - (a) Recuse himself or herself from the procedure and designate another person or body to carry out one or more of the steps that follow
 - (b) Respond to the complainant outlining why a specific amount of additional time is needed for specific tasks that are necessary to properly investigating the complaint.
 - (c) Judge the GU complaints procedures incompetent to hear the complaint and attempt to refer the complainant to a body with proper jurisdiction
 - (d) Reject the complaint
 - (e) Uphold the complaint in part and set out corrective action
 - (f) Uphold the complaint in full and set out corrective action
 - (g) Refer the complaint to another organ of the GU more directly responsible for the service, facility, or product in question

- (h) Identify that a ruling on the complaint (or a part thereof) may involve a serious admission of civil or criminal liability or a compelling issue of privacy and therefore refer the complaint to the Board of Trustees of the GU
31. Anyone directly involved in the complaint or in corrective action set out by the President may appeal a President's ruling to the Welfare and Rights Officer.
32. The President should acknowledge receipt of an appeal to the appellant within 3 working days of receiving it. Within 10 working days of receiving an appeal, the President should do one or more of the following:
- (a) Recuse himself or herself from the appeal and designate another person or body to carry out one or more of the steps that follow
 - (b) Respond to the appellant outlining why a specific amount of additional time is needed for specific tasks that are necessary to properly investigating the appeal.
 - (c) Reject the President's ruling in its entirety as flawed and enter a new ruling or a new referral to another body, setting out the reasons for doing so
 - (d) Reject parts of the President's ruling as flawed and modify the President's ruling, setting out the reasons for doing so
 - (e) Uphold the President's ruling in full
 - (f) Identify that a ruling on the complaint or the appeal (or a part thereof) may involve a serious admission of civil or criminal liability or a compelling issue of privacy and therefore refer the complaint to the Board of Trustees of the GU
33. If students directly involved in the complaint or in the decision of the President or the Board of Trustees (whichever has acted as the appellate judge) are dissatisfied with that decision, they may appeal it to the Junior Proctor, and the President or Board of Trustees should advise all relevant parties of this fact and of how such an appeal could be made.

Complaints about GU Policy

34. Complaints about the legality or Constitutionality of proposed or existing GU Policy should be dealt with through the rules for Policy challenges set out in the Constitution and Schedules.

35. Complaints about the wisdom or appropriateness of GU Policy cannot be made as Formal Complaints. They should be taken up with GU Representatives or directed to the GU Executive Committee for study, and escalated to the Council if necessary.

Election Complaints

36. Complaints about the conduct of GU Elections, election counts or results, decisions of the Returning Officer or Elections Committee, and any similar issues should be made through procedures laid down in Schedule E, and escalated to the Trustees if necessary.
37. Complaints about the personal or professional behaviour of members of the Elections Committee should be directed through the process for Complaints about Elected Officers.
38. Complaints about the conduct of GU members in regards to GU Elections that are beyond the scope of the Elections Committee should be passed to the GU President and dealt with under the provisions of Complaints about students at GU functions.

Complaints about Students' Behaviour at GU Functions

39. Complaints during a GU Council meeting or GU Open Meeting about the behaviour of any person should be directed to the chair of the meeting. The chair of the meeting shall have the right to refuse entry to or demand the exit of persons who threaten to disrupt the proper conduct of the meeting.
40. Complaints about the behaviour of ordinary members of the GU at any GU function or event should be directed first to the GU President. The President should acknowledge receipt of a formal complaint to the complainant within 3 working days of receiving it. Within 10 working days of receiving a complaint, the President should do one or more of the following:
 - (a) Recuse himself or herself from the procedure and designate another person or body to carry out one or more of the steps that follow
 - (b) Respond to the complainant outlining why a specific amount of additional time is needed for specific tasks that are necessary to properly investigating the complaint.
 - (c) Judge the GU complaints procedures incompetent to hear the complaint and

take all reasonable steps to refer the complainant to a body with proper jurisdiction

- (d) Reject the complaint
 - (e) Uphold the complaint in part and set out corrective action
 - (f) Uphold the complaint in full and set out corrective action
 - (g) Identify that a ruling on the complaint (or a part thereof) may involve a serious admission of civil or criminal liability or a compelling issue of privacy and therefore refer the complaint to the Board of Trustees of the GU
41. Anyone directly involved in the complaint or in corrective action set out by the President may appeal a President's ruling to the Welfare and Rights officer.
42. The President should acknowledge receipt of an appeal to the appellant within 3 working days of receiving it. Within 10 working days of receiving an appeal, the President should do one or more of the following:
- (a) Recuse himself or herself from the appeal and designate another person or body to carry out one or more of the steps that follow
 - (b) Respond to the appellant outlining why a specific amount of additional time is needed for specific tasks that are necessary to properly investigating the appeal.
 - (c) Reject the President's ruling in its entirety as flawed and enter a new ruling or a new referral to another body, setting out the reasons for doing so Reject parts of the President's ruling as flawed and modify the President's ruling, setting out the reasons for doing so
 - (d) Uphold the President's ruling in full
 - (e) Identify that a ruling on the complaint or the appeal (or a part thereof) may involve a serious admission of civil or criminal liability or a compelling issue of privacy and therefore refer the complaint to the Board of Trustees of the GU
43. Any corrective action taken under this procedure against a Cambridge University student by the GU should be reported to the Junior Proctor, regardless of whether there are plans by any party for an appeal to the Junior Proctor.
44. If students directly involved in the complaint or in the decision of the President or the Board of Trustees (whichever has acted as the appellate judge) are dissatisfied

with that decision, they may appeal it to the Junior Proctor, and the Board of Trustees should advise all relevant parties of this fact and of how such an appeal could be made.

**Extracts from
Relevant Legislation and Regulations**

EXTRACT A

Part II of the Education Act 1994 (as amended 2010)

STUDENTS' UNIONS

20. Meaning of “students’ union”.

- (1) In this Part a “students’ union” means—
 - (a) an association of the generality of students at an establishment to which this Part applies whose principal purposes include promoting the general interests of its members as students; or
 - (b) a representative body (whether an association or not) whose principal purposes include representing the generality of students at an establishment to which this Part applies in academic, disciplinary or other matters relating to the government of the establishment.
- (2) References in this Part to a students’ union include an association or body which would fall within subsection (1) if for the references to the generality of students at the establishment there were substituted a reference to—
 - (a) the generality of undergraduate students, or graduate students, at the establishment; or
 - (b) the generality of students at a particular hall of residence of the establishment.
- (3) References in this Part to a students’ union include an association or body which consists wholly or mainly of—
 - (a) constituent or affiliated associations or bodies which are themselves students’ unions within subsection (1) or (2), or
 - (b) representatives of such constituent or affiliated associations,

and which fulfils the functions of a students' union within subsection (1) or (2) in relation to students at an establishment to which this Part applies.

- (4) An association or body may be a students' union within the meaning of this Part in relation to more than one establishment but not in relation to establishments generally in the United Kingdom or a part of the United Kingdom.
- (5) References in this section to an association of the generality of students, or of any description of students, include—
 - (a) any association which the generality of students, or of students of that description, may join, whether or not it has in membership a majority of them, and
 - (b) any association which would fall within paragraph (a) if the references there to students were confined to full-time students;

and references to a representative body whose principal purposes include representing the generality of students, or of any description of students, shall be similarly construed.

21. Establishments to which Part II applies.

- (1) The establishments in England and Wales to which this Part applies are—
 - (a) any university receiving financial support under section 65 of the Further and Higher Education Act 1992;
 - (b) any institution conducted by a higher education corporation or further education corporation within the meaning of that Act;
 - (ba) any sixth form college;
 - (c) any institution designated under section 129 of the Education Reform Act 1988 as eligible to receive support from funds administered by a higher education funding council;
 - (d) any institution designated under section 28 of the Further and Higher Education Act 1992 as eligible to receive support from funds administered by a further education funding council;
 - (e) any institution substantially dependent on financial support under section 6(5) of that Act (certain institutions providing facilities for part-time, or adult, further education);

- (f) any institution designated, or of a description designated, by order of the Secretary of State;
 - (g) any college, school or hall in an establishment within any of the above paragraphs.
- (2) The establishments in Scotland to which this Part applies are—
- (a) any institution within the higher education sector for the purposes of section 56(2) of the Further and Higher Education (Scotland) Act 1992;
 - (b) any college of further education (within the meaning of section 36(1) of that Act), the board of management of which, or in respect of which an appropriate person, is in receipt of a grant, loan or other payment as mentioned in section 4(1) of that Act;
 - (c) any central institution within the meaning of section 135(1) of the Education (Scotland) Act 1980;
 - (d) any institution designated, or of a description designated, by order of the Secretary of State.
- (3) For the purposes of subsection (1)(e) an institution is substantially dependent on financial support under section 6(5) of the Further and Higher Education Act 1992 in any year in which such support amounts to 25 per cent. or more of its income.

For this purpose “year” means an accounting year of the institution, and “income” means receipts of any description, including capital receipts.

- (4) In subsection (1)(g) “college” includes any institution in the nature of a college.
- (5) References in this Part to the governing body of an establishment are to the executive governing body which has responsibility for the conduct of affairs of the establishment and the management and administration of its revenue and property.

22. Requirements to be observed in relation to students’ unions.

- (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.

- (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;
 - (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;
 - (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;
 - (d) appointment to major union offices should be by election in a secret ballot in which all members are entitled to vote;
 - (e) the governing body should satisfy themselves that the elections are fairly and properly conducted;
 - (f) a person should not hold sabbatical union office, or paid elected union office, for more than two years in total at the establishment;
 - (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;
 - (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;
 - (i) 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;

- (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
 - (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;
- (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
 - (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.
- (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 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 Education (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—
- (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.
- (7) In this section the expression "members", in relation to a representative body which is not an association, means those whom it is the purpose of the union to represent, excluding any student who has exercised the right referred to in subsection (2)(c)(ii).
- (8) In subsection (2)(j) to (l) the references to affiliation to an external organisation, in relation to a students' union for students at an establishment, include any form of membership of, or formal association with, an organisation whose purposes are not confined to purposes connected with that establishment.
- (9) Subsection (2)(d) and (l)(ii) (elections and affiliations: requirements to hold secret ballot of all members) do not apply in the case of an open or distance learning establishment, that is, an establishment where the students, or the great majority of them, are provided with materials for private study and are not required to attend the establishment to any significant extent or at all.

EXTRACT B

From Chapter II of the Ordinances of the University of Cambridge (revised edition 2015)

THE GRADUATE UNION

1. There shall be a Graduate Union, which shall be an association of members of the University who are pursuing in the University a course of graduate study or research, as defined by the constitution of the Union.
2. The constitution of the Graduate Union shall provide for the objects of the Union to be:

the advancement of education of graduate students at the University and any other persons who are members of the Union by:

- (a) promoting the interests and welfare of graduate students and other members of the Union, and providing support and advice to them;
- (b) being a recognized representative channel between graduate students (other than those who are not members of the Union) and the University and bodies external to the University; and
- (c) providing social, cultural, sporting, and recreational activities and forums for discussions and debate for the personal development of graduate students and any other persons who are members of the Union,

and 'graduate students' shall mean any individual who is formally matriculated and registered for an approved graduate or postgraduate programme provided by the University, all undergraduates of the University who are in their fourth or higher year of residence, or who are formally registered for an approved programme of study provided by the University and are 21 years of age or over at the commencement of their course of study, and any student who is a member of the institutions belonging to the Cambridge Theological Federation or any successor body.

3. No amendment of the constitution of the Graduate Union to give effect to a change in the objects of the Union shall have effect unless Regulation 2 has been amended by the University. No other amendment of the constitution of the Union shall have effect unless approval has been given by the Council.
4. The Council shall have discretion to provide financial assistance to the Graduate Union.
5. The President of the Graduate Union shall be the principal financial officer of the Union and shall be accountable to the Council for the financial management of the Union (in addition to his or her accountability and responsibility under the provisions of the constitution of the Union). In the Michaelmas Term of each academical year the President shall submit to the Council estimates of the Union's income and expenditure for the Union's next financial year.
6. Before the division of the Lent Term in each academical year the President of the Graduate Union shall provide the Council with the audited accounts of the Union for the Union's previous financial year.
7. The office of President of the Graduate Union shall be defined as a major office for the purposes of Section 22(2)(d) of the Education Act 1994.
8. The Council shall have discretion to maintain a working relationship with the Graduate Union in the manner described in their Notice dated 26 November 1979.
9. The Graduate Union shall be recognized by the Council as an organization representing junior members of the University who are graduate students, in University as distinct from College matters, subject to the conditions set out in these regulations.
10. Any member of the Union who wishes to resign membership in a particular academical year shall be entitled to do so by giving notice in writing, on a prescribed form, to the Registrary. The Registrary shall inform the President of the resignation, and the President shall forthwith delete the name of the person from any electoral roll or register of the Union, with immediate effect. Such resignation shall be effective for the remainder of the academical year, and such person shall not be regarded as represented by the Union under the provisions of these regulations. A person who has exercised this right, and who holds an office of the Union, or membership of any committee or other body in the Union, shall thereby vacate it.
11. If a complaint by a member of the Union, or a person who would be entitled to be a member if he or she had not exercised the right of resignation under Regulation

10, cannot be satisfactorily resolved by the officers of the Union, the complainant may refer the complaint to the Junior Proctor, who shall seek the opinion of the appropriate officer or officers of the Union, shall investigate the matter, and shall report on it in writing in such terms as he or she considers appropriate, indicating his or her finding as to whether or not the complaint is upheld, giving such reasons as he or she thinks fit, and stating provisionally what remedy, if any, he or she proposes. Notice of such findings and of any provisional remedy shall be sent by the Junior Proctor to the President or other appropriate officer of the Union, to the complainant, and to the Registry. The Junior Proctor shall consider any representations made by these persons and shall then confirm, modify, or withdraw his or her findings and provisional remedy. Any remedy so confirmed, whether or not after modification, shall be executed without delay. The final decision of the Junior Proctor shall be notified to the Vice-Chancellor and those to whom the provisional decision was notified. Any functions of the Junior Proctor under this regulation may be delegated by that officer to another Proctor or Pro-Proctor.

12. The President of the Union shall submit to the Council each year in the Michaelmas Term an electoral scheme for the conduct of elections in the Union in the remainder of the academical year. The scheme shall provide for the appointment, subject to confirmation by the Council, of returning officers, and for the Council to receive from the returning officers a report on the conduct of each election.

CODE OF PRACTICE IN RESPECT OF STUDENT UNIONS
ISSUED UNDER SECTION 22 OF THE EDUCATION ACT 1994

1. Section 22 of the Education Act 1994 places a number of responsibilities on governing bodies of universities (as defined by section 21, sub-section 5). Sub-section 3 of that section provides that every governing body shall prepare and issue, and where necessary revise, a code of practice as to the manner in which the requirements of sub-sections 1 and 2 are to be carried into effect in relation to any students' union for students of the establishment, setting out in relation to each of the requirements details of the arrangements made to secure its observance. The present code of practice is issued by the Council in respect of Cambridge University Students Union (CUSU) and Cambridge University Graduate Union.

General duty of governing bodies

2. Sub-section 1 requires the governing body to take 'such steps as are reasonably practicable to secure that any students' union for students of the establishment operates in a fair and democratic manner and is accountable for its finances'. This requirement is fulfilled through compliance with the requirements of the Ordinances for each union, with the provisions of the present code of practice, and with the constitutions of the two unions.

Particular requirements of the Act

3. Sub-section 2 requires governing bodies to 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 of the establishment’. These detailed requirements are dealt with below.

- (a) *Written constitution*: Unions should have a written constitution.

Both CUSU and the Graduate Union have written constitutions.

- (b) *Constitutions to be approved by the governing body and to be reviewed by it*. The provisions of unions’ constitutions are to be subject to the approval of the governing body of the university and to review by it at intervals of not more than five years.

The constitutions of CUSU and the Graduate Union have been reviewed on their recognition by the University; the regulations for each union require amendments of the objects clause to be approved by Grace, and require the Council to approve other amendments to the constitutions. The constitutions of the two unions are reviewed in the Easter Term each year by the Council, acting through their Committee for the Supervision of the Student Unions (CCSSU).

- (c) *Opting out*. A student should have the right not to be a member of a union or in the case of a representative body which is not an association to signify that he or she 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.

The regulations for each union include provision for resignation; a form for this purpose may be obtained from the University Offices, The Old Schools, or from the officers of either union. The Council have been informed that the unions would nevertheless wish to continue to make their services available to students who choose not formally to be members and the Council have made it a condition of University funding of the two unions that this should be so. Payments should normally continue to be made by College student unions to CUSU or the Graduate Union as the case may be in relation to any student who has opted out of membership.

- (d) *Election to major union offices*. The Act provides that appointment to major union offices should be by election in a secret ballot in which all members are entitled to vote.

The regulations for each union indicate which sabbatical offices are to be regarded as major union offices. Election to these offices is by secret ballot.

- (e) *Union elections*. Governing bodies are required to satisfy themselves that union elections are fairly and properly conducted.

The regulations for the two unions require them to submit to the Council electoral schemes for the conduct of elections. There is provision for the Council to be informed of the appointment of returning officers, to confirm their appointment, and to receive from the returning officers a report on the conduct of elections. The CCSSU deal with this business on behalf of the Council.

- (f) *Sabbatical or paid elected offices.* A person is not to hold sabbatical union office, or paid elected union office, for more than two years in total at the establishment.

A provision to this effect is included in the constitution of each union.

- (g) *Financial management.* The financial affairs of unions are to be properly conducted and appropriate arrangements are to exist for the approval of unions' budgets, and the monitoring of expenditure by the governing body.

The regulations require the estimates and accounts of the two unions to be submitted to the Council. The regulations also provide for the President to be financially responsible and to be accountable to the Council for the financial management of each union. Under the HEFCE Audit Code of Practice, the two unions are within the scope of the University's internal audit service and of the Audit Committee of the Council. It is a condition of University grant to both unions that interim half-yearly reports on expenditure should be made to the Council, and the Council will invite the CCSSU, and if necessary the Finance Committee, to consider these reports, and the accounts and estimates of the two unions.

- (h) *Financial reports.* Financial reports of unions are to be published annually or more frequently, and are to be made available to the governing body and to all students; each report is in particular to contain a list of external organizations to which the union has made donations in the period to which the report relates and details of these donations.

Compliance with these requirements is a condition of grant from the University. The unions will circulate their accounts annually to JCR and MCR presidents and equivalent, who will make them available for reference in Colleges by junior members. The accounts will also be available for reference by junior members in the University Offices, The Old Schools, and, in respect of each union, at its own offices.

- (i) *Groups or clubs.* The procedure for student unions to allocate resources to groups or clubs is to be fair and is to be set down in writing and freely accessible to all students.

In Cambridge the principal allocations to University clubs and societies are made not by the unions, but by two University bodies, the Societies Syndicate and the University Sports Committee. To the limited extent that the two unions make allocations to groups, clubs, or societies, they are required to operate fairly and to approve a written procedure, to be approved by the Council through the CCSSU.

- (j) *Affiliation to external organizations.* If a union decides to affiliate to an external organization it must publish notice of its decision stating the name of the organization and 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 organization, and such notice is to be made available to the governing body and to all students.

The constitutions of the two unions make provision for these procedures. Notice to the governing body is to be given to the CCSSU on the Council's behalf, and notice to students is by circulation of notices for display in Colleges.

- (k) *Report on affiliation.* When a union is affiliated to any external organization a report is to be published annually or more frequently containing a list of external organizations to which the union is currently affiliated and details of subscriptions or similar fees paid or donations made to such organizations in the past year or since the last report, and such reports are to be made available to the governing body and to all students.

The constitutions of the two unions contain provision for these procedures.

- (l) *Review of affiliations.* There are to be procedures for the review of affiliations to external organizations under which the current list of affiliations is submitted for approval by members annually or more frequently, and at such intervals of not more than a year as the governing body may determine and under which a requisition may be made by such proportion of members, not exceeding five per cent., as the governing body may determine, that the question of continued affiliation to any particular organization be decided upon by a secret ballot in which all members are entitled to vote.

Appropriate constitutional provision has been made in the constitutions of both unions. The Council have determined that the proportion of members seeking a requisition for a secret ballot shall be two per cent, and that such a requisition may be made once a year, in the Lent Term.

- (m) *Complaints procedures for students.* There is to be a complaints procedure to be available to all students or groups of students who are dissatisfied in their dealings with a union or who claim to have been unfairly disadvantaged by reason of their having exercised the opt-out right referred to in paragraph (c) above, and this complaints procedure is to include provision for an independent person appointed by the governing body to investigate and report on complaints.

The regulations for each union include provision for a complaints procedure, the Junior Proctor being the independent person to investigate complaints. If the Junior Proctor believes that he or she cannot properly act independently in a particular case he or she will delegate the matter to another Proctor or Pro-Proctor, as provided for in the University regulations.

- (n) *Remedies.* Complaints are to be dealt with promptly and fairly and where a complaint is upheld there should be an effective remedy.

University regulations for the unions require any remedy confirmed after an investigation under 3(m) to be executed by the union without delay. The union is required to notify the Secretary of the CCSSU confirming that the remedy has been implemented. Compliance with these remedies is a condition of University grant to the unions. If a remedy is not implemented, the matter will be referred to the CCSSU so that abatement or termination of University grant, or other measures, can be considered.

Sub-section 4

5. Governing bodies are to bring to the attention of all students at least once a year the code of practice; any restrictions imposed on the activities of student unions by the law relating to charities; and where applicable, the provisions of section 43 of the Education (No. 2) Act 1986 about freedom of speech in universities and colleges, and of any code of practice issued under it relevant to the activities or conduct of unions.

These matters are brought to the attention of students by the publication annually of Proctorial notices; by the publication of the present code of practice in Statutes and Ordinances, and information provided on the University's online student gateway. An account of the restrictions on the activities of unions, together with information on charity law, and the provisions of Section 43 of the 1986 Act and the University's code of practice under that section are included on the student gateway at <http://www.cambridgestudents.cam.ac.uk/cambridge-life/student-unions>.

Sub-section 5

6. Governing bodies are to bring to the attention of all students at least once a year and to include in any information generally made available to persons considering whether to become students of the establishment information about the right of opt-out from union membership (paragraph (c) above) and about arrangements made for services for students who have opted out.

This information is given by Proctorial notice and by information for applicants included in prospectuses.