



MINUTES OF THE PROCEEDINGS  
of the tenth ordinary meeting of the  
**Council**  
of the  
Imperial College Union  
in the 2006-2007 Session

The meeting of the Council was held in the Union Dining Hall at 6.15pm on the 11<sup>th</sup> June  
2007

**Present:**

Council Chair	Daniel McGuinness
President	John Collins
Deputy President (Clubs & Societies)	Eric Lai
Deputy President (Education & Welfare)	Ben Harris
Deputy President (Finance & Services)	Jon Matthews
ICSMSU President	Shiv Chopra
RCSU President	Jad Marrouche
A&E Chair	Margaret Holme (left 7.30pm, proxy Stephen Brown)
Media Group Chair	James Yearsley
OSC Chair	Sabena Mughal
RCC Chair	Mark Flower
RAG Chair	Stephen Brown
SCC Chair	James Millen
CAG Chair	Radha Gadhok
Welfare Campaigns Officer	Kirsty Patterson
RCSU Welfare Officer	Jennifer Morgan
RCSU Academic Affairs Rep (Taught)	Matthew Hartfield
C&GU Research Representative	Eirini Spentza
RCSU Research Representative	Daniel Sauder
C&GCU Representatives (Undergraduate)	Edo Abraham
C&GCU Representatives (Postgraduate)	Ashley Brown
RSCU Representatives (Undergraduate)	Simon Nance
RCSU Representative (Postgraduate)	Alex Guite
ICSMSU Rep (Undergraduate)	Anojan Arulanathan
	Jitin Verma
Non Faculty Rep	Andrew Sykes
<b>Permanent observers</b>	
Finance Manager	Dave Parry
Administration Co-ordinator (Clerk to Council)	Rebecca Coxhead
Union Manager	Peter Haldane

**Observers:** Mark Mearing- Smith, Andrew Somerville, Alistair Cott (Deputy President (Clubs & Societies) elect), Eugene Change (RCC Chair elect), Adele Peel, Lily Topham (SCC Chair elect), Hamish Common,

**Apologies:** Deputy President (Graduate Students) Shama Rahman (proxy President :), C & G CU President James Fok (proxy C&GCU Representatives (Postgraduate)), RSM President Sebastian Turner (proxy Chris Larvin)

**Not present:** ACC Chair Luke Taylor, Silwood Park Chair Michael Garrett, WCUS President Jay Khaneka, Equal Opportunities Officer Thomas Brodrick ICSMSU Welfare Officer Mohammedadbbas Khaki, C&GU Academic Affairs Officer (Taught) Alexandra Martinsson Dorff, ICSMSU Education Rep123 Eleanor Barry, ICSMSU Education Rep 456 Zacharia Silk, RSCU Representatives (Undergraduate) Adi Misra-Godwin, ICSMSU Rep (Undergraduate) Zain Sikafi

1. **CHAIRS BUSINESS**

NOTED:

- a) The Chair welcomed those present to the last Union Council meeting of the year and thanked all those present for making the effort to attend with exams and result celebrations occurring.

2. **MINUTES OF LAST MEETING – 21.05.07**

RESOLVED:

- 1) To pass the minutes

3. **MATTERS ARISING**

NOTED:

- a) The RCSU President has paid the pledged £50 for the President's cycling fundraising campaign.

4. **TRUSTEE BOARD CONSTITUTIONAL CHANGES INTRODUCTION**

RECEIVED: The paper and appendices were presented by the President

NOTED:

- a) Council were asked to make decision on the following
  - i. To approve the amended constitution
  - ii. To approve the amended regulations
  - iii. To approve the amended Code of Practice (previously known as the Memorandum of Understanding)
  - iv. To approve the amended Code of Practice Appendices (including a new Annex for Defamation)
- b) In regards to decision i, to approve the amended Constitution, Council moved to a vote on accepting the changes.

FOR	27
AGAINST	0
ABSTAIN	0

Passes

- c) In regards to the Code of Practice, the following was raised:
  - i. This document was previously known as the Memorandum of Understanding, however, as per the Education Act, this should be known as the Code of Practice.
  - ii. The document has been amended to accommodate some of the suggestions made during the consultation with Union Council, Faculty Unions and Senior College Members.
  - iii. Council was asked to vote on accepting the Code of Practice in 3 parts; the main document, the annexes and then annex F.
  - iv. Council moved to a vote on accepting the bulk of the text of the Code of Practice.

FOR	27
AGAINST	0
ABSTAIN	0

Passes

- d) In regards to the annexes, the following points were raised:
  - i. The QC investigating the Unions Legal identity has stated the Union is a part of College; therefore Union Media is ultimately part of College also.
  - ii. Council moved to a vote to accept all annexes apart from annex F

FOR	25
AGAINST	0
ABSTAIN	0

Passes

- e) In regards to annex F, the following points were raised:
- i. The C & G CU Postgraduate Representative stated that there has not been enough time to consider this paper as the updated version was only circulated recently.
  - ii. It appears that this annex gives too much power to College, however the President responded by stating that College needs to take steps to protect itself which is why this annex has come about
  - iii. There is a difference between harassment and defamation and in the opinion of the President, this document clarifies what defamation is.
  - iv. There is not appeal or scrutiny body mentioned.
  - v. The Deputy President (Education & Welfare) stated that the document actually protects the Union and Editors and is standard practice at other institutions.
  - vi. It was questioned if this document needs to be passed at this meeting where the President replied that it could wait to the autumn term, however, the key people involved will not be around.
  - vii. The President elect stated that if the annex is passed, amendments can be suggested and is passed by Union Council, taken to College Council.
  - viii. The President stated that currently, there is no document on defamation and harassment and this puts the Union in a fragile position; the annex is a powerful document.
  - ix. The SCC Chair spoke in support of the paper and pointed that there are rules and time limits for College which benefit the Union.
  - x. Council moved to a vote on accepting annex F

FOR	17
AGAINST	10
ABSTAIN	1
Passes	

**RESOLVED:**

- 1) To approve the amended constitution (See appendix)**
- 2) To approve the amended regulations(See appendix)**
- 3) To approve the amended Code of Practice (See appendix)**
- 4) To approve the amended Code of Practice Appendices (See appendix)**

**5. INTERIM TRUSTEE BOARD**

RECEIVED: The paper and appendix was presented by the President

NOTED:

- a) The position of interim chair will be for the period of a year after which the constituted appointment process will occur.
- b) After extensive investigation, it is apparent that Imperial College Union will have to register with the Charity Commission.
  - i. This task will be extremely arduous which is why it is vital that the interim Chair will have the skills to manage this task.
- c) The President introduced Ram Gidoomal who gave his background and suitability for his role of Interim Trustee Board Chair, and fielded questions from the floor.
- d) It was questioned what Mr Gidoomal's political background was.
  - i. Mr Gidoomal stated that he had stood in the London Mayoral election twice under the Christian Peoples Alliance party.
  - ii. Is not currently politically active and not in support of all the Christian People Alliance beliefs due to the extremity of them.
  - iii. Mr Gidoomal has currently no intention for running in the London Mayoral election in the near future.
  - iv. It was reiterated by Mr Gidoomal that the Trustee Board will always be driven by transparency and accountability.
- e) Council moved to a vote on appointing Ram Gidoomal as the interim Trustee Board Chair.
  - i. This was accepted unanimously.

***The Council Chair handed over the Chair to the President for the next section of the meeting as he was conflicted due to being a nominated student trustee.***

- f) The President introduced Adele Peel and Danny McGuinness to Council.
  - ii. Both gave a verbal manifesto as to why they should be elected on to the Trustee Board as the student trustees.
  - iii. Council moved to a vote on appointing Adele Peel and Danny McGuinness as student trustees and this was accepted unanimously.

**RESOLVED:**

- 1) To endorse the establishment of an interim Trustee Board to govern for the duration of the next academic year.**
- 2) To appoint Ram Gidoomal as the interim Trustee Board Chair for one year.**
- 3) To appoint Adele Peel and Danny McGuinness as student trustees for one year.**

*The Chair was handed back to Danny McGuinness at this point.*

**6. COURT STANDING ORDERS**

RECEIVED: The paper was presented by the Court Chair – Hamish Common

NOTED:

- a) Council was asked to approve the Court Standing orders which have changed to reflect the various constitutional and regulatory changes.
  - i. Council moved to a vote and it was accepted unanimously.

**RESOLVED:**

- 1) To accept the following as the Standing Orders for Union Court (See appendix)**

**7. COURT NOMINATIONS**

RECEIVED: The paper was presented by the President

NOTED:

- a) Lara West gave a verbal manifesto to Council.
- b) Council moved to vote on appointing Lara West to Court and reappointing Sebastian Tallents and Katherine McGinn to Court.
  - i. There were no objections.

**RESOLVED:**

- 1) To endorse Executive's decision and appoint Lara West as an appointed member of the Court.**
- 2) To reappoint Sebastian Tallents and Katherine McGinn as appointed members of the Court.**

**8. DISCIPLINARY POLICY**

RECEIVED: The paper was presented by the President

NOTED:

- a) It has been clarified in the policy that a case can be referred automatically to College without having to hold a hearing.
  - i. There has been a recent incident which has highlighted this omission in the policy.
- b) Permanent staff will now be responsible for the administration element of the policy rather than a Sabbatical Officer as that ensures continuity.
- c) Council moved to a vote on accepting the policy and it was unanimously accepted.

**RESOLVED:**

- 1) To accept the Disciplinary Policy (see appendix)**

## **9. WYE DRAFT AGREEMENT**

RECEIVED: The paper was presented by the President

NOTED:

- a) Kent University will eventually pay to join Imperial College Union Clubs and Societies.
- b) The gender ratio is more equal at Wye campus.
- c) Council moved to a vote on the paper and it was agreed unanimously.

**RESOLVED:**

- 1) To approve the tabled communiqué.**
- 2) To grant associate membership to all University of Kent students who will be based at the Wye Campus of Imperial College from 1<sup>st</sup> August 2007 until 31<sup>st</sup> July 2008.**

## **10. OPPOSITION TO AN ACADEMIC BOYCOTT OF ISRAEL**

RECEIVED: The paper was presented by the Deputy President (Education & Welfare)

NOTED:

- a) Kings College have passed a similar motion.
- b) Academic freedom is the essence of Universities.
- c) Council moved to a vote on the paper and it was agreed unanimously.

**RESOLVED:**

- 1) To condemn the UCU for passing such a policy at it's Congress.**
- 2) To oppose in the strongest possible terms any move toward such a boycott by any member of staff at Imperial College.**
- 3) To mandate the Union President to write to Prof. Weinberg outlining this Union's opposition to any boycott of Israeli universities and attaching this policy.**

## **11. CLUBS AND SOCIETIES POLICY**

RECEIVED: The paper was presented by the President

NOTED:

- a) The poster section, which was previously included in this document, has been made a stand alone policy.
- b) Council moved to a vote on the paper and it was agreed unanimously.

**RESOLVED:**

- 1) To pass the presented policy. (see appendix)**

## **12. COLOURS POLICY**

RECEIVED: The paper was presented by the President

NOTED:

- a) Section F, Clubs and Societies award as been clarified.
- b) Council moved to a vote on the paper and it was agreed unanimously.

**RESOLVED:**

- 1) To pass the presented policy. (see appendix)**

## **13. EQUAL OPPORTUNITIES POLICY**

RECEIVED: The paper was presented by the President

NOTED:

- a) This policy has been checked by a lawyer.

b) Council moved to a vote on the paper and it was agreed unanimously.

**RESOLVED:**

**1) To pass the presented policy. (see appendix)**

**14. FELIX POLICY**

RECEIVED: The paper was presented by the President

NOTED:

a) Council moved to a vote on the paper and it was agreed unanimously.

**RESOLVED:**

**1) To pass the presented policy. (see appendix)**

**15. HEALTH AND SAFETY POLICY**

RECEIVED: The paper was presented by the President

NOTED:

a) Council moved to a vote on the paper and it was agreed unanimously.

**RESOLVED:**

**1) To pass the presented policy. (see appendix)**

**16. MIKE THE MICROMETER POLICY**

RECEIVED: The paper was presented by the President

NOTED:

a) Council moved to a vote on the paper and it was agreed unanimously.

**RESOLVED:**

**1) To pass the presented policy. (see appendix)**

**17. POSTER POLICY**

RECEIVED: The paper was presented by the President

NOTED:

- a) The policy has been updated to include a section on fines.
- b) Council moved to a vote on the paper and it was agreed unanimously.

**RESOLVED:**

**1) To pass the presented policy. (see appendix)**

**18. RESERVED POWER OF COUNCIL POLICY**

RECEIVED: The paper was presented by the President

NOTED:

- a) The incorrect numbering was pointed out.
  - i. The President stated that he will correct this.
- b) Council moved to a vote on the paper and it was agreed unanimously.

**RESOLVED:**

**1) To pass the presented policy. (see appendix)**

## 19. TRADING AT FRESHERS' FAIR POLICY

RECEIVED: The paper was presented by the President

NOTED:

- a) It was suggested that the references to wireless trading be removed as it given.
  - i. The Deputy President (Clubs & Societies) stated that it is the intention to cover all eventualities in this policy.
  - ii. It was suggested that the last sentence be removed and this was accepted.
- b) Council moved to a vote on the amended paper and it was agreed unanimously.

RESOLVED:

- 1) Trading at Freshers' Fair, either in memberships or in other goods or services shall not be permitted.**
- 2) Any external organisation given use of a stall or space at Freshers Fair shall not be permitted to exchange goods or services for payment.**

## 20. TRANSPORT POLICY

RECEIVED: The paper was presented by the RCC Chair

NOTED:

- a) The policy has now been split in to 2 sections.
- b) Temporary associate members now have the opportunity to take the mini bus test and become drivers.
- c) Concern was raised by the Deputy President (Education & Welfare) in that the club or society should have bear the cost of a cancellation, even if it is the Union at fault.
  - i. It was pointed that the cost may be claimed to Clubs and Societies Board.
  - ii. It was suggested to remove the final sentence 'The Union is not obliged to provide compensation for cancelled bookings.' There was no objection to this.
- d) Council moved to a vote on the amended paper and it was agreed unanimously.

RESOLVED:

- 1) To pass the amended policy. (see appendix)**

## 21. SABBATICAL OFFICER ACCOMMODATION 2007/2008

RECEIVED: The paper was presented by the President

RESOLVED:

- 1) To allow Tom Roberts and Tim Wills to live out of halls and receive a living out allowance as stipulated above.**
- 2) To allow Stephen Brown to live in Pembridge Halls as this is not one of the stipulated Halls of Residence.**

## 22. ANNUAL REPORT INTRODUCTION

RECEIVED: The paper was presented by the President

NOTED:

- a) Executive Committee have looked over the report and are in approval of the document.
- b) In regards to the text in the document, various typographical errors were pointed out.
- c) In regards to appendix C, the Deputy President (Finance & Services) stated that this is a conservative budget.
  - i. College have not confirmed the amount of subvention as of yet.
- d) Council moved to a vote on accepting appendix A, B and C and it was agreed unanimously.

RESOLVED:

- 1) To approve the text in appendix A, B and C of the Imperial College Union 06-07 Annual Report**

### **23. BEIT MASTERPLAN INTRODUCTION**

RECEIVED: The paper was presented by the President

NOTED:

- a) It is expected that a decision will be received from College by the end of the month in regards to funding.
- b) Council moved to a vote on the paper and it was accepted unanimously.

RESOLVED:

- 1) **To approve up to £3.2M capital expenditure on the second phase of the Beit Redevelopment project, subject to the provision of a grant from Imperial College.**
- 2) **To delegate authority to the Beit Masterplan working group to manage the second phase of the redevelopment project.**
- 3) **To nominate the Executive Committee as the accountable body for the Beit Redevelopment project and grant them the powers to negotiate with the College over any changes to the Masterplan that may be required.**

### **24. PRESIDENT'S REPORT**

RECEIVED: The report was presented by the President

NOTED:

- a) The President encouraged Council to still sponsor for the bike ride to fundraise for the Masterplan.

RESOLVED:

- 1) **To accept the report.**

### **25. DEPUTY PRESIDENT (CLUBS & SOCIETIES) REPORT**

RECEIVED: The report was presented by the Deputy President (Clubs & Societies)

NOTED:

- a) Clubs and Societies training has been very well attended with the Secretaries and Minute taking proving to be popular.

RESOLVED:

- 1) **To accept the report.**

### **26. DEPUTY PRESIDENT (EDUCATION & WELFARE) REPORT**

RECEIVED: The report was presented by the Deputy President (Education & Welfare)

NOTED:

- a) The Deputy President (Education & Welfare) apologised for the lateness of his report.
  - i. It was suggested that the report be rejected due to the late submission of the report however this suggestion was rejected.

RESOLVED:

- 1) **To accept the report.**

### **27. DEPUTY PRESIDENT (FINANCE & SERVICES) REPORT**

RECEIVED: The report was presented by the Deputy President (Finance & Services)

NOTED:

- a) It was questioned why some recently formed new clubs have not had a budget allocated.
  - i. The Deputy President (Finance & Services) stated that the New Clubs Committee had not yet met.



**RESOLVED:**

- 1) **To accept the report.**

**28. DEPUTY PRESIDENT (GRADUATE STUDENTS) REPORT**

RECEIVED: The report was presented by the President

NOTED:

- a) The President presented the report due to the Deputy President (Graduate Students) absence.
- b) The report has been submitted early.

**RESOLVED:**

- 1) **To accept the report.**

**29. FELIX REPORT**

RECEIVED: The report was presented by the Felix Editor

NOTED:

- a) The Felix editor apologised for Felix not being produced of recent.
  - i. This is due to financial difficulties that have arisen.
  - ii. The Media Chair stated that he had received 2 cheques made out to Media Group but are actually for Felix.

**RESOLVED:**

- 1) **To accept the report.**

**30. C & G CU REPORT**

RECEIVED: The report was presented by the C & G CU Postgraduate representative

**RESOLVED:**

- 1) **To accept the report.**

**31. ICSMSU REPORT**

NOTED:

- a) MTAS has been rejected as the future of senior medical posts.
  - i. Students will be given the opportunity to comment on the system they would like to see implemented.

**RESOLVED:**

- 1) **To accept the report.**

**32. RCSU REPORT**

RECEIVED: The report was presented by the RCSU President

NOTED:

- a) The outgoing RCSU President wished Jennifer Morgan, RCSU President elect all the best for her upcoming year as President.

**RESOLVED:**

- 1) **To accept the report.**

### 33. COLOURS AWARDS

RECEIVED: The report was presented by the President

NOTED:

- a) The President thanked the committee for making the consideration process fair and efficient.
- b) Council approved the following awardees

#### **Half Colour (24)**

Jibran Ahmed  
Shazia Arshad  
Steve Ashton  
Martin Bailey  
Daniel Burrows  
Junwei Chen  
Priya Garg  
Jessica Gillingwater  
Kate Harvey  
Edmund Hunt  
Andreas Koukos  
Sophie Mitchinson  
Simon Nance  
Daniel Sauder  
Saba Shafi  
Florencia Tettamanti  
Hannah Theodorou  
Jamie Thompson  
Lily Topham  
Ved Vyas  
Matthew Wallace  
Ammar Waraich  
Lara West  
Tim Wilson

#### **Full Colour (14)**

Shobhit Arya  
Ashley Brown  
Stephen Brown  
Eugene Chang  
Alex Guite  
Matthew Hoban  
David Layfield  
Kirsty Patterson  
Adele Peel  
Aidan Roche  
Nicholas Simpson  
Eirini Spentza  
Joanna Swarbick  
Mary Williamson

#### **Outstanding Service Award (2)**

Tianzuo Huo  
Jad Marrouche

#### **Fellowship (4)**

Anojan Arulanathan  
Steven King  
Daniel McGuinness  
James Millen

#### **Distinguished Fellowship (1)**

Mark Flower

#### **President's Award (5)**

Prof. Sir. Leszek Borysiewicz  
Shiv-Karam Chopra  
Hamish Common  
Victoria Langer  
Robin Pitt

***At this point, the Sabbatical Officers were asked to leave so the granting of Honorary Life Membership could be discussed.***

### 34. HONORARY LIFE MEMBERSHIP

- a) The Chair asked Council was asked if it wished to award Honorary Life Membership to the Sabbatical Officers. The results are as follows:
  - i. President Sameena John Collins – no objection.
  - ii. Deputy President (Clubs & Societies) Eric Lai– no objection.
  - iii. Deputy President (Education & Welfare) Ben Harris– no objection.
  - iv. ICSMSU President Shiv Chopra – no objection
  - v. Deputy President (Finance & Services) Jon Matthews – no objection.
  - vi. Felix Editor – Andy Sykes – Council moved to a vote:

FOR	13
AGAINST	3
ABSTAIN	7
Passes	

vii. Deputy President (Graduate Students) Shama Rahman– Council moved to a vote:

FOR	5
AGAINST	6
ABSTAIN	11
Falls	

**RESOLVED:**

**1) To grant Honorary Life Membership to the following Sabbatical Officers**

**Shiv Chopra  
John Collins  
Ben Harris  
Eric Lai  
Jon Matthews  
Andy Sykes**

**Meeting closed 8.45pm**

Approved as a correct record at a meeting of Council

on \_\_\_\_\_ 2006/07

\_\_\_\_\_ Chair of the Meeting

## APPENDIX – PASSED AMENDED PAPERS

Ordered by agenda item

### 4. TRUSTEE BOARD CONSTITUTIONAL CHANGES INTRODUCTION

#### Imperial College Union Constitution

##### 1. Name and Status

1. The name of the students' union referred to in this Constitution shall be the Imperial College Union, also referred to as "the Union".
2. The Union is an unincorporated educational charity and in law could be treated as part of Imperial College.
3. The Union and its recognised clubs and societies may use the name and arms of Imperial College in their titles and in pursuit of their activities but they may not assign the privilege to any other individual, group, or company without the approval of the College Secretary or his or her nominee. In using the names and arms, the Union and its clubs and societies shall have due regard for Imperial College's status and reputation.

##### 2. Aims and Objects

1. The aims and objects of the Union shall be:
  1. To advance the education of its members and promote, without prejudice, their welfare at all times.
  2. To promote and encourage the interest by students in matters outside the College curriculum, especially cultural, social and sporting interests.
  3. To represent the needs and interests of its members to Imperial College and external bodies.
  4. To provide or ensure a range of facilities which advance the interests of the students of Imperial College.
2. In pursuing its aims and objects, the Union shall govern itself democratically and with regard to the principles of equality and diversity.

##### 3. Membership

1. The following persons shall be members of the Union, as provided in the following categories. Membership of the Union entitles the holder to make use of all its facilities, amenities and services.
2. **Full Members**
  1. All registered students of Imperial College are Full Members of the Union.
  2. Only Full Members are entitled to receive any form of subsidy from the Union, or to participate in the government of the Union.
3. **Associate Members**
  1. The Executive Committee may grant Associate Membership to College or Union staff, or to any Further or Higher Education student over the age of eighteen under such conditions as it may establish, entitling them to use the facilities of the Union.
4. **Life Members**

1. A person shall be entitled to become a Life Member of the Union upon payment of subscription if they have been:
  - a. A Full or Associate Member of the Union for at least one academic year,
  - b. A Research or Teaching Assistant for at least two academic years,
  - c. A member of the full time Union staff for at least two years, or
  - d. A member of the Imperial College staff for at least two years.
2. Life Members may not participate in the government of the Union except where permitted under section 3.5.3.
3. Life Membership shall be bestowed upon Lay Trustees, the Union Honorary Senior Treasurer and other Honorary Senior Treasurers without payment during their tenure.
4. Honorary Life Membership may be awarded without payment of subscription by the Council.
5. Only Life Members of the Union are eligible for life membership of any constituent part of the Union.

#### **5. Government of the Union**

1. Only Full Members are permitted to participate in the government of the Union, that is, standing for or holding office, voting in any election or meeting, or chairing a meeting of the Union, its Faculty Unions, clubs or societies.
2. A person who is not a Full Member may only participate in the government of the Union as set out above if he or she is a
  - a. Lay Trustee or member of a Trustees' Committee,
  - b. Life Member,
  - c. member of the Imperial College staff, or an
  - d. officer of an external student or electoral organisation, and in any case not a member of the permanent Union staff.
3. They shall possess the rights and duties of Full Members only so far as it involves exercising the rights and duties of office and only in the following capacities:
  - a. They are members of the Trustee Board, a Trustees' Committee, the Executive Committee, Court, disciplinary or disciplinary appellate committee, or
  - b. They are appointed as a returning officer, observer, scrutineer or member of an elections or referendum committee.
4. An officer of an external student or electoral organisation may participate in the administration of an election under section 3.5.3.b, but not in any other capacity.
5. No committee including the Trustee Board shall contain more than one member of the Imperial College staff, nor be chaired by one, unless acting as returning officer.

#### **6. Opting Out**

1. Any student shall have the right not to be a member of the Union and signify that he or she does not wish to be represented by it.
2. The Union shall liaise with Imperial College to ensure that any student exercising their right shall not be unfairly disadvantaged with regard to the provision of services by reason of having done so.

3. A student opting out of membership of the Union is deemed to have opted out of membership of their Faculty Union, and may not participate in the government of either Union, club, society or other part thereof.
4. A person who has opted out of membership of the Union may re-join with the permission of the Council.

#### 4. **Affiliation**

1. The Union has the right to affiliate to any organisation which furthers its aims, subject to a resolution of the Council.
2. Such an organisation shall not be of a religious or political nature, however clubs and societies may affiliate to a religious or political organisation. The Union and any part of the Union may not knowingly affiliate to an illegal organisation.
3. If the Union or its clubs and societies decide to affiliate or donate monies raised to an external organisation, they shall publish notice at Council of the decision stating the name of the organisation and details of any monies paid or donated to that organisation.
4. The Union shall review the external organisations to which an affiliation fee has been paid or a donation given and report these annually by means of a published report.

#### 5. **Officers of the Union**

1. The Officers of the Union shall be the President and Deputy Presidents, who shall be Sabbatical Officers on conditions approved by Imperial College, and non sabbatical Officers who shall be Full Members of the Union.
2. The President shall be the chief executive officer and representative of the Union.
3. The [titles and duties](#) of the Officers of the Union and the means by which they are [elected, censured and dismissed](#) shall be established in the Regulations.
4. No person shall hold sabbatical office in the Union for more than two full academic years. No person who held sabbatical office during an undergraduate course may hold sabbatical office until their entire course is completed to the satisfaction of Imperial College.
5. No person may hold more than one Officer of the Union post.

#### 6. **The Trustee Board**

1. The Trustee Board shall be the sovereign and governing body of the Union and shall exercise all the powers of the Union, subject to the provisions of this Constitution and its Regulations.
2. The Trustee Board shall further the [aims and objects](#) of the Union with the assistance of the Council.
3. The Trustee Board shall comprise, as Trustees:
  1. The President, *ex officio*,
  2. The Council Chair, *ex officio*,
  3. The Court Chair, *ex officio*,
  4. Four Full Members of the Union, and
  5. Four Lay Trustees.
4. The Deputy Presidents, Union General Manager and Union Honorary Senior Treasurer shall be permanent observers.

5. A Trustee shall be appointed as Chair in such manner as shall be established in Regulations. Trustees shall register their interests.
6. A person shall be disqualified and removed as a Trustee under conditions established in the Trustee Board Regulation.
7. The Trustee Board shall meet no fewer than four times per year and at least once during each academic term of Imperial College. A meeting may also be summoned by:
  1. The President,
  2. Three Trustees, and
  3. The Court.
8. The quorum shall be six members, of whom two shall be Lay Trustees.
9. The Trustee Board may establish sub-committees for any purpose. The Trustee Board may only delegate authority in the manner set out in the Trustee Board Regulation.
10. Until the appointment of at least three Full Members of the Union and three Lay Trustees (under sections 6.3.4 and 6.3.5), there shall be an Interim Trustee Board with such powers and membership as the Council may determine. The membership shall include those who would be Trustees upon the Board coming into force. Until the Board comes into force, the Council shall be the sovereign and governing body of the Union in all respects except those matters that are set out in section 9.1, over which the Court shall be sovereign.

## 7. **The Council**

1. The Council shall be the paramount policy-making, scrutiny and accountability body of the Union.
2. The Council shall further the [aims and objects](#) of the Union and determine [Union policy](#), except upon reserved matters or where policy is determined by [referendum](#).
3. The Council shall receive such reports from Officers and committees that it may require, with Sabbatical Officers reporting to each ordinary meeting. The Council may require any Officer and any other post-holder in the Union not on the Trustee Board or Court to attend and answer questions.
4. All Full Members of the Union may attend the Council as an observer with full speaking rights and the right to propose and second motions and other business.
5. The [membership of the Council](#), its [standing orders](#) and [procedures](#) shall be established in the Regulations.
6. The Council shall be called:
  1. Once per month or more during term time by the President, or
  2. By the Council Chair upon receipt of a request by:
    - a. The Trustee Board, Executive Committee, the Court, the Council or General Meeting,
    - b. Ten members of the Council, or
    - c. 100 Full Members of the Union.

## 8. **Executive Committee**

1. The Executive Committee shall be the paramount executive body and is responsible for the overseeing the general day to day management of the Union and co-ordinating the Union's affairs.

2. The Executive Committee shall act only in furtherance of Union policy..
3. The Sabbatical Officers shall report to the Executive Committee those matters relating to their office and the Executive Committee's remit.
4. The Executive Committee shall:
  - a. Advance the aims and objects of the Union,
  - b. Comply with and implement Union policy,
  - c. Set operational policy when authorised by and in support of a particular Union policy,
  - d. Oversee the day-to-day running of the Union and the co-ordination of its activities,
  - e. Establish principles for the fair allocation of the resources available to the Union, after consultation with the Council,
  - f. Allocate financial resources,
  - g. Monitor financial performance against budget,
  - h. Receive the audited annual accounts of the Union and report their findings to the Trustee Board and, for information, the Council,
  - i. Monitor the performance of the trading outlets, services and retail facilities of the Union, and
5. The Executive Committee shall:
  - a. consist of the Sabbatical Officers and up to eight other individuals,
  - b. have a quorum of six members, and
  - c. meet at least every month during term time.
6. The Union General Manager and the Honorary Senior Treasurer shall be permanent observers of the Executive Committee.
7. In matters of urgency, the Executive Committee may act on behalf of the Council with its authority in any matter except those requiring at least a two-thirds majority, provided all such actions are reported to and approved by the Council at its next meeting.
8. An emergency meeting of the Executive Committee may be called by:
  - a. The Trustee Board,
  - b. The Council,
  - c. The Court,
  - d. The President, or
  - e. Three other members of the Executive Committee,
 with it meeting within two College days of being called.

## 9. The Court

1. **The Court shall exercise paramount power over:**
  1. the interpretation of this Constitution, its Regulations and any reserved matter, policy, rule, act or omission made under it;
  2. the administration of and resolution of any dispute in individual elections or referenda,
  3. disciplinary matters, though not relating to staff or Trustees nor extending to dismissal in any other part of the Union,
  4. its own administration.
2. **The Court shall perform such other judicial, investigative or disciplinary roles as may be allocated to it by the Regulations or any policy or rule.**
3. **The Court shall not manage or exercise policy-making powers over any other part of the Union.**



4. Decisions of the Court bind the whole Union, or such constituent part of it as may be defined by the Court. An interpretation of a rule has the same status as the rule itself.
5. The Court's jurisdiction shall not be restricted except over the Trustee Board and staff matters to the extent set out in the Regulations.
6. Members of the Court shall adhere to a code of conduct approved by the Court and the Trustee Board.
7. No member of the Court may simultaneously be:
  - i. an Officer of the Union or Felix Editor,
  - ii. a member of the Trustee Board (except if *ex officio*), Council, Executive Committee, Clubs and Societies Board or Representation and Welfare Board,
  - iii. a member of the permanent Union staff, or
  - iv. an Honorary Senior Treasurer.
8. The Court may include up to three Life Members and one member of the Imperial College academic, academic-related or senior administrative staff under terms established in the Regulations. No such Life Member shall have their life membership suspended or removed unless they are first removed from the Court.
9. Regulations may provide for an appeal within the Court and from the Court to the Trustee Board, under such circumstances as established in the Regulations.

#### 10. General Meetings

1. General Meetings are held to ensure the accountability of the Union to its members.
2. All Full Members of the Union may participate in and vote upon all aspects of business at a General Meeting. The quorum shall be 200 Full Members.
3. The standing orders and procedures for the calling and conduct of General Meetings shall be established in the Regulations.
4. A General Meeting may be called by:
  1. The President,
  2. The Council Chair upon receipt of a request by:
    - a. The Trustee Board, Council, Executive Committee or Court, or,
    - b. A petition signed by at least 200 Full Members of the Union requesting a General Meeting, the meeting to be held within five College days of receiving such a petition.
  3. A General Meeting shall discuss a specific item of business only, and may:
    - a. Review and refer back policy or operational policy approved by the Council, Executive Committee, Clubs and Societies Board, or Representation and Welfare Board respectively, and
    - b. Hold the Sabbatical Officers and Felix Editor to account,
    - c. Remove a non *ex-officio* Trustee, and
    - d. Exercise any other power granted to it by Regulations or Union policy.

#### 11. Referenda

1. Referenda, in which all and only Full Members of the Union may vote, shall be the last resort in deciding policy of the Union,
2. A referendum may be called by:
  1. Five percent of the Full Membership of the Union, or
  2. The Council by two thirds majority,

- unless it is called within twenty College days of the end of the Summer Term, whereupon it shall be disregarded.
3. A referendum must relate to policy previously decided by referendum or referred back to it by a General Meeting.
  4. A motion for referendum shall relate to a single issue and have a 'yes' or 'no' resolution.
  5. A petition for a referendum under 11.2.1 shall include names, years, departments and signatures or College identification numbers ("CIDs") of the petitioners and shall be received by the President. The constitutionality of the petition must be resolved by the Court prior to the referendum proceeding.
  6. No issue shall be put to referendum if it has already been put to referendum:
    1. in the current academic year if it concerns affiliation by the Union to an external organisation, or
    2. in the current or previous two academic years for any other issue.
  7. The referendum shall be determined by simple majority.. If less than fifteen percent of the Full Membership vote then the referendum shall be null and void.
  8. Policy decided by referendum shall be immediately binding upon the Union, subject to any reserved matter, and supersedes any previous policy. Any policy resulting from a referendum may only be reversed by a referendum.
  9. If a referendum results in a draw the motion subject to the referendum falls.

## 12. Committees of the Union

1. In addition to the Trustee Board, Council, Executive Committee, and Court, there shall be the following standing committees of the Union:
  1. The Clubs and Societies Board,
  2. The Representation and Welfare Board,
  3. [Clubs and Societies Committees](#),
  4. [President's Committees](#),
  5. Faculty Unions, and
  6. The Graduate Students' Association.
2. **Delegation**

The Council, Executive Committee and the standing committees may establish and thereafter dissolve sub-committees and delegate powers to them or individuals save:

  1. that such establishment or delegation shall not affect the rights, powers or representation of any other standing or sub-committee or individual, and
  2. that a record of delegated power shall be reported by the Chair of the delegating committee to the Council and retained by the President.
3. All Union committees shall follow the standing orders and rules of procedure established in the Regulations.
4. The chair or president of the standing committees shall be required to make such reports to Council as it may require, which shall be at least once per year.
5. The provisions in 12.2 to 12.4 do not apply to the Trustee Board or the Court, which delegate under their own rules.
6. The Sabbatical Officers shall be *ex-officio*:
  1. Non-voting members of clubs and societies and their committees,
  2. Non-voting members of the Faculty Unions and their committees, and
  3. Voting members of all other Union committees, except the Trustee Board, Court, disciplinary, disciplinary appellate, elections and referenda committees.

## 13. The Faculty Unions

1. The Faculty Unions are the students' unions for the respective Faculties of Imperial College and an integral part of the Union.

2. The [Faculty Unions](#)' constitutions shall not contradict this Constitution, its Regulations nor Union or operational policy. Amendments to their constitutions require the approval of the Executive Committee, which shall either accept the amendments or refer them to the Council for consideration.

#### 14. Finance

1. The President is responsible through the Trustee Board to the Imperial College Council for the finances of the Union.
2. The day to day administration of the Union's finances shall be delegated by the President to a Deputy President with responsibility for finance.
3. The Council shall establish [Regulations for the financial management of the Union](#), provided that no alteration to these Regulations shall take effect until approved by the Imperial College Council on the recommendation of the College Audit Committee.
4. The Union's accounts shall be approved by the Trustee Board and the College Audit Committee prior to approval by the Imperial College Council, and made available to the public.
5. There shall be a Union Honorary Senior Treasurer appointed by the Council and approved by the Rector, who shall specifically approve the Union's budget and monitor expenditure on behalf of the Imperial College Council, and exercise other duties established in the Financial Regulations.
6. In so far as it furthers the aims and objects of the Union, the Union may accumulate financial reserves to invest in capital projects.

#### 15. Elections

1. Elections shall be fairly and properly conducted under the terms of the Education Act 1994 and in accordance with the procedures in the Election regulations.
2. Only Full Members of the Union may vote in Union elections. Further restrictions may apply for certain Union positions as detailed elsewhere in the Constitution and Regulations.
3. All candidates for election, their proposers and their seconders must be Full Members of the Union. Further restrictions may apply for certain Union positions as detailed elsewhere in the Constitution and Regulations.
4. All Full Members of the Union may stand for and vote in Sabbatical Officer and Felix Editor elections, which shall be by College-wide secret ballot.

#### 16. Personnel

1. The President, as advised by the Union General Manager, is responsible to the Trustee Board for the appointment, management and discipline of the Union staff.
2. The Council shall establish by Regulation a [Staff-Student Protocol](#) setting out the divisions of responsibilities between the staff and elected officers, to promote the democratic structure of the Union and its integrity as an employer. It shall be responsibility of the President to clarify and enforce this protocol, unless the Court or Trustee Board is meeting, in which case it is the responsibility of its chair to do so.

#### 17. Discipline

1. Misconduct in the Union is dealt with in the following ways depending on the individual concerned:
  1. Misconduct, negligence or failure to maintain the confidence of the Council by Officers of the Union and others holding elected or unpaid appointed office in any part of the Union or misconduct by members of the Court may be dealt with by the Council, its committees or the Court

under Regulations; this may include censure, suspension or dismissal. Those holding sabbatical office or otherwise deriving employment from office may only be finally dismissed by the Trustee Board.

2. Misconduct by any member or officer of the Union or staff may be dealt with by or under the authority of the Trustee Board.
  3. [Misconduct by students of a non-academic nature](#) shall be dealt with by the Union under Union policy approved by the Imperial College Council, which forms part of the College Code of Discipline for students.
  4. Misconduct by Associate or Life Members shall be dealt with under Union policy, which may include their expulsion from the Union.
  5. Misconduct by Union staff shall be dealt with by the President and Union General Manager through the line management structure, under policy established by or under the authority of the Trustee Board.
2. Regulations may provide that a person dismissed from office or guilty of misconduct in an election or referendum may be prohibited from election or appointment to that or any other office.

#### 18. Policy and reserved matters

1. Resolutions of the Trustee Board shall be reserved matters and binding upon the whole Union, subject to this Constitution and its Regulations.
2. Policy of the Union shall be determined by Council and referenda.
3. The Executive Committee may determine operational policy when authorised by the Council in support of a particular Union policy.
4. Union policy and operational policy is binding on the whole Union.
5. The President shall maintain a record of all reserved matters, Union policy, operational policy and Court determinations in force and ensure it is available to any member of the Union.
6. Union policy (except the Disciplinary Policy), and policy approved by any standing committee with the authority to do so shall be valid for the remainder of the academic year in which it was adopted and the next three academic years. The President or relevant committee chair should re-present the policy with amendments as appropriate before it lapses, and the Council or committee may vote on whether to continue the policy for the next three academic years.

#### 19. Interpretation

1. Words used in this Constitution and in any Regulation made hereunder have the same meaning as in the [Imperial College Charter](#).
2. This Constitution and the Code of Practice shall be Ordinances of Imperial College.
3. Regulations established under this Constitution shall not contradict the provisions of the Constitution,
4. The Council, Executive Committee and Court are the paramount bodies of the Union, overruling any other in their respective functions, subject only to resolutions of the Trustee Board.
5. The Court interprets this Constitution, its Regulations and any reserved matter, policy, rule, act or omission made under it.
6. If an issue requiring an interpretation arises when the Court or Trustee Board is not meeting, the chair of a meeting, or if present, the President may give a preliminary ruling. Constituent parts of the Union may designate a person to give preliminary rulings in respect of their own rules. Preliminary rulings do not bind the Court.

7. An interpretation made by the Court forms a binding precedent upon it. The Court may depart from its own precedents only when the interests of justice require it.

**20. Relationship with Imperial College**

1. The relationship between the Union and Imperial College is defined in the [Code of Practice](#), approved by the Union and Imperial College Councils.
2. The Code of Practice shall be included in the Regulations.

**21. Amendment**

1. This Constitution may be amended by resolution of the Council, passed by a two-thirds majority with the approval of the Trustee Board and Imperial College Council.
2. The Regulations may be amended by resolution of the Council, passed by a two-thirds majority, with the approval of the Trustee Board.
3. The Trustee Board, Court, Finance Regulations, Code of Practice, any new Regulation and any part of a Regulation affecting the composition, titles or job descriptions of the Sabbatical Officers also require for amendment the approval of the Imperial College Council. Other regulatory amendments made shall be deposited with the Clerk to the Imperial College Council.
4. The Court shall provide its opinion on the constitutional propriety, efficacy and fairness of a proposed constitutional or regulatory amendment to the Trustee Board. The Court may, at its discretion, provide an opinion upon the same to the Clerk to the Imperial College Council.

**22. Regulations**

1. The Regulations of the Union shall be:
  1. Trustee Board.
  2. Union Court.
  3. [Officers of the Union](#).
  4. [Elections](#) and Referenda.
  5. [Composition of Union Committees](#).
  6. [Standing Orders for all Union meetings](#).
  7. [Disciplinary Procedure](#).
  8. [Finance](#).
  9. Code of Practice.

**23. Revocation**

1. This Constitution shall be binding on the Union from the 1st August 2007.
2. From the 1st August 2007 all previous constitutions and regulations are revoked.

# Regulation One – Trustee Board

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## A. Duties of the Trustee Board

1. The Trustee Board shall be the sovereign and governing body of the Union and shall exercise all the powers of the Union, subject to the provisions of the Constitution and Regulations.
2. The Trustee Board shall further the aims and objects of the Union with the assistance of the Council.
3. The Trustees shall act where possible in consultation with the Council.
4. The Trustee Board shall be responsible in particular for:
  1. The Union's long term objectives and strategy,
  2. The Union's operating and capital expenditure budgets and any significant changes in them,
  3. Strategic oversight of the Union's operations (both voluntary and commercial), including competent management, sound planning, adequate systems of internal control, adequate accounting, risk management and compliance with statutory and regulatory procedures,
  4. Personnel, particularly strategic re-organisations,
  5. Health and safety,
  6. Investment or borrowing of Union funds, and
  7. Reviewing performance in light of the Union's strategic direction.
5. The Trustee Board shall:
  1. Approve the Union's Annual Report and accounts,
  2. Approve any significant change in accounting practices,
  3. Approve any major capital project and contract which is significant strategically or by its size, and
  4. Approve the remuneration of the Sabbatical Officers and Union General Manager .

## B. Appointment of Trustees and Chair

6. The composition of the Trustee Board is established in the Constitution.
- Trustees**
7. The Trustees *ex officio* shall be appointed automatically as Trustee upon taking office in the position deriving Trustee status.
  8. The Student Trustees (that is, those referred to in section 6.3.4 of the Constitution and excluding Trustees *ex officio*) shall be elected by and from the Full Membership under the Election Regulations concurrently with the sabbatical elections.
  9. The Lay Trustees, who shall be natural persons, shall be appointed by the Council for a term of up to three years, which may be renewed until they have served for six years.
  10. One Lay Trustee shall upon initial appointment be a member of the Imperial College Council, not employed by the College.
  11. A term of office as Student or Lay Trustee starts by default upon the 1<sup>st</sup> August.
- Chair**
12. The Chair of the Trustee Board shall be elected by the Board for a term of one year following the 1<sup>st</sup> August. A term may be renewed.
  13. The Chair shall not be one of the Trustees *ex officio*.
  14. If the Chair is absent at the start of a meeting, the Board may nominate a replacement for that meeting (which may include a Trustee *ex officio* but not the President).
- Secretary**
15. The Trustee Board shall appoint a Secretary to the Trustee Board, who shall not be a Trustee. The Secretary shall be responsible to the Trustee Board through its Chair. If the Secretary has other administrative or executive duties in the Union, he or she shall be responsible to the President, Council Chair or Court Chair as appropriate in relation to them.
- Induction**
16. A new Trustee shall be required within six months of being appointed to office (the time running from date of appointment, not date of taking office) to undertake training commensurate with an appointment as Trustee.

17. The Trustee Board shall determine the nature of such training, any exemptions or extensions thereof, and may provide for the withdrawal of voting privileges from a Trustee considered not to have satisfactorily completed it.

#### **Code of Conduct**

18. The Trustee Board shall adopt a code of conduct for Trustees.

#### **Validity**

19. A decision of the Trustee Board shall not be invalidated solely due to any vacancy or invalidity later found in the election or appointment of members.

### **C. Meetings of the Trustee Board and Trustees' Committees**

20. The quorum, method of calling Trustee Board and permanent observers are established in section 6 of the Constitution.
21. The Trustee Board shall receive reports from each of the Trustees *ex officio* and the Union General Manager at each ordinary meeting.
22. The agenda shall be determined by the Chair in consultation with the President and Secretary.
23. The time, venue, agenda and papers for a meeting shall be circulated to members and permanent observers not less than one week before the meeting.
24. Supplementary agenda items and any other business may be tabled only with the approval of the Chair.
25. A resolution shall be approved by a majority of votes, abstentions being ignored, at a quorate meeting. The Chair shall have a casting vote only. If a count takes place, the numbers shall be recorded.
26. Proxy votes are not permitted. A substitute may be sent in place of a Trustee but shall have no vote and may contribute to debate only with the permission of the meeting.
27. Minutes of each meeting shall be prepared by the Secretary and signed by the Chair at the next meeting upon confirmation. Past Minutes shall be available to any Full Member of the Union, with redactions for staff matters and any other area approved by the Trustee Board, with the reason for redaction in the latter case explained in the redacted minutes.
28. The jurisdiction of the Union Court shall not extend to any dispute within the Trustee Board or Trustees' Committees, unless requested to do so by them in a binding or advisory capacity.

### **D. Delegation of authority**

29. The Trustee Board may only delegate authority in the manner set out in this Part.
30. A power of delegation must be exercised with a view to
  1. The proper exercise of its functions under Part A, and
  2. Ensuring that each of the Council, Executive Committee and Court are capable of properly exercising their respective functions set out in the Constitution.
31. A power of delegation is revocable and may be subject to conditions. A delegated act on behalf of the Trustee Board shall be reported in writing to it.
32. Authority may not be delegated to the permanent staff, except:
  1. By the President of authority delegated to him or her, in the President's discretion. and
  2. To the Secretary in relation to his or her duties as Secretary.
33. The following matters shall not be delegated:
  1. The appointment of the Chair and Secretary,
  2. The approval of the Union's accounts,
  3. A capital project or contract valued in excess of one million pounds,
  4. The removal of a Trustee, Sabbatical Officer or Felix Editor, or
  5. Any other matter determined by the Trustee Board.
34. The following matters may be delegated but only to a Trustees' Committee:
  1. Changes to the Constitution or Regulations,
  2. An appeal from a determination of the Union Court, and
  3. Any other matter determined by the Trustee Board.

### **E. Trustees' Committees**

35. The Trustee Board may create sub-committees, known as Trustees' Committees to consider any matter, and in doing so appoint its members, chair and secretary.
36. A Trustees' Committee shall consist of a majority of Trustees, shall be chaired by a Trustee, and be composed of at least three members, at least one of whom shall be a Lay Trustee.
37. No person shall be a member of a Trustees' Committee if they are disqualified from holding office as Trustee under Part G.
38. Trustees' Committees shall be represented upon the Board by its chair. Any decision taken by a Trustees' Committee shall be reported in writing to the Trustee Board.

## F. Payments and conflicts of interest

### Payments to Trustees

39. No Trustee except the President shall be remunerated but may be compensated for reasonable out of pocket expenses. Trustees who are Members of the Union may receive benefits due to any other Member of their category.

### Conflicts of Interest

40. The Trustees shall declare their interests for the register in the same manner as Officers of the Union, though any dispute upon the registration of a Trustee's interest shall be adjudicated upon by the Trustee Board Chair.
41. If a Trustee has any personal interest or interest in another organisation whose interests are reasonably likely to conflict with the Union, that Trustee must:
1. Declare the interest,
  2. Withdraw from discussion unless expressly invited to remain, and
  3. Not vote, be present during the vote, or be counted in the quorum for any vote.
42. If the Trustee Board are considering an appeal from a determination of the Union Court then the Trustees *ex officio* shall not vote or be counted in the quorum.

## G. Disqualification and removal of Trustees

43. A person is disqualified from holding office as Trustee if:
1. He or she is a member of the Council, Executive Committee, Court, Clubs and Societies Board or Representation and Welfare Board (unless as a Trustee *ex officio*),
  2. He or she is a member of the Union permanent, part time or casual staff,
  3. He or she is employed by Imperial College, except upon a casual basis,
  4. He or she is not a Full Member of the Union, unless he or she is a Lay Trustee or the Court Chair as a Life Member,
  5. He or she is a Full Member of the Union in the case of a Lay Trustee,
  6. He or she is subject to an electoral disqualification, or
  7. He or she is prohibited by operation of law from being a Trustee,
44. A Trustee shall cease to hold office as Trustee if:
1. A term of office as Trustee or in a post deriving *ex officio* Trustee status concludes,
  2. He or she resigns as Trustee,
  3. He or she is a Trustee *ex-officio* and has resigned, been dismissed or removed from the office from which they derived their status as Trustee,
  4. He or she does not attend three ordinary meetings within twelve months, irrespective of apologies,
  5. He or she is removed by resolution of two-thirds of the Trustee Board,
  6. He or she is not a Trustee *ex-officio* and is removed by resolution by two-thirds majority of the Council or a General Meeting under Regulation Seven, or
  7. He or she, during the course of office as Trustee, becomes or is disqualified under paragraph 43.
45. A Trustee who is seeking election as a Sabbatical Officer shall not exercise the office of Trustee during the course of the election until it is concluded. The election shall for the purposes of this paragraph run between the Trustee having placed his or her name on the nomination paper and the declaration of the result with no appeal outstanding.
46. A Trustee *ex-officio* upon resignation as a Trustee is deemed to have resigned from the post from which he or she derived his or her status as Trustee.
47. A Trustee *ex-officio* who is removed as a Trustee (except under paragraphs 44.1, 44.2 or 44.3 above) shall not automatically be removed from the office from which he or she derived *ex officio* Trustee status. This does not prevent any separate action to suspend or dismiss the person.



# Regulation Two – Union Court

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## A. Jurisdiction

1. The Court has jurisdiction over and in the following areas within the Union:
  1. Interpretations,
  2. Administration and disputes in individual elections or referenda,
  3. Disciplinary matters, though not relating to staff or Trustees, or extending to dismissal, (though it may review the propriety of dismissal proceedings),
  4. Union publications, in a role equivalent to that of the Press Complaints Commission,
  5. Inquiries,
  6. Reports and commentary upon proposed changes to rules, and
  7. Other such judicial, investigative or disciplinary functions as may be allocated by any policy or rule.
2. The Court shall not manage or exercise policy-making powers over any other part of the Union. The Court shall direct its own procedure, subject only to the Constitution and Regulations.
3. Issues or evidence which are confidential or sensitive are not thereby excluded from the Court's jurisdiction.
4. The Court's jurisdiction shall not extend to matters which are wholly staff matters as defined by the Staff Student Protocol. The Court may hear evidence and require evidence, documentation and items from members of staff in closed session which may involve staff matters, but only to the extent that it assists in determining any disputed fact or rule which is not a staff matter.
5. The Executive Committee has jurisdiction to act in a role equivalent to that of the Press Complaints Commission in response to any complaint made by the Court or any member of it in a personal capacity. When doing so it may, in addition to its normal jurisdiction, make an order under paragraphs 45.10 and 45.11.

## B. Membership

6. The Court shall consist of members appointed in the following manner:
  1. One member of each Faculty Union elected by the Council, each person being a Full Member of the Union,
  2. Three Full Members of the Union nominated by the Executive Committee and approved by the Council,
  3. Three Life Members of the Union nominated by the Executive Committee and approved by the Council,
  4. One member of the academic, academic-related or senior administrative staff of Imperial College, of a rank equivalent to that of Senior Lecturer or above, nominated by the Council and approved by the Rector.
7. Those who are not members of any Faculty Union will be treated for the purposes of this election as members of the Faculty Union which otherwise has the smallest number of Full Members.
8. The term of office for those approved or elected by the Council runs from the 1st of August in each year. The term for Full and Life Members is one year and three years respectively. The term of office for each of the Life Members shall expire in consecutive years.
9. The renewal of a term for a nominated member shall be subject to the approval of the Council, but not the re-nomination of the Executive Committee.
10. Those subject to approval of a nomination or renewal of a term as a Life Member may not attend the Council during any relevant debate and vote, though the Council may suspend this rule.
11. A vacancy on the Court shall be filled in the same manner as the annual nominations and elections. A vacancy filled after the 1st April may be combined with the election or appointment for the subsequent term of office. A term of a Life Member filled following a vacancy shall expire when it would otherwise have, had it not become vacant. If there is more than one vacancy for a Life Member on the Court, the person filling it shall take over the vacant term which expires latest. If more than one person fills such vacancies at one meeting of the Council, the terms shall be allocated by lot at the Council.

12. The Court, in committee (comprising at least one member) may after the 1st November in an academic year extend its own membership, within the qualifying categories for each class of member, if there are three or more vacancies (excluding the College staff member) upon it. The later election or appointment of a member by the Council rescinds the appointment of a temporary member. The Court's standing orders may restrict the functions of temporary members, and determine whose appointment is rescinded upon the Council's election or appointment of a replacement.
13. Each member is of equal status to every other member. No member is the representative of any group within the Union or the College.

### **C. Administration**

14. The Court shall appoint a Chair and Deputy Chair from amongst its members. If the Chair is a Life Member of the Union, the Deputy Chair must be a Full Member of the Union, and vice-versa. No staff member of the College may become Chair or Deputy Chair.
15. The Court shall meet 'in committee' to deal with its own administrative business and appointment of officers. If conducting a hearing it shall meet 'in session'
16. No person may proxy a vote under any circumstances within the Court when in committee or in session.
17. The Court shall adopt, with the approval of the Trustee Board, a code of conduct which its members shall adhere to. The code of conduct shall set out the ethical principles and rules upon and within which its members must operate. The code shall include the circumstances in which members are disqualified from hearing a case. The code may impose restrictions on the rights of members of the Court within the rest of the Union.
18. The Court shall adopt standing orders within which it shall operate for its internal administration and supplementing this Regulation. The standing orders, among other things:
  1. shall not affect the Council's jurisdiction under this Regulation, nor the role of the Council, Council Chair or Court Chair under Regulation Seven,
  2. may disapply other Regulations (except Trustee Board, Finance and Code of Practice) or policies in respect of the Court's internal procedure,
  3. may permit the Council Chair or another independent person to chair meetings in committee or perform other roles under specified circumstances, and
  4. may provide for the automatic resignation, removal, censure or dismissal of members or post-holders within the Court, though proposals for censure and dismissal shall comply with Regulation Seven.
19. An amendment to the code of conduct or standing orders requires the approval of a two-thirds majority of those present and voting. Standing orders governing the following matters also require the approval of the Trustee Board:
  1. Appeals within the Court or to the Trustee Board,
  2. Regulating the directions for searches, the compulsion of evidence and production of documents or items,
  3. Imposing any time limit upon applications or appeals, except a time guillotine within a hearing, and
  4. Imposing restrictions how and by whom cases may be requested.

### **D. Commencement of a case**

20. The authority of the Court under regulation 2.1 may only be exercised when in session.
21. A hearing in a case may be requested by such people or bodies and in such circumstances as may be prescribed in standing orders.
22. The Court may decide whether to accept any case in a manner set out in standing orders.
23. An interpretation, review or declaration may also be made by the Court if acting in another of its jurisdictions. If the Court determines that another jurisdiction (except inquiries) is appropriate it may exercise it instead of or in addition to the one for which it was summoned.
24. A nominee of the Court Chair may, prior to a case being commenced, make any direction (including a specified compulsory direction) or interim order pending commencement, subject to standing orders.
25. Any person or the Court itself may request that the Court reconvenes to examine whether a determination or direction was or is being complied with.

### **E. Appointment of panels**

26. When the Court is in session it shall be composed of a panel drawn from the membership of the Court appointed according to standing orders.

27. A panel, unless it is one person sitting alone, must contain at least one Full Member of the Union. Standing orders may provide for panel chair's action on its behalf in specified circumstances.
28. The appointment of a panel, once made, cannot be rescinded by any person or body outside the panel.
29. The Court may direct the consolidation or severance of cases.

## **F. Directions**

30. The Court, in session, composed of the appointed panel, may make directions for the management of a case, administratively or in a hearing, subject to the standing orders.
31. Such directions may govern the agenda, time limits, advance notice, adjournments of or bringing forward hearings, submissions or evidence received, agreement of facts, narrowing any contested issue, excluding irrelevant issues, consolidation or severance of cases, or any other matter. A direction may specify the consequences of a breach, and be subject to conditions.
32. The Court may make specified compulsory directions:
  1. Any person holding a post in the Union including staff may be required by direction to attend a Court hearing and answer questions.
  2. The Court may require the production of any document or item, or copies thereof, created or held by the Union or any person holding office including staff within it in their capacity as such.
  3. The Court may require the searching of any premises administered by the Union under the Code of Practice. Such a direction may only apply to the offices of permanent staff with the consent of the President or Union General Manager.
33. A breach of a specified compulsory direction (which includes a lack of open candour in complying with it) may result in the Court making disciplinary referrals or penal orders. A breach of any type of direction may result in issues or evidence being excluded, further directions made, or a hearing being discontinued..

## **G. Hearings**

34. The Court, in session, may run one or more hearings in a case and come to a determination. The Court may dispense with a hearing only under circumstances set out in standing orders.
35. A hearing must be in public unless the Court directs it or part of it to be held in closed session, in circumstances set out in standing orders. Reasonable steps must be taken to inform any person or body who may be directly affected by any potential order of the hearing and its purpose.
36. The Court shall interpret the meaning of the Staff-Student Protocol. Any such declaration shall only be made after the President or Union General Manager has had the opportunity to make submissions or comments. The Court Chair or panel chair shall be responsible for clarifying and enforcing this protocol when the Court is sitting or in administrative matters relating to the Court.
37. If an issue before the Court becomes the subject of legal action, referral to the Imperial College Council, Visitor, Office of the Independent Adjudicator for Higher Education, or another relevant external authority, the Court may adjourn the hearing until after its resolution or discontinue the hearing.
38. The Court may choose to discontinue a case without coming to a determination if an issue becomes pointless or academic. The Council may require an inquiry to be discontinued.

## **H. Determinations and reports**

39. A determination or report shall be made at the end of the case, unless it was discontinued.
40. The deliberations of the panel in coming to a determination or report shall be in closed session and remain permanently confidential.
41. No person or body may instruct or seek to influence any member of a panel how to rule on a determination or report. No member of the panel may abstain in a determination or part thereof.
42. The determination or report shall be public and available to any Full Member of the Union, and any other person whom it affects. Standing orders may provide for the redaction of detail in particular circumstances and in any event staff matters shall be omitted or anonymised.
43. An interim determination may be made by the Court. An interim determination, which may include interim orders, may be made prior to a case being commenced, during a

case before it is concluded (though it may have the effect of concluding it), or after the final determination. A case which continues after an interim determination shall, upon conclusion, have another final determination.

44. A declaration becomes a binding precedent upon the Court, from which it can only depart in the interests of justice. The opinions of those in the majority, and the circumstances in which orders were made, becomes a persuasive precedent which may form a basis for future determinations.

## I. Orders

45. In a determination, the Court may make no order, or make one or more of the following orders:
1. A declaration of what the Constitution, its Regulations and any policy or rule means, and its consequences,
  2. Quash a policy, rule, decision, act or omission, or any part thereof, found to be unconstitutional or unlawful,
  3. Suspend a policy, rule, decision, act or omission, or any part thereof, found to be unconstitutional or unlawful, until such time as may be specified,
  4. Remit a decision back to a person or part of the Union with its opinion or ruling,
  5. Require a committee or person which improperly avoided or dismissed a motion to reconsider it, and may set aside any time limit if fair to do so,
  6. Summon an emergency meeting of any committee in the Union,
  7. Mandate an officer, post-holder or committee to act in accordance with the Constitution, its Regulations and any policy or rule, or prohibit them from breaching it,
  8. A reference of any matter to the Trustee Board,
  9. Replace the decision of a returning officer, supervisory authority, elections or referendum committee with any other that they would have been authorised to make,
  10. Require or authorise a meeting in another part of the Union to be in open or closed session,
  11. Propose a motion of censure or no confidence to the Council or any other committee entitled to pass it,
  12. Censure Officers of the Union or others holding elected or unpaid appointed office in any part of the Union, when acting as a disciplinary tribunal,
  13. A penal order,
  14. Authorise a more senior budget holder to spend out of a subsidiary budget,
  15. A declaration that a publication complaint was upheld, dismissed or that sufficient remedial action was offered,
  16. That a publication against which a complaint is upheld must print or publish the result and reasoning behind it with due prominence,
  17. Any order which the Press Complaints Commission is entitled to make in respect of a member publication, except for awards of money,
  18. Any other order which a Regulation, policy or rule permits, or
  19. Any order which is necessary or expedient to give effect to another order which the Court is entitled to make.
46. Any order is discretionary. The fact that a breach of a rule has been found does not require the court to make further orders. The Court may also make recommendations to any person or body.
47. The Court may apply a time limit to any order, or make it subject to conditions. An order in relation to any policy, rule, decision, act or omission may apply to a proposal or suggestion to implement the same.
48. The Court may not make any order:
1. Relating to any matter outside the jurisdiction of the Union under the Constitution and Code of Practice,
  2. Requiring, in the opinion of the Court, the Union or any person to act unlawfully, including any contractual breach or tort,
  3. Quashing or suspending a resolution of the Trustee Board or a Trustees' Committee, or
  4. In respect of any matter for which a time limit has expired under the Regulations or standing orders.
49. The Court may not make any mandatory or prohibiting order:
1. in respect of the Council,
  2. in respect of a person's choice of vote,
  3. directly requiring any person to authorise or not authorise anything under the Finance Regulations,
  4. upon a member of the Union staff; any such order being made upon the President instead, or

5. in respect of an act which a person with responsibility for Health and Safety in the Union reasonably declares would impose legal liability on them or the Union, and whose declaration is not countermanded by a more senior authority.
50. If a proposal for a censure or no confidence is made, it shall be treated for all purposes as having been validly proposed to any committee entitled to hear it. Directions or orders may be made in relation to calling and scheduling the committee to hear it at any time which the Court may establish, though any such meeting must be held at least one week after the proposal is made.
51. A penal order may be imposed upon any constituent part of the Union apart from the Trustee Board, Council, Executive Committee, commercial services, individual members or staff. It may include suspension, freezing of budget (subject to the President or Deputy President (Finance and Services) authorising expenditure for the performance of a legal obligation) and a prohibition on use of room bookings or other Union facilities.
52. A penal order made in relation to a breach of a specified compulsory direction may apply to any constituent part of the Union allowable above, for which an individual breaching a direction is the chair, treasurer, secretary, other post-holder or member if the breach is relevant to that constituent part of the Union.
53. A penal order may be reduced or rescinded by the Council.

## **J. Appeals**

54. The Court may, with the approval of the Council, establish within it a panel of appellate members of proven and substantial ability and integrity to be entitled to sit on an internal appeal as chair and the majority. Standing orders shall govern the ambit and procedure for an appeal.
55. An appeal may be made within two weeks of the conclusion of any internal appeal process by and with the consent of the Union President or three Trustees to the Trustee Board if, and only if, the Court:
  1. Makes a final or interim order formally quashing or suspending for unconstitutionality any decision of the Council,
  2. Makes a final or interim order relating to a reserved matter, or
  3. Grants leave to do so.
56. The Trustee Board's appellate jurisdiction shall be subject to the following rules:
  1. No appeal shall lie against a decision by the Court not to make a relevant order as set out in 55.1 or 55.2, and
  2. A decision having the effect of changing the determination must be reasoned and reasons published.

## **K. Subordinate tribunals and mediation**

57. The Court may establish subordinate tribunals or mediation panels under standing orders for any matter within its jurisdiction and delegate authority to them. Such tribunals or panels shall include at least one member of the Court and be wholly subject to the Court's jurisdiction.

### **Mediation Board**

58. The Mediation Board shall operate under the supervision of the Court as a mediation panel, and may mediate in a complaint about Felix or any other Union publication or media outlet.
59. The Mediation Board shall be appointed and conduct its business according to the Court standing orders.

# Regulation Three - Officers of the Union

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## A. Officers of the Union

1. The Officers of the Union shall be the:
  1. President,
  2. Deputy President (Clubs and Societies),
  3. Deputy President (Education and Welfare),
  4. Deputy President (Finance and Services),
  5. Council Chair,
  6. President of the City and Guilds College Union,
  7. President of the Imperial College School of Medicine Students' Union,
  8. President of the Royal College of Science Union,
  9. Arts and Entertainments Board Chair,
  10. Athletics Clubs Committee Chair,
  11. Graduate Students' Association Chair,
  12. Media Group Chair,
  13. Overseas Societies Committee Chair,
  14. Recreational Clubs Committee Chair,
  15. Royal School of Mines Committee Chair,
  16. Silwood Park Union Chair,
  17. Social Clubs Committee Chair,
  18. Wye College Union Society President,
  19. City and Guilds College Union Academic Affairs Officer (Taught Students),
  20. Imperial College School of Medicine Students' Union Academic Affairs Officer (Taught Students),
  21. Royal College of Science Union Academic Affairs Officer (Taught Students),
  22. City and Guilds College Union Academic Affairs Officer (Research Students),
  23. Imperial College School of Medicine Students' Union Academic Affairs Officer (Research Students),
  24. Royal College of Science Union Academic Affairs Officer (Research Students),
  25. City and Guilds College Union Welfare Officer,
  26. Imperial College School of Medicine Students' Union Welfare Officer,
  27. Royal College of Science Union Welfare Officer,
  28. Community Action Group Chair,

29. Equal Opportunities Officer,
30. Welfare Campaigns Officer
31. Rag Chair.

## B. Register of Interests

2. A Register of Interests shall be kept for Trustees, Officers of the Union, the Felix Editor, members of the Court and any other person at the discretion of the Trustee Board, Council or Executive Committee.
3. The Register shall be available to all Full Members of the Union and Trustees.
4. The Register shall contain any current part-time external employment, directorships and direct shareholdings, and the Officer's department and year.
5. The Register shall contain all current and former:
  1. courses of study at Imperial College,
  2. employment by the Union or by College,
  3. gifts, hospitality, and free or discounted tickets received in connection with Union business,
  4. sponsorship by any firm in connection with a course of study or Union business,
  5. positions of office held within the Union or any constituent part,
  6. membership of any Union committee,
  7. membership of any Union club or society, and their committees, and
  8. any employment, membership, or positions within the University of London Union, National Union of Students or any other representative student organisation.
6. The Register shall contain any matter not falling in the above categories which could provide information of any pecuniary interest or other material benefit which an Officer receives which might reasonably be thought by others to influence his or her actions, speeches, or votes in committees, or actions taken in his or her capacity as an Officer.
7. Union Officers shall be required to sign the Register as an accurate record of their interests as a requirement of taking office.
8. The Register shall be kept and maintained by the President, who shall be responsible for notifying Officers of the responsibilities and requiring Officers to register.
9. In the event of a dispute on the question of whether a matter is registrable, the Council Chair shall adjudicate and make a ruling, which may be appealed to the Court, whose decision is final.

## C. Job Descriptions for the Sabbatical Officers and the Felix Editor

10. **The President**  
The Union President shall:
  - i. Execute the policy and further the aims and objects of the Union,
  - ii. Be the ultimate representative of the Union,
  - iii. Be the chief executive officer of the Union,
  - iv. Be responsible for the activities of the Union,
  - v. Act as a Trustee *ex-officio*,
  - vi. Be responsible to the Court for the Union's Elections,
  - vii. Be responsible for constitutional development and preliminary interpretation,
  - viii. Be responsible for the finances of the Union,
  - ix. Be responsible for staffing and discipline issues,
  - x. Be the manager of the other Sabbatical Officers in their role as employees and co-ordinate their work and that of the non-sabbatical Officers of the Union,
  - xi. Be the manager of the Felix Editor and other holders of sabbatical office, in their role as employees, without prejudice to their operational and representative independence,
  - xii. Delegate the duties and responsibilities of Officers in the case of vacancies of if any Officer is unable to carry out his or her duties,
  - xiii. Be responsible for the work of the Executive Committee,
  - xiv. Chair relevant Union Committees,
  - xv. Liaise with Union and College staff as appropriate,
  - xvi. Represent the Union on external committees as appropriate,
  - xvii. Be responsible for Health and Safety across the whole Union,
  - xviii. Report to Union Committees as appropriate, and
  - xix. Negotiate extra duties for Union Officers where appropriate.
11. **Deputy President (Finance and Services)**



The Deputy President (Finance and Services) shall:

- i. Uphold the policy and further the aims and objects of the Union,
- ii. Take on Presidential duties as appropriate,
- iii. Be responsible to the President for all aspects of the Union finances,
- iv. Be responsible to the President for the Union's commercial services,
- v. Co-ordinate trading forums and the finance-related aspects of the Clubs and Societies Board,
- vi. Liaise with Union and College staff as appropriate,
- vii. Represent the Union on external committees as appropriate,
- viii. Report to Union Committees as appropriate, and
- ix. Negotiate other duties with the President.

12. **Deputy President (Clubs and Societies)**

The Deputy President (Clubs and Societies) shall:

- i. Uphold the policy and further the aims and objects of the Union,
- ii. Take on Presidential duties as appropriate,
- iii. Be responsible for the effective co-ordination and representation of Union Clubs and Societies, in conjunction with the relevant Union committees,
- iv. Be responsible to the President for Health and Safety issues within clubs and societies, and chair and administer the Union Health and Safety Committee,
- v. Be responsible for the organisation of Freshers' Fayre,
- vi. Liaise with the Clubs and Societies Administrator to ensure that appropriate support is being given to all Union clubs and societies,
- vii. Liaise with other Union and College staff as appropriate,
- viii. Attend the relevant Union Committees,
- ix. Represent the Union on external committees as appropriate,
- x. Represent Union Clubs and Societies to the British Universities Sports Association,
- xi. Report to Union Committees as appropriate, and
- xii. Negotiate other duties with the President.

13. **Deputy President (Education and Welfare)**

The Deputy President (Education and Welfare) shall:

- i. Uphold the policy and further the aims and objects of the Union,
- ii. Take on Presidential duties as appropriate,
- iii. Be responsible for welfare issues and services for all Union members,
- iv. Be responsible for co-ordinating the provision of student development and progression within Union activities,
- v. Be responsible for keeping College informed of student opinion on academic affairs,
- vi. Be responsible for the academic concerns of all Union members,
- vii. Be responsible for co-ordinating and publicising all campaigns concerning equal opportunities and welfare issues,
- viii. Liaise with the Graduate Students Association Chair on all matters concerning students registered on postgraduate courses,
- ix. Be responsible for organising the training of Union Officers,
- x. Assist the President in enforcing the Union's Equal Opportunities Policy,
- xi. Liaise with Union and College staff as appropriate,
- xii. Attend the relevant Union Committees,
- xiii. Represent the Union on external committees as appropriate,
- xiv. Report to Union Committees as appropriate, and
- xv. Negotiate other duties with the President.

14. **Felix Editor**

The Felix Editor shall be responsible to Council for:

- i. The running and management of Felix in accordance with the Felix Constitution, the Code of Practice for ICU Publications, Annexe F of the Code of Practice and its other provisions for Union media, College Code of Practice (Freedom of Speech) and Section 43 of the Education (No.2) Act 1986 and any subsequent amendments of the above,
- ii. The proper financial management of Felix and adherence to budget,
- iii. Ensuring that the editorial responsibilities of fair play and honesty prevail whilst defending the concept of editorial freedom,
- iv. The recruitment of such assistance as is necessary, from the student body of Imperial College in the first instance, and
- v. Any inaccuracies appearing in Felix articles which have been presented implicitly or explicitly as facts.

**D. Job Descriptions for Other Union Officers**

15. The **Presidents of the Faculty Unions and Chairs of the Club and Societies Committees, Graduate Students Association, Community Action Group and Rag**  
The Presidents of the Faculty Unions, and Chairs of the Club and Societies Committees, Graduate Students Association, Community Action Group and Rag Chair, in addition to any duties laid down by their respective Faculty Union or committee, shall:
  - i. Represent the interests of their members at the appropriate Union, Faculty and College Committees,
  - ii. Be responsible for the development and preliminary interpretation of their constitutions,
  - iii. Be responsible to the Deputy President (Finance and Services) for all aspects of their union's or committee's finances,
  - iv. Be Responsible to the Deputy President (Clubs and Societies) for the duty of care and Health and Safety of their members,
  - v. In the case of Faculty Union Presidents, Graduate Students' Association Chair, the Overseas Societies Committee Chair, Silwood Park Chair and Wye College Union Society President, be responsible to the Deputy President (Education and Welfare) for the education and welfare issues of their members,
  - vi. Be accountable to Council for the activities of their union or committee, and
  - vii. Carry out such duties as may, from time to time, be laid down by the Council or the Executive Committee.
  
16. The **Council Chair** shall:
  - i. Chair Council and other relevant Union committees,
  - ii. Uphold the duties and responsibilities detailed in the Constitution and Regulations,
  - iii. Be independent and impartial in all proceedings and duties as Council Chair,
  - iv. Shall not sit as an ordinary member of the Executive Committee, Clubs and Societies Board or Representation and Welfare Board,
  - v. Act as a Trustee *ex-officio*, and
  - vi. Carry out such duties and responsibilities as may, from time to time, be laid down by the Council.
  
17. The **Equal Opportunities Officer** shall:
  - i. Be responsible for those issues which specifically relate to Equal Opportunities and organise relevant educational and training events and briefings, and report accordingly,
  - ii. Sit on appropriate Union Committees,
  - iii. Represent the Union's views on the relevant College Committees,
  - iv. Assist the President in enforcing the Union's Equal Opportunities Policy, and
  - v. Carry out such duties as may, from time to time, be laid down by the Council or the Executive Committee.
  
18. The **Graduate Students Association Chair**  
The Graduate Students Association Chair shall, in addition to the responsibilities established in paragraph 15 and laid down by the Graduate Students' Association:
  - i. Be responsible for the effective representation both to the College and within the Union itself of students registered on postgraduate courses,
  - ii. Be responsible for the effective co-ordination of the Union's services to, and activities for, students registered on postgraduate courses,
  - iii. Support postgraduate students' involvement in all relevant areas of Union and College activity,
  - iv. Liaise with Union and College staff as appropriate,
  - v. Attend the relevant Union Committees,
  - vi. Represent the Union on external committees as appropriate, and
  - vii. Report to Union Committees as appropriate.
  
19. The **Welfare Campaigns Officer** shall:
  - i. Be responsible for suggesting areas of interest to the Union that relate to welfare support,
  - ii. Be responsible for researching sources of information and implementing campaigns relating to areas of interest to the Union that relate to welfare support, and report accordingly,
  - iii. Be responsible to the Deputy President (Education and Welfare) for the research and implementation of campaigns,
  - iv. Sit on appropriate Union Committees,
  - v. Represent the Union's views on the relevant College Committees,
  - vi. Implement welfare campaigns as determined by the Welfare Committee, and
  - vii. Carry out such duties as may, from time to time, be laid down by the Council or the Executive Committee.
  
20. The **Faculty Academic Affairs Officers** shall:

- i. Be responsible for representing students' views to the Union, College and other groups as necessary,
  - ii. Assist the Deputy President (Education and Welfare) in the co-ordination of academic representation of taught or research students in the Faculty,
  - iii. Represent the Union's views on the relevant College committees,
  - iv. Attend the relevant Union committees,
  - v. Be responsible to the Deputy President (Education and Welfare) for the academic representation of taught or research students in the Faculty, and
  - vi. Carry out such duties as may, from time to time, be laid down by the Council or the Executive Committee.
21. The **Faculty Welfare Officers** shall:
- i. Be responsible for suggesting areas of interest to the Faculty and the Union that relate to welfare support,
  - ii. Be responsible for researching sources of information and implementing campaigns relating to areas of interest to the Faculty and the Union that relate to welfare support, and report accordingly,
  - iii. Be responsible to the Deputy President (Education and Welfare) for the research and implementation of campaigns,
  - iv. Sit on appropriate Union Committees,
  - v. Represent the Union's views on the relevant College Committees,
  - vi. Implement welfare campaigns as determined by the Welfare Committee, and
  - vii. Carry out such duties as may, from time to time, be laid down by the Council or the Executive Committee.

## **E. Job Descriptions for Delegates**

22. Delegates to the National Union of Students and University of London Union. Delegates elected to represent the Union to the National Union of Students ("NUS") and the University of London Union ("ULU") shall:
- i. Attend all Union relevant meetings and represent the views of the Union to NUS conferences and ULU meetings.
  - ii. Work with all other Union delegates to support motions that the Union Council believes further the aims, objects and policies of the Union.
  - iii. Work with all other Union delegates to prevent motions that the Union Council believes work against the aims, objects and policies of the Union from being passed.
  - iv. Be forbidden from joining any NUS or ULU political or religious faction.
  - v. Where clarification is required on matters concerning 32.i to 32.iv, the delegate shall seek and act upon the guidance of the President.
23. Any NUS National Conference or other delegate who fails to attend the NUS National Conference or other conference respectively without giving ten College days' notice and a reason to the satisfaction of the President or, in the view of the Council expressed through a disciplinary motion, fails to fulfil the tasks outlined in paragraph 22 shall be disqualified from being elected to NUS Conference positions again.
24. Any ULU meeting delegate who fails to attend two ULU meetings of which he or she is a delegate or member without giving five College days' notice and a reason to the satisfaction of the President shall be deemed to have automatically resigned from their position and will be disqualified being elected to ULU delegate positions again on behalf of the Union.

# Regulation Four - Elections and Referenda

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## A. General provisions

1. All elections in Imperial College Union, Faculty Unions, outlying campuses affiliated to the Union, clubs and societies shall be held according to these regulations.
2. In any Union rule, the word "election" or any derivative thereof shall mean an election under these regulations.
3. Only Full Members of the Union may participate or vote in any part of an election, though Life Members may act as returning officer.
4. All elections and referenda shall be conducted by secret ballot, except that an election held at a meeting with a single candidate (apart from New Election) may, if no elector dissents, proceed to elect summarily the person to office.
5. All elections shall be determined by Single Transferable Vote with Quota System as defined by the Electoral Reform Society.
6. The candidate 'New Election' stands fully nominated for every post.
7. The President is responsible to the College Council to ensure elections are fairly and properly conducted under the terms of the Education Act 1994.
8. In these regulations, "constituent part" means any committee (except the Council), Faculty Union, club or society.

## B. Eligibility to participate

9. All Full Members of the Union may stand and vote in an election unless otherwise prescribed. All Full Members of the Union may vote in a referendum.
10. No person holding sabbatical office may propose or second a candidate in an election, though all other Full Members of the Union may propose or second a candidate in an election, unless limited under sections 10 or 11.
11. The right to stand, nominate and vote in elections for the officers of the Faculty Unions, the Graduate Students' Association, clubs and societies may be restricted to their full members only.
12. Silwood and Wye may restrict eligibility to stand, nominate and vote to those students on courses of study predominantly at those campuses.

## C. Nominations and Timetable

13. All elections require nominations to be publicised one week in advance and be placed on a public notice-board for at least one week, with the name, department, year and signature or College identification number ("CID") of the candidate, proposer and seconders.
14. Nomination papers shall include the name and contact details of the returning officer.
15. Elections for Officers of the Union, Felix Editor, any position granting membership of the Council or Executive Committee and other posts as determined by the Executive Committee or Council have additional requirements:
  1. Notice and publicity for the election should produced five College days in advance of nomination papers being placed up,
  2. Nomination papers should be up for at least ten College days for Sabbatical and Felix Editor elections and at least five College days for other elections, and

3. Twenty seconders are required for Sabbatical Officer and Felix Editor elections and at least four seconders are normally required for other elections.
16. Elections during the first Council of the academic year require nomination papers to be up within the first ten College days of term, notwithstanding section 14.2.
17. The election shall be held within ten College days of nomination papers coming down.
18. The Council may by two-thirds majority suspend time limits in this part for particular elections, with a separate resolution required for each election.
19. In the event of a vacancy, nomination papers shall go up within ten College days of the vacancy occurring.

#### **D. Sabbatical elections**

20. The Sabbatical Officers and Felix Editor shall be elected by a College-wide secret ballot. All Full Members are entitled to stand and vote for these positions.
21. The election shall normally be held in the Spring Term on dates approved by the Council.
22. The Council shall determine whether the elections are to be held by paper ballot or electronic voting.
23. In a paper ballot, voting will be permitted between 10.00 and 17.00 on two consecutive College days, though the Elections Committee may extend these hours. The positions of the ballot boxes shall be at the discretion of the Elections Committee.
24. In electronic voting, the Elections Committee will determine a period of time during which votes may be cast, including two consecutive College days between 10.00 and 17.00, and not exceeding five days.
25. In the event of a vacancy in mid-session, an election shall take place within twenty College days of the vacancy occurring.

#### **E. Elections for non-sabbatical posts**

26. Elections for all non-sabbatical Union Officers except for officers of the Faculty Unions and Chairs of the Club and Society Committees shall be by and from the Full Membership at Council or by College-wide secret ballot as may be prescribed.
27. Elections for Faculty Union Presidents shall be by secret ballot in the relevant departments, by and from all full members of the respective Faculty Union. Other Faculty Union posts shall be elected at a meeting or by departments-wide secret ballot as may be prescribed.
28. Elections for Chairs and other officers of the Club and Society Committees shall be by the committee and from the Full Membership. The Graduate Students Association Chair shall be elected by the Full Membership from amongst those Full Members who are graduate students.
29. Elections for club and society officers shall be at a general meeting of the club or society by and from all full members of the club or society.
30. Elections for the Student Trustees and ordinary members on the Council shall be by College-wide secret ballot by and from the Full Membership. Student Trustees shall be elected concurrently with the sabbatical elections, and ordinary members of the Council at the start of the academic year.
31. The Council or relevant policy-making body may prescribe that an election is held by electronic ballot or departments-wide secret ballot notwithstanding any rule to the contrary. This does not change the composition of eligible candidates or electors in it.
32. The Union's delegates for University of London Union Committees will be the President and those Deputy Presidents whom Council request to go. The remaining delegates shall be elected by and from the Full Membership by College-wide secret ballot at the start of the year. The Union's delegates for the National Union of Students' ("NUS") National Conference shall be the President and other delegates elected by and from the Full Membership by College-wide secret ballot during the Spring Term on dates approved by the Council. Should a delegate resign ten or more College days in advance of the NUS

National Conference or any ULU Council meeting then the President shall appoint a replacement and report his or her decision to the following Council Meeting. The Council may appoint an observer to attend the NUS National Conference and report on its outcomes and the conduct of Union delegates to the first Union Council meeting of the Summer Term.

## **F. Referenda**

33. The Constitution provides for the elementary rules of referenda. Other parts of these regulations only apply to referenda where specifically provided for.
34. Upon receipt of a petition through the President, the Court shall consider its constitutionality and that of the subject matter of the referendum. The Court may make orders to require further steps to be taken to complete a petition, or quash an unconstitutional petition or proposed policy.
35. The Court shall determine the wording of the referendum question. In doing so it may, with the approval of those the Court deems responsible for organising the petition and as an alternative to quashing a proposed policy, amend it to the extent that it becomes constitutional.
36. Once constitutionality is resolved, the Executive Committee shall authorise notice to be given of the referendum within five College days.
37. The referendum shall be held between twenty and twenty-five College days of notice having been given. If notice has been published within twenty College days of the end of a term other than the Summer Term, the Executive Committee may direct the holding of the referendum in the first twenty College days of the next term.
38. A referendum committee shall act as the equivalent of the elections committee. The referendum committee shall initially be the Executive Committee, and the President the returning officer. Individual members may recuse themselves from membership or be removed by the Court. The referendum committee or the Council may appoint new members or a returning officer with the approval of the Court.
39. The referendum committee may appoint campaign managers for each side, who shall be responsible for their campaigns, and may make rules for the running of the referendum.
40. All College and Union media must be equally available to both sides of the referendum.

## **G. Campaigning and Publicity**

### **General publicity**

41. The returning officer is responsible for ensuring the election is publicised in advance of nominations.
42. In any election or referendum publicity including, but not limited to Felix, Media Group media, Faculty Union newsletters, club and society newsletters shall be equally available to all candidates. All media conducting interviews or discussions must notify all candidates in writing three days before the interview or discussion is due to take place.
43. All media or newsletter reports or comments must mention the names of all candidates standing for a post within the body of the report, in the case of elections, or attempt to produce a balanced debate on both sides of the argument in the case of referenda. In any case reports and comments should be fair and accurate.

### **Candidates' publicity**

44. No candidates' campaign publicity may appear prior to the close of nominations, in the case of elections, or before notice of a referendum is published, in the case of a referendum.
45. All publicity material is to be covered by a suitable receipt. The maximum amount that may be spent on an election or referendum campaign will be decided by the returning officer or elections committee and notified to the candidates at close of nominations.
46. No form of Union or College insignia shall appear on any candidate's publicity material.
47. Campaign publicity, including flyers, shall be removed from the line of sight and six metres of all ballot boxes.

### **Campaigning on the record**

48. **Candidates are permitted to refer to other candidates in their publicity only to the extent permitted below:**
  1. **Statements made by candidates,**
  2. **Conduct by candidates previously or currently in office, related to their office,**
  3. **A disciplinary hearing in relation to a candidate.**
49. **Any reference must fulfil the following conditions:**
  1. **A reference must be relevant to a candidate's integrity or ability,**
  2. **No reference may be made which is merely scandalous or intended only to vilify, insult or annoy,**

3. No reference may be made to any personal trait of character, except in so far as it is clearly demonstrated by other statements or conduct,
  4. No reference may be made to another candidate's political views, except in so far as they relate to students in their interests as students,
  5. No reference may be made to another candidate's religious views.
50. Any reference to a statement or fact must be supported by substantial and independent evidence, for example meeting minutes, publications, reports, written publicity or hustings comments. The burden of proof is upon the person seeking to assert the facts or statements, to the extent that the returning officer or elections committee must be sure that they are true.
  51. Reference may only be made to a disciplinary hearing and charges made in it if the candidate was found guilty of misconduct, censured or dismissed and no appeal is outstanding. The returning officer must deem it in the student interest for it to be revealed, and may make any restriction on revelation of detail about it.
  52. If a candidate referred to in any publicity disputes the truth of such a statement and provides evidence or an explanation which results in the burden of proof no longer being met, or demonstrates that the other regulatory restrictions applied, the publicity may then be disallowed. A returning officer may choose to hear both candidates' arguments in any fair way he or she wishes.
  53. Publicity which is disallowed must be removed within 24 hours. If it involved any comment in a publication, it must be retracted or correcting comment put in within 24 hours, or in the next publication.
  54. No new publicity referring to other candidates may be authorised within 48 hours of ballot boxes opening. This advance time may be extended by the returning officer or policy.

## H. Hustings and debates

55. There shall be hustings in all Union elections, to which all candidates are invited to speak and answer questions.
56. The returning officer (or elections committee if there is one) shall determine the date and format of hustings, which shall be chaired by the returning officer or a nominee. In sabbatical elections, the returning officer shall appoint another independent person to chair hustings.
57. The chair of hustings shall ensure that each candidate is treated equally in the proceedings, and that questions are directly or indirectly relevant to the potential performance of the candidate in the post being elected.
58. In referenda, the referendum committee shall organise at least one public, fair and balanced debate which shall take place not less than two and not more than five College days prior to the vote.

## I. New Election

59. The returning officer shall appoint a New Election campaign manager and allocate a budget (as permitted within budgetary policy) up to the same level as the other candidates.
60. In the event of:
  1. New Election winning, or
  2. a decision to re-run the entire election including nominations, nominations shall be re-opened within ten College days and the election repeated.
61. In the event that New Election commits an unfair practice as described in section 87 it may be additionally ordered that the election is re-run without recourse to new nominations within five College days of reaching such a conclusion.

## J. Supervision of Elections

### Returning Officer

62. There shall be a Returning Officer for each election who shall be responsible for the fair and efficient conduct of that election. The Returning Officer shall maintain neutrality at all times, and may not participate in the election in any manner except as Returning Officer.
63. The Returning Officer shall be:
  1. In elections at a committee, the chair of the committee or nominee, unless otherwise prescribed,

2. In elections held during the Council, Executive Committee or Clubs and Societies Board, the President or a nominee,
3. For Sabbatical Officer and Felix Editor elections, a nominee of the Court (who shall not be a Sabbatical Officer), and
4. For Faculty Unions, clubs and societies, their President or Chair, unless otherwise prescribed.

#### **Supervisory authorities**

64. Supervisory authorities oversee elections and step in, in exceptional circumstances, to ensure an election is run fairly.
65. A supervisory authority may impose an elections committee or scrutineer or fill a vacancy in the post of returning officer for any election in the Union.
66. In all elections except for Union Officers or positions deriving membership or permanent observer rights upon the Trustee Board, Council, Executive Committee or Court, the supervisory authority may also replace a returning officer (even if *ex officio*), member of an elections committee or scrutineer, and is the only body entitled to do so over the objections of the person being removed. The Court may act to remove and replace any person involved in the administration of any election in the Union.
67. In this regulation, the term "supervisory authority" shall refer to, in increasing order of seniority:
  1. the committee or senior policy-making body of the constituent part of the Union in which the election is held, or officer with their delegated powers,
  2. the President, and
  3. the Court (whose decision is final).
68. An authority is exercisable as a standing order or policy (though not in the case of the Court), or just invoked for a particular election. A more senior supervisory authority may amend the decision of a junior one, and may act whether or not it has previously acted.
69. If the President is the returning officer, a candidate or otherwise not impartial, his position as an authority in 67.2 shall be struck out for that election.

#### **Elections Committees**

70. In Sabbatical Officer, Felix Editor and Student Trustee elections, and other elections as may be prescribed or ordered, an elections committee shall supervise the elections and reserve certain duties of the returning officer to itself, including:
    1. counting the votes,
    2. ratifying an election,
    3. ordering a re-run, and
    4. disqualifying a candidate.
- An elections committee may also over-rule any decision of the returning officer.
71. The returning officer shall convene and chair the elections committee, which shall meet regularly during the course of the elections. The elections committee shall review all progress and decisions of the returning officer each meeting.
  72. For Sabbatical Officer and Felix Editor elections, the elections committee shall consist of the returning officer and four other members of the Council, who are not members of the Executive Committee, chosen at random by the Court.
  73. In any non-sabbatical election, the supervisory authority may require an election committee to be convened. It shall have two, four or six members (excluding the chair) appointed in such manner as the supervisory authority determines.

#### **Observers and scrutineer**

74. A candidate has the right to send an observer, or at the discretion of the returning officer be present himself at the count.
75. The supervisory authority may request a completely independent observer (who does not need to be a member of the Union) as scrutineer to oversee any part of the election proceedings. Sabbatical elections shall normally have a scrutineer appointed by the College.

#### **Delegation**

76. The returning officer (or elections committee if there is one) may appoint deputies or assistants and allocate duties to them.
77. In Sabbatical Officer and Felix Editor elections, any deputy or assistant returning officer shall be permanent observers but not members of the elections committee.

#### **Restriction of rights**

78. The Returning Officer, any deputies or assistants and members of an elections or referendum committee may not vote or participate in any part of the election except in furtherance of their duties, notwithstanding section 8.



79. People employed under the direction of the Returning Officer may not participate or influence the result of the election, apart from actually voting.

## **K. Objections and Unfair Practices**

80. Objections should be dealt with at the earliest possible opportunity and every effort made by the returning officer or election committee to resolve the dispute.
81. Objections may be based on unfair practices by candidates or the unconstitutional running of the election by the returning officer.
82. Depending on the type of objection, they are dealt with in the following manner:
1. objections to the administration of the election are dealt with under part J (supervision of elections).
  2. objections to all other matters are dealt with in the remainder of this part.

### **Statements of intent**

83. After voting has ceased and before the count has started, the returning officer shall require candidates to declare that they have no recourse to complaint against the actions of the returning officer or elections committee for the fair and constitutional running of the election.
84. In sabbatical elections, the above declaration shall be made in writing and include a statement of intent stating that should they win the election, they shall take up that position, providing they achieve the academic requirements of the College.

### **Unfair practices**

85. It is an unfair practice to:
1. infringe the Union Constitution, regulations, elections or referenda policy,
  2. disobey instructions of the returning officer, elections or referendum committee or Court in carrying out their duties under 85.1,
  3. take unfair advantage of any publication or other publicity that is not contained within the allotted budget,
  4. do permanent damage to any Union or College area as a consequence of a campaign,
  5. make any attempt to influence the impartiality of the returning officer, elections committee, referendum committee, Court or Union staff,
  6. deliberately sabotage any campaign other than one's own,
  7. infringe College rules,
  8. intimidate any participant in the election,
  9. overspend the allotted campaign budget, or not produce suitable receipts,
  10. loiter within ten metres of any ballot box during voting, or
  11. tamper with any ballot box used in the election or with the submission of electronic votes.
86. An unfair practice may result in action being taken under the Disciplinary Regulation or Policy as well as action within the terms of this regulation. Unfair practices in referenda or sabbatical elections may also be referred by the President directly to the College Discipline Committee.
87. A candidate is wholly responsible for any act or omission made by another on his or her behalf.

### **Deposits**

88. The elections committee in Sabbatical Officer, Felix Editor and other elections as authorised by the Court may require a cash deposit (up to a maximum set by the Council) from each candidate in security for fair behaviour during the elections.
89. The cash deposit as authorised shall be required from each candidate at the close of nominations.
90. The deposit may be partially or totally withheld by the elections committee for unfair practices detailed in section 85.

### **Enforcement and remedies**

91. In the event of an objection to any part of the election except the count, the count shall not begin until the objection has been resolved.
92. The returning officer (or the elections committee if there is one) shall be able to:
1. ratify the election or referendum,
  2. order the election or referendum to be re-run,
  3. partially or totally withhold a candidate's deposit (see section 90),
  4. disqualify a candidate (subject to appeal as in sections 96-98 below), or
  5. disregard all the papers in a ballot box, or submission of electronic votes from a particular source (this decision must be taken before the count commences).
93. The election or referendum may be re-run (under section 92.2) if the election has been run unconstitutionally, if it is in the interests of justice to do so. If a breach during an

election occurred during nomination papers being up, the papers may be placed up again for between two and five College days after they would have normally been taken down. No new nominations shall be sought if the breach occurred after nomination papers were taken down.

94. If ballot boxes or the submission of electronic votes were tampered with, the returning officer may disregard the entire ballot box, or submission of electronic votes, as long as the number of affected votes does not exceed one-fifth of all votes cast.
95. The returning officer may (and must if the votes affected exceed one-fifth of all ballots cast) order the election or referendum to be re-run under section 92.2.

#### **Appeals panel**

96. In the event of an objection not being resolved by action of the returning officer, elections or referendum committee, the matter may be referred to the Court.
97. If the election is held by a Faculty Union, committee, club or society, the Court may delay involvement until any internal appeals process is exhausted.
98. The Court may replace the decision of the returning officer, elections or referendum committee, or internal appeal process with any other decision.

#### **Setting aside election or referendum results**

99. The Court may, if satisfied there were serious irregularities or that confidence in the propriety of an election or referendum was gravely diminished, set aside the result of a completed election or referendum and order that any or all parts of it be repeated, including nominations or the count.
100. An application to the Court to set aside such an election or referendum must be made within three weeks of the election results being declared, or the end of the Summer Term following it, whichever is sooner. No application may relate to an issue that was materially resolved by the Court in an earlier hearing.

#### **Disqualification**

101. A candidate who is disqualified from an election is automatically further disqualified indefinitely from being elected to or holding any elected or unpaid appointed office in the Union. Such a candidate is also disqualified from acting as a returning officer, scrutineer, observer, member of an elections or referendum committee, or supervisory authority.
102. A person who acts as an agent for a candidate who is disqualified from the election as a result, or partly as a result of the person's misconduct may be similarly disqualified.
103. A person (including those administering the election) whose misconduct in an election results in or contributes to a re-run, or which would have resulted in or contributed to the disqualification of a candidate, had the misconduct been upon a candidate's behalf may be similarly disqualified.
104. A person guilty of misconduct in a referendum may be similarly disqualified.
105. An order to disqualify any person except an election candidate may only be made by the Court. The returning officer, a Sabbatical Officer, elections, referendum, internal appeals, Disciplinary or Appeals committees may refer any case to the Court for this purpose.
106. No disqualification will act to remove a person from a post he or she already holds, unless that of returning officer or member of an elections or referendum committee. The Council may remove an indefinite disqualification.
107. The President shall maintain a register of people subject to a disqualification under the preceding paragraphs, and any returning officer or the Court in imposing a disqualification must notify the President of the same.

# Regulation Five - Composition of Union Committees

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## A. The Council

1. The Council shall consist of:

### **The Chair of Council**

- i. Council Chair.

### **Sabbatical Officers**

- ii. President,
- iii. Deputy President (Clubs and Societies),
- iv. Deputy President (Education and Welfare),
- v. Deputy President (Finance and Services),

### **Non-sabbatical Officers**

- vi. President of the City and Guilds College Union,
- vii. President of the Imperial College School of Medicine Students' Union,
- viii. President of the Royal College of Science Union,
- ix. Graduate Students Association Chair,
- x. Arts and Entertainments Board Chair,
- xi. Athletic Clubs Committee Chair,
- xii. Media Group Chair,
- xiii. Overseas Societies Committee Chair,
- xiv. Recreational Clubs Committee Chair,
- xv. Royal School of Mines Committee Chair,
- xvi. Silwood Park Chair,
- xvii. Social Clubs Committee Chair,
- xxviii. Wye College Union Society President,
- xix. Equal Opportunities Officer,
- xx. Community Action Group Chair,
- xxi. Rag Chair,
- xxii. Welfare Campaigns Officer,
- xxiii. City and Guilds College Union Academic Affairs Officer (Taught Students),
- xxiv. Imperial College School of Medicine Students' Union Academic Affairs Officer (Taught Students),
- xxv. Royal College of Science Union Academic Affairs Officer (Taught Students),
- xxvi. City and Guilds College Union Academic Affairs Officer (Research Students),
- xxvii. Imperial College School of Medicine Students' Union Academic Affairs Officer (Research Students),
- xxviii. Royal College of Science Union Academic Affairs Officer (Research Students),
- xxix. City and Guilds College Union Welfare Officer,
- xxx. Imperial College School of Medicine Students' Union Welfare Officer,
- xxxi. Royal College of Science Union Welfare Officer,

### **Ordinary Members**

- xxxii. Fifteen Union Councillors elected proportionately from undergraduate and postgraduate Faculty constituencies,
- xxxiii. One Union Councillor elected by non-Faculty Students.

The President shall review the allocation of Councillors annually to ensure that it remains representative of the proportions of students in each constituency.

### **Permanent Observers**

- xxxiv. The Felix Editor,
- xxxv. The Court Chair and Deputy Court Chair,
- xxxvi. The Union General Manager, and
- xxxvii. The Honorary Senior Treasurer.

## **B. The Executive Committee**

2. The Executive Committee shall consist of:
  1. the Sabbatical Officers,
  2. the Presidents of the Faculty Unions,
  3. the Graduate Students' Association Chair two Clubs and Societies Committee Chairs, elected by the Council as ordinary members on the recommendation of the Clubs and Societies Board, and
  4. two members of the Representation and Welfare Board, elected by the Council as ordinary members on the recommendation of the Representation and Welfare Board,
  5. .
3. Each member is of equal status to every other member. No member is the representative of any group within the Union or the College.
4. The Executive Committee shall be chaired by the President or his or her nominee.
5. The Honorary Senior Treasurer and Union General Manager shall attend as permanent observers.
6. Appropriate staff members determined by the President, as advised by the Union General Manager, shall have permanent observer status and shall present reports detailing activities within their areas of responsibility.
7. The Executive Committee shall meet at least once a term specifically to discuss trading and financial matters.
8. The Executive Committee may require any person within the Union except members of the Court, Trustee Board or the Council Chair to attend, answer questions and produce relevant documents. The Executive Committee may authorise the searching of any premises within the Union.
9. The Executive Committee's powers and responsibilities are set out in section 8 of the Constitution.

## **C. The Clubs and Societies Board**

10. The Clubs and Societies Board oversees the clubs, societies, Rag, Community Action Group and the central activities of Faculty Unions and Club and Society Committees. It does not oversee commercial, welfare or academic matters.
11. The Clubs and Societies Board shall allocate funding to the clubs, societies, Rag, Community Action Group and the central activities of the Faculty Unions and Club and Society Committees, according to Union or operational policy, in particular the Union's policy on the fair allocation of resources.
12. The Clubs and Societies Board may determine policy governing the management, governance and finance of the areas of the Union within its jurisdiction, subject to Union policy and operational policy.
13. The Clubs and Societies Board shall consider best practise on the running of student activities. It shall also be a forum for the resolution of disputes among clubs and societies.
14. The Clubs and Societies Board shall report its business to the Executive Committee and the Council.

### **Membership**

15. The Clubs and Societies Board shall consist of:
  1. The Sabbatical Officers,
  2. A representative appointed by each Faculty Union,
  3. A representative appointed by the Overseas Societies Committee,
  4. A representative appointed by the Silwood Park Union,
  5. A representative appointed by the Wye College Union Society,
  6. The Chairs of the other Clubs and Societies Committees,
  7. The Community Action Group Chair, and
  8. The Rag Chair.

16. The Clubs and Societies Board shall be chaired by the Deputy President (Clubs and Societies) or their nominee. It shall have a quorum of six members, of whom at least three shall not be Sabbatical Officers.
17. The Union General Manager and other appropriate staff members determined by the President, as advised by the Union General Manager, shall have permanent observer status.

#### **Meetings**

18. The Clubs and Societies Board shall meet at least once per month during term time.
19. An emergency meeting of the Clubs and Societies Board may be called by:
  1. A Sabbatical Officer,
  2. Five members of the board,
  3. The board itself, the Executive Committee or the Council, or
  4. Thirty Full Members of the Union.

### **D. The Representation and Welfare Board**

#### **Powers and responsibilities**

20. The Representation and Welfare Board shall co-ordinate, manage and act as a forum for issues relating to student welfare, academic affairs, accommodation, representation, campaigns, diversity and equality.
21. The Representation and Welfare Board shall allocate funding for the better provision of such services and campaigns as it deems fit, subject to Union or operational policy, in particular the Union's policy on the fair allocation of resources.
22. The Representation and Welfare Board shall determine policy within its operation, subject to Union policy and operational policy. It may only approve any policy stating the views of the Full Membership or committing the Union to a political position with the approval of the Council.
23. The Representation and Welfare Board may create and assign campaigns portfolios to any officer or co-opted member of the committee, whose job descriptions shall be defined in policy.
24. The Representation and Welfare Board shall report its business for approval by the Executive Committee and the Council.

#### **Membership**

25. The Representation and Welfare Board shall consist of:
  1. The Sabbatical Officers,
  2. Presidents of the Faculty Unions,
  3. Graduate Students' Association Chair,
  4. Equal Opportunities Officer,
  5. Welfare Campaigns Officer,
  6. A representative appointed by the Overseas Societies Committee,
  7. The Faculty Welfare Officers,
  8. The Faculty Academic Affairs Officers (Taught Students),
  9. The Faculty Academic Affairs Officers (Research Students),
  10. A representative appointed by the Halls Committee, and
  11. Such additional voting or non-voting members as it may co-opt.
26. The Representation and Welfare Board shall be chaired by the Deputy President (Education and Welfare), and may co-opt other non-voting members. It shall have a quorum of six members, of whom at least three shall not be Sabbatical Officers.
27. Staff members determined by the President, as advised by the Deputy President (Education & Welfare) and the Union General Manager may attend and present reports.

#### **Meetings**

28. The Representation and Welfare Board shall meet at least once per month during term time.
29. An emergency meeting of the Representation and Welfare Board may be called by:
  1. A Sabbatical Officer,
  2. Five members of the board,
  3. The board itself, the Executive Committee or the Council, or
  4. Thirty Full Members of the Union.

#### **Halls Committee**

30. The Halls Committee shall be a standing sub-committee of the Representation and Welfare Board, and may consider and co-ordinate any issue relating to the provision of accommodation and related services to Imperial College students within the College.
31. It shall consist of:

1. The Sabbatical Officers,
  2. One representative for each College Hall of Residence, and
  3. A representative appointed by the Overseas Societies Committee.
32. It shall be chaired by the Deputy President (Education and Welfare) and have a quorum of seven voting members.
33. It shall meet upon the request of the Representation and Welfare Board, a Sabbatical Officer or six members.

## **E. The Faculty Unions**

34. The Faculty Unions, shall consider welfare and academic affairs issues relating to students at those respective faculties and shall provide for the co-ordination of student activities within their Faculty.
35. The Faculty Unions are the governing committees of their clubs and societies, and their decisions are binding upon clubs and societies administered by them.
36. The Faculty Unions are:
- a. The City and Guilds College Union, for the Faculty of Engineering.
  - b. The Imperial College School of Medicine Students' Union, for the Faculty of Medicine.
  - c. The Royal College of Science Union, for the Faculty of Natural Sciences.
37. Faculty Unions have constitutions that shall govern their activities, subject to any Union rule.

## **F. The Clubs and Societies Committees**

### **Names**

38. The Clubs and Societies Committees shall be the:
1. Arts and Entertainments Board,
  2. Athletics Clubs Committee,
  3. Media Group,
  4. Overseas Societies Committee,
  5. Recreational Clubs Committee,
  6. Royal School of Mines Committee,
  7. Silwood Park Union,
  8. Social Clubs Committee, and the
  9. Wye College Union Society.

### **General**

39. The Clubs and Societies Committees shall provide for the co-ordination and development of student activity within their clubs and societies or central activities. Silwood Park and Wye College Union Society shall consider academic affairs and welfare issues relating to their members.
40. The Clubs and Societies Committees may elect, mandate, censure and dismiss their officers. They are the governing committees of their clubs and societies, and their decisions are binding upon clubs and societies administered by them.

### **Constitutions or Standing Orders**

41. The Silwood Park Union and the Wye College Union Society shall operate under their own constitutions which shall govern their activities, subject to any Union rule.
42. Club and Society Committees (except Silwood Park Union and Wye College Union Society) shall adopt standing orders which shall govern their activities, subject to any Union rule.
43. Constitutions or standing orders shall be approved by the Council.
44. The Chair or President of the Club and Society Committee shall make preliminary interpretations of their constitution or standing orders, which shall be reported to and reviewed by the committee. Where an interpretation involves a Union rule, the matter shall be referred to the Union President or Court.

## **G. The President's Committees**

### **Names**

45. The President's Committees shall be the:
1. Colours Committee,
  2. Community Action Group,
  3. Health and Safety Committee, and the
  4. Rag Committee.

46. The Council may create other President's Committees for different purposes.

#### **Colours Committee**

47. The Colours Committee shall consider recommendations for the Colours and Awards of the Union, in accordance with Union policy.
48. It shall consist of the:
1. Sabbatical Officers,
  2. Presidents of the Faculty Unions,
  3. Chair of the Graduate Students' Association, and the
  4. Chairs or Presidents of the Club and Society Committees.
49. It shall be chaired by the President, with a quorum of six members, and meet as required under Union policy.

#### **Community Action Group**

50. Community Action Group shall provide the opportunity for Full Members of the Union to carry out voluntary work in the local community.
51. It shall consist of:
1. A Chair,
  2. A Treasurer,
  3. A Secretary,
  4. A Publicity Officer,
  5. A co-ordinator for each project approved by the committee,
  6. The Sabbatical Officers, and
  7. Such additional members as the committee may co-opt.
52. The officers of the committee (except the Chair) shall be elected at and by an Annual General Meeting of the committee, to be held after the election of the Chair. Vacancies may be filled at another meeting.
53. It shall be chaired by the Community Action Group Chair, and have a quorum of half the committee.
54. It shall meet at least once per term. An emergency meeting may be called by the Chair or five members.
55. The committee shall adopt or amend by a two-thirds majority standing orders, setting out the job descriptions of its officers. The committee may censure and dismiss its officers, excluding the Chair, under section 21 of Regulation 5 (Disciplinary Procedure).

#### **Health and Safety Committee**

56. The Health and Safety Committee shall consider and monitor Health and Safety issues in the Union and shall advise on the adequacy and suitability of current Health and Safety policies and practices.
57. It shall consist of:
1. The Sabbatical Officers,
  2. A representative appointed by each Faculty Union,
  3. A representative appointed by each Club and Society Committee.
58. The Union General Manager, any staff member appointed as Departmental Safety Officer and other posts determined by the President, particularly including those responsible for commercial services, shall be permanent observers.
59. It shall be chaired by the Deputy President (Clubs and Societies) and shall have a quorum of six voting members.
60. It shall meet at least once per term. An emergency meeting may be called by a Sabbatical Officer, or three members or permanent observers.

#### **Rag Committee**

61. The Rag Committee shall co-ordinate and promote charity events within the College and raise money for charity.
62. Charities shall be chosen for allocation of monies to be raised at a meeting in the Summer Term after the new committee has been elected and upon the recommendation of the incoming committee.
63. It shall consist of:
1. A Chair,
  2. A Treasurer,
  3. A Secretary,
  4. The Sabbatical Officers, and
  5. Such additional members as the committee may co-opt.
64. Only members of the committee who are not co-opted may vote to add or remove co-opted members.
65. The officers of the committee (except the Chair) shall be elected at and by an Annual General Meeting of the committee, to be held after the election of the Chair. Vacancies may be filled at another meeting.

66. It shall be chaired by the Rag Chair, and have a quorum of half the committee.
67. It shall meet at least once per month during term-time. An emergency meeting may be called by the Chair or five members.
68. The committee shall adopt or amend by a two-thirds majority standing orders setting out the job descriptions of its officers and a code of conduct for members. The committee may censure and dismiss its officers, excluding the Chair.

## **H. The Graduate Students Association**

### **General**

69. The Graduate Students' Association ("GSA") shall co-ordinate and oversee all welfare and academic affairs issues relating to students registered on postgraduate courses, act as an advocate on their behalf throughout Imperial College Union and shall provide for the co-ordination of student activities targeted towards graduate students.
70. There shall be the following officers of the GSA who shall be elected by cross-campus secret ballot:
  1. Chair
  2. Treasurer,
  3. Secretary, and
  4. Activities Co-ordinator

### **Standing Orders**

71. The GSA shall have standing orders which shall detail the following:
  1. The aims and objects of the Association,
  2. The officers of the Association and their job descriptions,
  3. The composition of the Association and its sub-committees,
  4. Procedure for ordinary and emergency meetings,
  5. Procedure for the election, mandating, censure and dismissal of its officers, and
  6. Any other matters within the competence of the Association.
72. Its standing orders shall be approved by the Executive Committee. A decision to approve or reject a standing order amendment may be overturned by the Council.
73. The Graduate Students' Association Chair shall make preliminary interpretations of the standing orders of GSA sub-committees, which shall be reported to and reviewed by the GSA Executive Committee. Where an interpretation involves a Union rule, the matter shall be referred to the Union President or Court.



# Regulation Six - Standing Orders for all Union meetings

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## A. General

### **Jurisdiction**

1. These standing orders apply to all Union committees and meetings with formal authority or those established under any Union rule, including Faculty Unions, other standing committees, clubs and societies, but not the Trustee Board or Court (except to the extent they adopt them). General Meetings and the Council shall also follow the additional provisions in Part C. Union committees' standing orders may provide for additional or stricter rules.

### **Membership**

2. Membership of the Union's statutory committees are defined in Regulation Five, or standing orders thereunder. Membership of other Union committees may also be defined in other regulations, constitutions, standing orders and policy.
3. No resolution of a committee shall be invalidated solely due to any vacancy or invalidity later found in the election or appointment of members.

## B. Procedures

### **Notice and Procedures**

4. Notice and papers for all scheduled meetings of the Union should be circulated a week in advance of the meeting.
5. All items of business for the meeting should be submitted at least a week in advance of the meeting, so they can be circulated in advance.
6. In the event of an emergency meeting being called, every effort shall be made to notify members, submit and circulate papers well in advance.
7. Minutes shall be circulated to all members within a week of the meeting having taken place.
8. Should any member of a committee be unable to attend a meeting of that committee, the member should send their apologies.

### **General Meetings, Council and Executive Committee**

9. The President shall draw up and circulate the agenda, papers and minutes for General Meetings, the Council and Executive Committee.

### **Chairing Meetings**

10. All meetings shall be chaired by a Full Member of the Union except those where provision is made under section 3.5.3 of the Constitution.
11. The Chair shall determine the order of the speeches, and all questions and contributions shall be made through the Chair.
12. The meeting may pass a motion to overturn the Chair's ruling by simple majority.
13. The Chair shall act to maintain the order of the meeting.

### **Chair's action**

14. The Chair of a committee does not hold a default right to act on behalf of the committee.
15. Chair's action may only be taken under a standing or particular authorisation from the committee on a particular matter, and must always be reported back to the committee and approved by them at the next meeting.

### **Agenda items**

16. The meeting or, if approved, its chair may move, add to or delete items from the agenda during the course of the meeting.
17. No person may exercise a veto on admissibility of agenda items, unless in exercise of a clearly defined standing order.

### **Voting**

18. Only Full Members of the Union may vote in any Union meeting except those where provision is made under section 3.5.3 of the Constitution.
19. Resolutions of the meeting are decided by a majority of the members voting, abstentions being ignored. Policy or standing orders may require varying majorities to approve particular items.
20. The Chair may not vote in any meeting, except when the meeting is equally divided.
21. A meeting may decide to go straight to a vote or not to vote on an issue.

### **Special types of voting**

22. Any person present may request a count is held, the result of which shall be minuted. The meeting may choose to vote by roll-call or secret ballot, though motions relating to election appeals, censure and dismissal shall always be by secret ballot.

### **Proxy Votes**

23. Any voting member of a committee (including general meetings of the Union or any constituent part) may request another Full Member of the Union to attend and vote in their place, whose presence shall count towards its quorum.
24. Notification of alternate membership must be presented in writing at the meeting.
25. No person shall hold more than one proxy vote.

### **Joint posts**

26. Persons holding a joint position hold only one vote between them. In the event of disagreement on a vote their vote shall be recorded as an abstention (though a roll-call vote shall record their respective intentions).
27. Where a chair or president jointly holds one vote on a committee with another officer or officers, the chair's or president's vote has precedence.

### **Elections**

28. In an election where the meeting forms the electorate, proxies (subject to a maximum of one proxy per voter) are permitted and joint posts have one vote between them, though the meeting's standing orders may make alternate provision. Paragraphs 18 – 27 (voting procedure) do not apply to voting in an election held at a meeting. In any conflict of rules on election and meeting procedures, election procedures have priority.

### **Quorum**

29. Half the meeting's voting members, *ex-officio* and vacant posts being ignored, constitute a quorum unless otherwise provided. Any meeting except general meetings must be quorate for decisions made and elections held to be legitimate, though those undertaken prior to quorum failing shall not be invalid by virtue of later inquoracy. A meeting shall be deemed quorate unless the contrary is demonstrated.
30. A meeting must specifically ascertain its quoracy upon starting, re-starting or challenge by any Full Member of the Union, and close if quorum fails. However, general meetings need not ascertain quoracy upon starting or re-starting.

### **Automatic resignation of members**

31. Should a non *ex-officio* member of a committee fail to attend or to send apologies to the satisfaction of the committee to two consecutive meetings, the member shall be deemed to have resigned their place on the committee (though the committee may later resolve to restore their place).
32. Ordinary members of the Council who do not attend two consecutive ordinary meetings (irrespective of apologies) shall be deemed to have resigned and their post vacated.

### **Guillotines**

33. A meeting may by two-thirds majority implement a guillotine (a time of day or length of time after which the meeting closes) for the meeting or individual agenda items.
34. At the time the guillotine comes into force, the item under discussion goes to an immediate vote without further discussion of any kind. If an amendment is being discussed, the amendment is voted on followed immediately by a vote on the main motion, with no further amendments being accepted.

35. When a guillotine for the end of the meeting comes into force, all business after the item under discussion falls. The meeting may by two-thirds majority suspend or revoke a guillotine.

#### **Adjournment and recess**

36. A meeting is entitled to adjourn or recess itself for any reasonable period. In doing so it may specify the time and place at which it shall meet again.

#### **Observer Status**

37. Any Full Member of the Union shall have the right to observe and speak at any open meeting of the Union. Life and Associate Members may observe and speak with the Chair's or meeting's permission.

#### **Staff**

38. Union staff may attend meetings when permanent observers or at the invitation of the Chair with speaking rights only.

#### **Closed Session**

39. A meeting of the Union may be held in closed session when only members and permanent observers of the committee may attend. The meeting may, at its discretion, allow other individuals to observe. Proceedings in closed session shall remain confidential unless otherwise prescribed.
40. The Council may not go into closed session, though it may resolve to exclude those who are not Full Members nor permanent observers from attending. The Council may limit dissemination of its papers and minutes to those who are members of the Union or Trustees. The Executive Committee must discuss all staffing matters in closed session and these should only be released when required by law.
41. The Union Disciplinary Committee and the Union Appeals Committee may hold their hearings in closed session, except when required by law.
42. In all other circumstances, a meeting may only be held in closed session with the prior approval of the Trustee Board, Council, Executive Committee, or Court.

#### **Disorder**

43. The Chair may require an observer to leave upon repeated disorder or breach of standing orders.
44. The meeting may require a member or observer to leave upon repeated disorder or breach of standing orders, having provided the person with an opportunity to proxy their vote if they possess one.
45. If grave disorder should arise, the Chair, acting on his or her discretion can declare the meeting adjourned, and quit the Chair; and by that declaration the meeting is immediately adjourned, and no business may subsequently be transacted.

### **C. Provisions for Council and General Meetings**

#### **General**

46. All provisions in Part B also apply to the Council and General Meetings.
47. Policy-making bodies and general meetings of any constituent part of the Union may choose to adopt these standing orders with appropriate modifications.

#### **Involvement**

48. All Full Members of the Union have speaking rights and may propose and second motions and amendments and play a full part in proceedings, except that only members of the Council may vote in Council meetings.

#### **The Chair**

49. The Chair shall normally be the Council Chair.
50. In the event of no Chair being elected the Chair shall be taken by the President or a nominee. The Chair operates with the same authority and under the same restrictions regardless of the person holding the Chair.
51. The Chair shall have general power to direct the proceedings of the meetings, and his or her ruling on any point shall be final, except under certain procedural motions.
52. The Chair may address the meeting to explain these standing orders or to answer a question addressed to the Chair as a point of uncontested fact.
53. The Chair shall not participate in debate. If the Chair desires to speak on a motion or amendment he or she shall vacate the Chair for the duration of that motion.
54. The Chair shall not propose any motion or amendment except a procedural motion, or to request another person to consolidate a debate into a vote on a motion or amendment.

55. Members shall always address themselves to the Chair. When the Chair replies, any member speaking or offering to speak must give way, and all must remain sitting in order that the Chair's word may be heard.
56. It shall be the duty of the Chair to see that the meeting is in order, that the remarks are relevant to the matter under debate, that no defamatory remarks are made about another member of Council and that no new material is introduced in a summing up speech.

### **Motions, amendments, reports and points**

57. Any Full Member present may:
  1. Propose or second a motion,
  2. Propose or second an amendment to a current motion,
  3. Table a report, or
  4. Propose a procedural motion.
58. Only one motion or amendment may be debated at any one time.
59. Motions and amendments require one proposer and one seconder. Reports are tabled by the person submitting the report, and procedural motions may be brought during discussion of any motion, amendment or report.
60. No member may speak more than once on the same motion, amendment or report, unless they are the proposer, have been deferred to by the proposer, or at the Chair's discretion.
61. A tabled motion or amendment may only be withdrawn with the consent of the meeting.
62. Upon accepting any motion, the Chair shall invite discussion to the motion or amended motion. At the termination of such discussion the proposer of the motion or amendment has the right of reply immediately after which the question shall be put, save that no new subject matter shall be introduced in such replies.
63. In the event of there being no discussion once a motion, amendment or report has been proposed and seconded, the Chair shall:
  1. Formally ask if there is any opposition or questions, and
  2. Warn the meeting that if there is no opposition or questions the motion, amendment or report shall be declared as carried. In the event of there being still no opposition or questions, the Chair shall declare the same.

### **Amendments**

64. At any time after a motion has been proposed and seconded and before the proposer starts summing up, a member may propose an amendment to that motion. Amendments must be seconded and require acceptance as valid amendments by the Chair.
65. Every amendment shall be relevant to the motion.
66. Once an amendment is before the meeting it must be dealt with before returning to discussion of the motion, as follows:
  1. If the amendment is carried discussion now continues on the amended motion,
  2. If the amendment is defeated, discussion reverts to the original motion.
67. If an amendment is carried, the motion as amended displaces the original motion and itself becomes the substantive motion whereupon any further amendment relating to any portion of the substantive motion may be moved. After the votes on succeeding amendments have been taken, the surviving proposition shall be put to the vote as the main question and if carried shall then become a resolution of the meeting.
68. On an amendment being carried, the proposer of the original substantive motion still has the right of reply to debate except that he may waive this right in favour of the proposer of the amendment.

### **Reports**

69. A member presenting a report shall move that 'The report be accepted', or that 'The report be received'. A discussion shall be held, and if the report is tabled to 'be accepted' a vote shall be taken on approval of the report. Reports tabled for the meeting's specific approval must be tabled to 'be accepted'.
70. The meeting may not amend a report, but may invite the person presenting it to do so. Approved reports do not form a resolution of the meeting in themselves. An item of the report shall be approved separately as a motion to the meeting to form such a resolution.
71. A report by an officer or representative which he or she is required to table to Council or General Meeting by the Constitution, Regulations, prior Union policy or their resolution shall be either approved or rejected by that meeting. A meeting may only reject a report (or lack thereof) submitted under a policy or resolution if it was in force before and at the start of the meeting.
72. If a General Meeting is called to hold a Sabbatical Officer or Felix Editor to account, that person must submit a report to it, which may be accepted or rejected by the meeting.
73. If such a report is not submitted to the Council or General Meeting, or it is submitted late, a good reason may be demanded for the nil or late report to not be rejected.

74. If a report is not discussed or voted upon at a Council meeting for any reason except deciding specifically not to discuss it, it may be added to the agenda of the subsequent meeting at the discretion of the Council Chair.

### **Rejected reports**

75. If a report is rejected after a vote, the person responsible for it will be required to re-present it with such amendments as that person shall choose to make at the next meeting of the Council, so long as the following conditions are satisfied:
1. The chair informs the person that he or she must re-present the report and the consequences of it again being rejected,
  2. The next meeting must be between one and seven weeks later,
  3. The 1<sup>st</sup> August must not intervene before the next meeting,
  4. An intervening Emergency meeting or meeting within one week does not count as the "next meeting", unless, in the case of an Emergency meeting, it is called specifically to hear the re-presented report, and
  5. The report was not by a member of the Court and in that capacity.
76. If the person whose report was rejected holds sabbatical office or otherwise derives employment by the Union from office, then a disciplinary investigation under regulation 7.19 – 7.23 shall be undertaken by a nominee of the Council Chair.
77. If, in respect of 75.1, the person was not in attendance when the report was rejected, or the requirement to re-present the report was not mentioned, the chair or a nominee must use his or her best endeavours to inform the person before the start of the next meeting.
78. A requirement to re-present a report does not affect any separate requirement to make any other report to the Council.
79. If the conditions in 75.1 – 75.5 are not satisfied, or the next meeting of the Council approves or does not vote upon the re-presented report, the requirement to do so lapses.
80. The re-presented report may be discussed and voted upon in the same manner as a normal report. If it is rejected a motion of censure in relation to the author of the report will be immediately added to the agenda directly after the rejected report.
81. If the person whose re-presented report is rejected has previously been censured in the same academic year in the post for which he or she was the author of the report, that censure also being in existence at the beginning of the meeting in which the re-presented report was rejected the motion shall instead be of no confidence.

### **Procedural motions**

82. In addition to original motions, amendments and reports, the procedural motions below may be proposed.
83. Procedural motions have differing conditions as follows:
1. Motions with asterisks (\*) have no discussion before being accepted or refused.
  2. The chair rules on all motions, except motion d (challenge to the Chair) and those requiring the meeting's approval (+, ++).
  3. Motions with a percentage sign (%) are decided by the Chair alone and cannot be overturned by motion 'd'.
  4. Motions with two pluses (++) require a two-thirds majority.
  5. Motions with a hash (#) are irreversible once accepted.
  6. Motion i (&) requires only one-third of those members present and voting (that is, it requires two-thirds of the meeting to vote a roll-call vote down).
  7. Motions with a tilde '~' may not be used at general meetings.
84. The motions are as follows, in decreasing order of precedence:
- a. Point of order, \* %
  - b. Point of information, \*
  - c. Point of privilege, \* %
  - d. To vote on a ruling of the Chair, +
  - e. An objection to consideration of a question or motion,
  - f. To suspend or revoke a guillotine, #
  - g. To recess the meeting, #
  - h. To vote on a question in specific parts, \* #
  - i. To vote on a question as a public roll-call vote, & ~
  - j. To vote on a question as a secret ballot vote, ++ ~
  - k. To reconsider something already voted on, \*
  - l. To consider something out of its scheduled order, \*
  - m. To move to a vote, #
  - n. To adjourn the meeting. + #
85. On motion d, the proposer shall then state his reasons for the challenge, the Chair shall state the reasons behind his decision, and the meeting shall then vote by show of hands without further discussion.
86. Only points of order, information and privilege may interrupt another speaker. No procedural motions or amendments may be proposed on these points.

87. A vote on a procedural motion must not itself be held by roll-call or secret ballot.
88. Points of order (motion a) shall draw the Chair's attention to an error in procedure or lack of decorum in debate. They may not be raised during a vote except when directly connected with the vote.
89. Points of information (motion b) may be raised to the speaker holding the floor, in order to offer or request simple information. They are accepted at the absolute discretion of the speaker alone. No points of information may be raised on a summing up speech.
90. Points of privilege (motion c) concern the rights and privileges of the meeting or a member, which may concern reputation, the staff-student protocol, or other matter requiring the urgent attention of the meeting.
91. An adjournment of the meeting (motion n) closes the meeting, to meet again at an arranged time. A recess (motion g) permits a break in the meeting (of such length as the meeting decides), even during discussion of a motion, amendment or report.

### **Voting**

92. A disputed final vote or disputed amendment to the following motions must be held by secret ballot:
  1. A motion, amendment or appeal under the Disciplinary Procedure in Regulation Seven,
  2. Rescinding of a disqualification from being elected to or holding any elected office in the Union.
  3. An approval of a nomination or renewing of a term of a member of the Court, and
  4. Closure of a Court inquiry.
93. Members must think before voting.

# Regulation Seven - Disciplinary and Complaints Procedure

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## A. Jurisdiction

1. This Regulation establishes or provides for the disciplinary and complaints procedures across the Union as set out in section 17 of the Constitution and the Code of Practice.
2. Officers and representatives may only be suspended, censured or dismissed within the provisions of this regulation.
3. The President is responsible through the Court (except for staff matters) to the Trustee Board for discipline in the Union.

### Complaints

4. A student or group of students who wish to make a complaint shall follow the procedure established in Part B.

### Definitions

5. A Union Officer or other person holding elected or unpaid appointed office in respect of whom an investigation or disciplinary action is being taken shall be referred to as the "defendant officer".
6. A defendant officer who is a Sabbatical Officer or otherwise derives employment from office shall also be referred to as a "defendant sabbatical".
7. The authority and responsibility for dealing with misconduct by any defendant officer shall be the President, though the Council Chair shall deal with cases involving the President, Felix Editor and Court Chair, and the Court Chair with other members of the Court and the Council Chair. The person concerned or his or her nominee shall be referred to as the "relevant authority".

### Union Officers and other holders of office

8. This Regulation deals in Parts C, D, E, F and G with misconduct, negligence or failure to maintain the confidence of the Council or other policy-making body by Officers of the Union, others holding elected or unpaid appointed office in any part of the Union (including the Felix Editor) or misconduct by members of the Court.
9. This Regulation deals in Part H with the powers of the Court and Trustee Board to act as a disciplinary tribunal and to suspend, censure or dismiss a defendant officer for misconduct. Union policy may provide for other sanctions to be imposed by a disciplinary tribunal.

### Union Members and registered students

10. Misconduct by students of a non-academic nature within the Union shall be dealt with by the Union under Union policy approved by the Imperial College Council, which forms part of the College Code of Discipline for students. Such a policy may also deal with misconduct by clubs and societies, Associate or Life members. Other policies or rules may provide for disciplinary sanctions.

### Staff

11. Misconduct by Union staff shall be dealt with by the President and Union General Manager (or where provided for, the Trustee Board) through the line management structure, under policy established by or under the authority of the Trustee Board. No other part of this Regulation shall govern staff discipline.

### Miscellaneous

12. Any committee or person exercising disciplinary or quasi-disciplinary powers within the Union except in relation to staff matters shall follow the natural justice provisions in Part I.
13. Action under multiple parts of this Regulation may taken in respect of the same conduct.
14. No person or body may be required or mandated to take disciplinary action against a named person or body.

### Trustees

15. Trustees are dealt with in the Trustee Board Regulation and not this Regulation, except through a motion to remove, when:

1. removing an *ex officio* Trustee by way of dismissal or removal from the office deriving Trustee status, or
2. removing a non *ex officio* Trustee. The motion to remove a Trustee shall comply with paragraphs 41.1, 42 – 46 with a compulsory investigation under Part D. A student non *ex officio* Trustee shall be removed by General Meeting and any other reference to “Council” in this Regulation shall be read as “General Meeting”. A Lay Trustee shall be removed by the Council. If the motion is approved, the Trustee is removed immediately. There is no appeal.

## **B. Complaints Procedure**

16. This complaints procedure is provided for all students or groups of students who:
  1. Are dissatisfied in their dealings with the ICU,
  2. Claim that they have been unfairly disadvantaged by reason of having exercised their right not to be a member of the ICU, or
  3. Are dissatisfied with the conduct or performance of an officer or member of staff.
17. Any complaint shall in the first instance be referred to the President who shall take such steps as are reasonable to meet the complaint. A complaint in relation to the President, Council Chair, Court Chair, Court member or Felix Editor shall be referred to the relevant authority (as established in paragraph 7). Media complaints shall be referred to the Court.
18. A complaint may, if in relation to a constituent part of the Union and at the discretion of the complainant, be referred to its chair, president or captain (or other person set out in its rules) for resolution.
19. If a complainant is dissatisfied with the resolution of the complaint by the President or other person and the complaint is not a staff matter, it may be referred to the Union Court.
20. The President, Council Chair or Court respectively shall respond to any complaint within ten working days.
21. If a complaint is upheld an effective remedy should be provided, which may, but need not, involve disciplinary action under this Regulation.
22. If a complainant is still dissatisfied with the resolution of the complaint they may pursue the matter with the College under the Code of Practice.
23. This procedure does not prevent a complainant from taking proper action themselves under this Regulation or participating in any open Union meetings.

## **C. Warnings**

24. The authority and responsibility for issuing disciplinary warnings shall be undertaken by the relevant authority.
25. A warning shall take the following forms:
  1. A verbal warning, which may take the form of an informal or formal discussion of the problem. This shall be reported to the Executive Committee and any other relevant committees.
  2. A written warning, which will take the form of a letter written by the relevant authority and copied to the Executive Committee and any other relevant committees.
26. The relevant authority issuing the warning must inform the defendant officer being warned of his or her rights of appeal.
27. The presidents and chairs of the Union’s standing committees, clubs and societies may also deal with minor cases involving their officers and members.

## **D. Investigations**

28. An investigation may be undertaken in respect of misconduct by a defendant officer. An investigation is compulsory in the case of alleged misconduct by a defendant sabbatical or Trustee. In other cases it is not compulsory, but the Council or other body may take into account the extent of any investigation prior to a motion being presented to it.
29. The purpose of the investigation is to establish any facts and explanations that may be relevant to an allegation of a motion of censure or no confidence.
30. The relevant authority shall commence the investigation and appoint its manager. The Court may upon request of any person institute an investigation, replace an investigation manager with another person, take it over as an inquiry, or shut it down.
31. The investigation, if undertaken, must:



1. Be managed by a person senior in office to the defendant officer, or an independent person (who may, but need not be a Full Member of the Union, though not a member of the permanent staff), ,
  2. Put the allegations and evidence of misconduct to the subject of investigation in a manner he or she can understand,
  3. Be concluded prior to the motion being debated at the Council or other body and,
  4. Be provided to the Trustee Board, if the inquiry relates to a defendant sabbatical or Trustee.
32. An investigation manager or proposer may, with the permission of the Council Chair or the Court, put a proposed motion back to a later meeting of the Council or General Meeting within the same academic year for the purpose of ensuring an investigation is concluded satisfactorily.

## **E. Suspension**

33. The President or the Trustee Board may suspend any defendant officer holding sabbatical office or otherwise deriving employment by the Union from office upon full pay and accommodation if there are reasonable grounds for so doing, and in particular:
1. gross or serious misconduct is alleged,
  2. there may be risks to third parties or Union or College property
  3. where the working relationship between the defendant officer and others may be impaired, or
  4. to assist, if necessary, an investigation.
34. The President may also suspend any defendant officer in relation to whom the President is the relevant authority and either a motion of no confidence has been validly proposed to the Council or other committee entitled to dismiss them, a disciplinary investigation has started under Part D, or a disciplinary tribunal has formed under Part H.
35. Suspension is not in itself a disciplinary sanction. The President or Trustee Board shall determine the extent of the suspension, which shall not restrict the defendant officer's ordinary rights as a Full Member of the Union. A suspension including removing the right to attend and vote at any Union meeting requires the approval of the Trustee Board or Court.
36. A suspension by the President for more than fourteen days requires the Court to be satisfied and remain satisfied that the grounds of the suspension are reasonable and proper.
37. The President or Trustee Board, as appropriate, may allocate any duties of the suspended officer during the course of a suspension. Any suspension may only continue for as long as is reasonable.

## **F. Censure and No Confidence Motions**

### **Jurisdiction**

38. The Council may censure or dismiss any defendant officer in the Union (though dismissal of a sabbatical defendant shall be referred to the Trustee Board).
39. The Court and the policy-making bodies of the Faculty Unions, Club and Society Committees, Rag, Community Action Group, clubs and societies may censure or dismiss their officers and representatives (including those that are Officers of the Union). These committees', clubs' or societies' standing orders shall comply with Part I and may further restrict or prohibit censure or dismissal.
40. The Court may censure or refer for dismissal any defendant officer under its own procedure.

### **Procedure for bringing motions to the Council**

41. Motions of censure or no confidence shall be proposed to the Council by one of the following people and methods:
1. By a Full Member of the Union, seconded by twenty Full Members of the Union. The petition shall include the signatures or College identification numbers ("CIDs") and printed names, departments and years of the petitioners.
  2. By a nominee of the Council Chair, if the Council has twice rejected a report submitted by any person required to do so under regulations 6.75 to 6.81. If no-one wishes to be the proposer, the Council Chair shall be the nominal proposer, but remain under the same restrictions with respect to participation in the debate.
  3. By the President, in relation to any person except the Council Chair, the Felix Editor or a member of the Court.

4. By a nominee of the Court under its regulations. The Council Chair may be the default proposer as before. The Executive Committee may do so when acting under regulation 2.5.
42. All motions of censure or no confidence, except those arising from a rejected re-presentation of a report, must:
  1. Name individual officers or representatives,
  2. State clearly in writing the grounds of the complaints,
  3. State the nature and conclusions of any relevant investigations undertaken,
  4. Include details of previous warnings under Part B, or lack of them,
  5. Include details of any part of the Constitution, Regulations, Policies or Court determinations alleged to have been breached,
  6. Include in the case of members of the Court, instead of 12.5 above, the provision of its Code of Conduct breached,
  7. Be presented with its supporting petition to the relevant authority, at least seven College Days before Council.
43. No motion of censure may lie against a person already censured, whether by the Council, Court or other committee entitled to do so.
44. Upon receipt of the motion of censure or no confidence unless automatically generated by a twice rejected report, the relevant authority will take all reasonable steps to inform the defendant officer of the grounds of the complaint, the procedures laid out in this document and the date of the meeting.

#### **Procedure for debating the motion at the Council**

45. If more than one motion of censure or no confidence is submitted to any meeting, they may be considered as a single motion, but if separately submitted may be considered separately, at the discretion of the proposers of the motions.
46. The following amendments to the standing orders for Council shall have effect, as well as the provisions of Part I:
  1. The substantive intent of motion of censure or no confidence may not be amended, although supporting arguments may be amended,
  2. A motion of no confidence may be amended to a censure (notwithstanding subparagraph 1 above), but a motion of censure may not be amended to no confidence,
  3. The defendant officer may bring their own representative (who may be any member of the College, but not a lawyer acting in a legal capacity), and either person may address the meeting and have full right of reply,
  4. The Council shall have due regard for the gravity of the motion,
  5. The Council may choose to vote on a single motion against several individuals separately for each individual,
  6. The proposer and subject of a motion may not vote upon it or disputed amendment to it,
  7. No vote may be proxied,
  8. The vote upon the motion and any disputed amendment to it shall be held by secret ballot, notwithstanding regulations 6.22 and 6.84,
  9. The motion must be approved by a two-thirds majority of those present and voting, and more than half of those present and eligible to vote,
  10. A motion which having been voted on and rejected may not later be reconsidered by the Council (notwithstanding regulation 6.84.k),
  11. A motion that is not discussed for any reason at the meeting is deemed to have fallen, except when the Council specifically adjourns to reconsider the motion.

#### **Procedure for censure and no confidence motions at other bodies**

47. In proceedings resulting in a censure or no confidence there shall be:
  1. a necessity for a petition with a proposer and at least ten seconders,
  2. at least one week's notice to be given of a motion,
  3. a necessity for approval of the motion by at least a two-thirds majority of members present and voting, and
  4. a course of appeal to a higher body.
48. Any constituent part of the Union entitled to dismiss a defendant sabbatical must conduct an investigation under Part D, and refer final dismissal to the Trustee Board under paragraphs 53 to 55.
49. If a proposal for a censure or no confidence is made by the Court it shall be treated for all purposes as having been validly proposed to any committee entitled to hear it.

#### **Procedure on the motion being passed at the Council or other body**

50. On the passing of the motion, the defendant officer shall be informed by the Chair of the result of the motion and of the right of appeal, and if he or she is absent, all reasonable steps shall be taken to inform him or her of the result of the motion.

51. On the passing of a motion of censure the defendant officer shall be informed that further complaints may only be dealt with by a motion of no confidence.
52. On the passing of a motion of no confidence the defendant officer shall, if he or she does not hold sabbatical office, be dismissed immediately.
53. If a motion of no confidence is passed against a defendant sabbatical, the he or she shall be suspended from duty pending a meeting of the Trustee Board, which may then (after any further investigations and hearings which it may conduct) dismiss the defendant sabbatical, or remove the suspension.
54. A defendant sabbatical suspended following a motion of no confidence shall receive full pay and accommodation until the Trustee Board has determined the matter finally, with the following provisos:
  1. the suspension on full pay and accommodation shall last no less than one month, unless
  2. their term of office ends earlier, in which case pay and accommodation terminates at the expiry of the term of office.
55. If the Trustee Board decides not to dismiss a defendant sabbatical following a motion of no confidence, he or she, if not already censured, shall be censured automatically. The Trustee Board shall provide the reasons for its decision to the Council.

#### **Removal from membership of a committee**

56. The Council may without notice and by simple majority remove any or all ordinary or co-opted members from any committee (but not individuals from their posts). This includes ordinary members of the Executive Committee but not the Council, Court or Trustee Board.

#### **Disqualification from office**

57. A person dismissed from office by the Council or any other committee by virtue of a motion of no confidence under this Regulation may not be elected to or hold that office again. In the case of a Sabbatical Officer a person may not hold any Sabbatical Officer post again. The Council may remove this disqualification.

### **G. Appeal Procedure for Warnings, Censure and No Confidence Resolutions**

58. Any person warned under Part C may appeal to the Council whose decision is final. Warning appeals in constituent parts of the Union shall be governed by their rules.
59. Any person censured or dismissed by the Council ("the appellant") may appeal to a General Meeting whose decision is final. The appellant should give notice of appeal within two College days to the relevant authority.
60. The appellant must then successfully petition a General Meeting according to the Constitution within five College days. It shall then meet at a time and place agreed between the person censured or dismissed and the Council Chair. If a time and place cannot be agreed it shall be determined by a nominee of the Trustee Board Chair.
61. If the General Meeting cannot be petitioned in time, or closes as inquorate before the vote is held, the appeal is dismissed. General Meeting may also amend a no confidence resolution to a censure.

### **H. Disciplinary Tribunals of the Court and Trustee Board**

62. The Court and the Trustee Board may each form a disciplinary tribunal to deal with misconduct by a defendant officer. Such misconduct shall not merely constitute (though it may include):
  1. a failure to maintain the confidence of the Council or other policy-making body,
  2. a failure to adhere to any manifesto commitment, or
  3. inadequate representation on behalf of the student body.
63. A disciplinary tribunal may only be requested by the President, Council Chair or Trustee Board Chair, and the Court or Trustee Board may choose then whether to institute proceedings. Only the Trustee Board Chair may request a disciplinary tribunal of the Trustee Board.
64. The Court or Trustee Board shall administer the hearing in such manner as may be set out in their standing orders or policy (complying with Part I), may instigate an investigation and may refer a disciplinary tribunal to each other.
65. The Court or Trustee Board may, as well as exercising any other appropriate authority, warn or censure the defendant officer. The Trustee Board may dismiss the defendant officer, and the Court may refer the matter to the Council as a no confidence motion or to the Trustee Board for dismissal, which may include a suspension pending the Trustee Board's or Council's decision.
66. A decision of the Court to take disciplinary action may be appealed through the Court's normal appeal process, which includes an appeal to the Trustee Board.

67. The Trustee Board shall provide for an appeal in such manner as it may determine by policy.

## I. Other disciplinary proceedings

### **Minimum requirements for any disciplinary or quasi-disciplinary proceeding**

68. Any proceeding in any part of the Union which may result in disciplinary action being taken against any person or part of the Union, except staff matters, must satisfy the natural justice requirements set out in this Part.
69. Disciplinary or quasi-disciplinary action includes by way of example dismissal, censure, suspension, compulsory dissolution, withdrawal of rights or privileges, fine, compensation, or penal reduction or freezing of budget.
70. This Part does not apply to a person or constituent part of the Union in imposing any of the above outcomes upon themselves.
71. In proceedings resulting in disciplinary action:
1. Paragraphs 32 – 34 shall be complied with if the motion may result in censure or dismissal,
  2. The defendant officer, shall receive reasonable notice of any proceedings (which is deemed to have been provided if the proceedings are held at a scheduled Union meeting of which the defendant officer is a member or permanent observer),
  3. The proceedings shall be recorded in writing,
  4. The defendant officer may require the hearing to be in public, unless the quality of another person's evidence would be improved by it being in private,
  5. The defendant officer and any representative may not be excluded from the proceedings at any point except for disorder or with the approval of the Trustee Board or Court,
  6. The burden is upon the disciplinary authority or proposer to demonstrate on the balance of probabilities or suspect misconduct as appropriate,
  7. The defendant officer and representative has the right of reply at any hearing,
  8. Any voting member of the committee who has knowledge or suspicion of any adverse fact relating to the defendant officer which would tend to persuade them to vote against him or her, or who have knowledge that others do, must tell the defendant officer so that he or she may respond to them,
  9. The proposer and subject of the motion may not vote upon it,
  10. No vote may be proxied, and
  11. The defendant officer shall be notified of the result.
72. In disciplinary proceedings relating to a constituent part of the Union, the "defendant officer" shall be taken to mean its chair, president or other representative.

## Regulation Eight - Union Financial Regulations

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This regulation governs all financial matters relating to the Union. Although these Regulations contain no specific sanctions for non-compliance, deliberate, negligent or repeated disregard of their provisions may result in disciplinary action being taken against the person concerned, under the terms of their employment contract with the Union, or, in the case of students, under the Union Disciplinary Procedure. Where appropriate, criminal proceedings may also be considered.

***Etc.***

***Amendments shown here are additions and deletions only. Numbering refers to each successive amendment. References to paragraph numbers within the regulation refer to the unamended paragraphs.***

1. In the pre-amble, replace

“Day-to-day responsibilities allocated to the Union General Manager in this regulation may be delegated to suitable members of staff with the approval of the President.”

with

“Day-to-day responsibilities may be allocated by the President to suitable members of staff.”

In the pre-amble, replace “Council” with “Trustee Board”

2. Insert new paragraphs 2, 3 and 4 between current paragraphs 1 and 2:

**“Trustee Board responsibilities**

2. As established in Regulation One of the Union, the Union’s Trustee Board shall be responsible in particular for:
  1. The Union’s long term objectives and strategy,
  2. The Union’s operating and capital expenditure budgets and any significant changes in them,
  3. Strategic oversight of the Union’s operations (both voluntary and commercial), including competent management, sound planning, adequate systems of internal control, adequate accounting, risk management and compliance with statutory and regulatory procedures,
  4. Personnel, particularly strategic re-organisations,
  5. Health and safety,
  6. Investment or borrowing of Union funds,
  7. Reviewing performance in light of the Union’s strategic direction.
3. The Trustee Board shall:
  1. Approve the Union’s Annual Report and accounts,
  2. Approve any significant change in accounting practices,
  3. Approve any major capital project and contract which is significant strategically or by its size, and
  4. Approve the remuneration of the Sabbatical Officers and Union General Manager.
4. The Trustee Board shall, as established in Union Regulation 1.33, be responsible for approving without delegation any capital project or contract valued in excess of one million pounds.”
3. Delete paragraph 15.
4. In paragraph 19, replace “£100,000” with “£10,000”
5. In paragraph 20, replace “£1,000,000” with “£500,000”
6. In paragraph 21 replace “Council” with “Trustee Board”.

7. In paragraph 27, remove "as set out in operational policy".
8. In paragraphs 32 and 33, replace "Honorary Senior Treasurer" with "Trustee Board".
9. In paragraph 38, replace "determined by the Council" with "determined by the Trustee Board".
10. Replace sub-paragraph 38.4 with "Be a Permanent Observer of the Trustee Board, Council and Executive Committee,"
11. Add sub-paragraph 38.7: "Exercise office for a maximum of five years."
12. Re-number paragraphs following insertion of new paragraphs 2, 3 and 4, and the deletion of paragraph 15.

**IMPERIAL COLLEGE OF SCIENCE, TECHNOLOGY AND MEDICINE**

**THE IMPERIAL COLLEGE UNION**

**CODE OF PRACTICE UNDER THE EDUCATION ACT 1994**

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## **INTRODUCTION**

1. The Imperial College Union ("ICU") is established under the College's Charter which states that "there shall be a Students' Union of the College (hereinafter referred to as "the Imperial College Union") for the benefit of the students of the College and in their interests as students".<sup>(1)</sup> The College Statutes further state that the Union "shall for all purposes be treated solely as an integral part of the College".<sup>(2)</sup>
2. The ICU represents the students of Imperial College and seeks to advance their education and to serve their social, cultural, welfare and sporting needs, to further their interests both inside and outside the College, and generally to enhance their well being.
3. Section 22 of the Education Act 1994 requires the governing body of every university to:
  - a. take such steps as are reasonably practicable to ensure that its students' union operates in a fair and democratic manner and is accountable for its finances.
  - b. Take such steps as are reasonably practicable to ensure that certain specific requirements of the Act are observed by its students' union.
  - c. Issue, and when necessary revise, a code of practice which sets out how these requirements are to be met.
4. This document constitutes the Code of Practice required by the Act. Its aim is to establish a clear statement of the working relationship between the College and the ICU and to set out:
  - a. The manner in which the requirements of the Education Act 1994 are to be carried out in relation to the ICU.
  - b. Other matters affecting the relationship between the College and the ICU.
  - c. The arrangements by which the College provides operational support to the ICU.
5. This Code of Practice will be published by the College and made available for all students along with:
  - a. Any restrictions imposed on the activities of the ICU by Charity Law.
  - b. The College's Code of Practice on Freedom of Speech, drawn up under Section 43 of the Education (No. 2) Act 1986 and approved by the then Board of Governors in 1987, and subsequent amendments to ensure that freedom of speech within the law is secured for the ICU's members, College staff and visiting speakers
6. This Code of Practice sets out the current situation. Any changes to this document required to reflect the changing needs of the College shall be made as a result of full consultation with the ICU and as finally determined by the Council.

## **EDUCATION ACT 1994 AND RELATED MATTERS**

### **THE PURPOSES OF THE ICU AND ITS CONSTITUTION**

7. The purposes of the ICU, as set out in its Constitution are:
  - a. To advance the education of its members and promote, without prejudice, their welfare at all times.
  - b. To promote and encourage the interest by students in matters outside the College curriculum, especially cultural, social and sporting interests.

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<sup>1</sup>. [Imperial College Charter](#), Article 17  
<sup>2</sup>. [Imperial College Statutes](#), Statute 10

- c. To represent the needs and interests of its members to Imperial College and to other external bodies.
  - d. To provide or ensure a range of facilities which advance the interests of the students of Imperial College.
8. The ICU will continue to contribute to the College Mission and strive for the degree of excellence in its activities which is an explicit part of that Mission. It will operate within the rules and regulations laid down in its Constitution and in accordance with the policies passed by the Union Council and endorsed by its Trustee Board. It will comply with the current law relating to its operation and activities and with relevant College Policies, Regulations, procedures and Codes of Practice. For its part the College will provide such professional advice as it deems necessary to facilitate this compliance in the best interests of the College.
  9. The College will, through the ICU, continue to involve its students in discussions on all policy and administrative matters concerning students' social, cultural, welfare, sporting, academic and other appropriate interests.
  10. The ICU's Constitution is subject to the approval of the College Council and must be reviewed by that Council at intervals of not more than five years. If the ICU submits proposals for substantial amendments to its Constitution to the Council in any year, the next formal review will be held five years from the year in which those amendments were approved by the College Council.

#### **MEMBERSHIP OF THE ICU**

11. All registered students at Imperial College are automatically members of the ICU. However, any Imperial College student has the right not to be a member of the ICU and to signify that he or she does not wish to be represented by it. Any student who has exercised the right not to be a member of the ICU shall not be unfairly disadvantaged with regard to the provisions of services or otherwise by reason of having exercised that right.
12. The arrangements necessary for opting out of membership of the ICU are to be set out in its Constitution..
13. The College will include in its undergraduate and postgraduate prospectuses and in the information it provides for applicants, information regarding the right of students not to members of the ICU as well as the details of any services provided for students who are not members of the ICU.

#### **ACCESS BY LIFE MEMBERS TO THE COLLEGE AND ITS FACILITIES**

14. Former students and staff of the College who are Life Members of ICU are normally allowed rights of access to the College. However, these may be withdrawn by the College in consultation with the ICU, temporarily or permanently, according to the prevailing circumstances.

#### **ACCESS BY NON-MEMBERS TO THE ICU AND ITS FACILITIES**

15. Non-members (that is students who have exercised their right not to be a member of ICU) have the following rights of access to services and activities:
  - a. Access to all facilities managed by the ICU provided that the appropriate fee or charge for the service has been paid, which shall not be higher than that charged to members of the ICU.
  - b. The right to become a member of any ICU club or society, provided the appropriate membership fee has been paid, which shall not be higher than that

charged to members of the ICU. However, restrictions on eligibility for elected positions may apply to non-members of the ICU.

16. Non-members of the Union are not eligible to stand or vote in ICU elections or meetings.

### **ACCESS BY MEMBERS OF THE PUBLIC TO THE ICU AND ITS FACILITIES**

17. Access to and use of ICU facilities by members of the public may be granted by the ICU's Trustee Board in consultation with the College Secretary. Any such access must be consistent with the need to maintain the health, safety and security of College staff and students and the licensing conditions of the ICU's premises.

### **ELECTION OF ICU OFFICERS**

18. Appointment to major ICU offices will be made by election in a secret ballot in which all members of the ICU are entitled to vote. The provisions for these elections shall be set out in the ICU Constitution and Election Regulations.
19. No person may hold a sabbatical post, or any paid elected union office, for more than two years in total.
20. The ICU shall confirm to the College Council that its elections have been fairly and properly conducted by way of a report on the conduct of its elections, which shall be included in its Annual Report to the Council.

### **FUNDING AND FINANCIAL ACCOUNTABILITY**

21. The ICU shall conduct its financial activities in accordance with its Financial Regulations and Procedures, which are designed to ensure the proper conduct of the Union's financial affairs and which have been approved by the College Council. Amendments to the Union's Financial Regulations are subject to the approval of the College Council, as advised by the College Audit Committee.
22. The ICU's proposed annual budget will be scrutinised by the College through the annual Planning Round. Based on this scrutiny and in the context of the College's Annual Budget, the College will allocate funds to the ICU by means of a subvention. This will take account of ICU's responsibilities and related costs, as detailed in Annex A to this document, and its trading activities and earnings capability. Whilst it is expected that these trading activities shall be operated efficiently and profitably, as the ICU is a charity, profit motives must not be pursued to the detriment of the interests of the student customers.
23. The ICU's Trustee Board will monitor the ICU's expenditure against its annual budget and will report any fraudulent or irregular procedures in the management of public funds and those resulting from the Union's trading activities to the College's internal auditors. The ICU shall report regularly upon its financial performance to the Rector.
24. The ICU's financial performance against budget shall be reported in the appropriate College Officer's regular financial reports to the Council.
25. The ICU will submit its annual accounts and a report on its handling of public and other funds annually to its Trustee Board, to the College Audit Committee and to the College Council. The ICU's annual financial report is to include a list of the external organisations to which the ICU has made donations in the period covered by the report and the details of any such donations. The ICU's annual accounts will be consolidated into the College's annual Financial Statements before these are published.
26. The ICU shall have a procedure for allocating resources to its clubs and societies, which must be fair. The procedure shall be set down in writing, provided to all the ICU's clubs and societies and published by the ICU so that it is freely accessible to all students.

27. Funds allocated by the ICU to the Faculty Unions from its annual subvention shall be subject to the same financial regulations as those which apply to the ICU itself.
28. The College's Internal Audit Service shall have the same rights of access to the ICU as it has to other parts of the College for the purposes of fulfilling its remit.

### **EXTERNAL AFFILIATIONS**

29. The ICU, the Faculty Unions and the ICU's clubs and societies may affiliate to external organisations provided that such affiliations accord with the ICU's purposes. If the ICU, a Faculty Union, club or society decides to affiliate to an external organisation, the ICU shall inform the College Secretary of the decision so that he or she can advise the College Council accordingly. A notice of the decision will also be published by the ICU in such a way that it is freely accessible to all students. This notice shall state:
  - a. The name of the external organisation.
  - b. The details of any donation, subscription or similar fee which has been, or is proposed to be, paid to the organisation.
30. The ICU shall include in its Annual Report to the College Council a list of the external organisations to which it is currently affiliated and shall state the details of any donations, subscriptions or similar fees paid to such organisations since its previous Annual Report.
31. Each year the list of the ICU's affiliations to external organisations shall be submitted to the ICU Council for review and approval.
32. The ICU's continued affiliation to any particular organisation may be challenged by its members. Such issues shall be decided by a secret ballot in which all the members of the ICU are eligible to vote, provided that the requisition to hold such a ballot is made by at least 5% of the ICU's current membership.

### **RAISING FUNDS FOR CHARITIES**

33. All ICU clubs and societies and individual members of the ICU collecting in the name of the ICU, its Faculty Unions or its clubs and societies, shall strictly observe the requirements of the Charities Act 2006 and any other relevant legislation when raising funds for charity. In particular:
  - a. The ICU shall not expend funds for activities outside its constitutional purposes.
  - b. The ICU shall not make donations to any external organisation except where a specific collection has been taken for that purpose, all those making a donation are aware of the destination of their donation, and all reasonable costs associated with collecting the donations are deducted from the donation.
  - c. Collections may only be carried out in those local authorities from which a licence to collect has been obtained and collectors must carry copies of these licences when collecting. Collecting tins must bear the information required about the charity or charities for which the collection is being made.
  - d. The results of any such charitable collections shall be published in the ICU's Annual Report.

### **COMPLAINTS PROCEDURE**

34. The ICU's Constitution shall provide for a complaints procedure, which shall be available to all students, or groups of students, who:
  - a. Are dissatisfied in their dealings with the ICU, or

- b. Claim that they have been unfairly disadvantaged by reason of having exercised their right not to be a member of the ICU.
35. Students or groups of students who wish to make a complaint on these grounds must follow the complaints procedure set out in the ICU's Regulation Seven, Part B. All such complaints must be handled promptly and fairly and, where a complaint is upheld, an effective remedy should be provided.
36. If, having completed the ICU's complaints procedure, the complainant(s) are dissatisfied with the outcome of their complaint or the way in which it was handled, they have a right of appeal to the Pro-Rector (Educational Quality). On receiving such an appeal, the Pro-Rector (Educational Quality) will convene a panel to consider the appeal. The Panel will be chaired by the Pro-Rector (Educational Quality) or his or her nominee and will include the College Secretary and the Academic Registrar or their nominees. The Panel will request a report from the ICU Court on the handling and outcome of the original complaint and may undertake an investigation if necessary. The Panel will notify the complainant in writing of its decision and remedy, if any.
37. If the complainant(s) are dissatisfied by the Panel's response to their appeal, they have the right to request that their complaint be referred to an independent person appointed by the College Council not being a person employed by or studying at the College who shall investigate the complaint and report his or her conclusions to the College Council.

### **FREEDOM OF SPEECH**

1. The ICU will comply with the College Code of Practice, drawn up under Section 43(3) of the Education (No. 2) Act 1986 and approved by the then College Board of Governors in 1987, and any subsequent amendments to ensure that freedom of speech within the law is secured for its members, College staff and visiting speakers. Section 43 requires, among other things, that
  - a. "Every individual and body of persons concerned in the government of [Imperial College] shall take such steps as are reasonably practicable to ensure that freedom of speech within the law is secured for members, students and employees of [Imperial College] and for visiting speakers; (section 43(1))
  - b. Use of any premises of the [Imperial College and ICU] is not denied to any individual or body of persons on any ground connected with — (a) the beliefs or views of that individual or of any member of that body; or (b) the policy or objectives of that body (sections 43(2) and (8)).

### **ANNUAL REPORT**

39. The ICU shall publish an Annual Report for submission to the ICU Trustee Board and to the College Council, and when registered, the Charity Commission, at the meeting at which it presents its Annual Accounts. The Report is to contain:
  - a. A statement that the ICU operates in a fair and democratic manner and that it has properly accounted for its finances.
  - b.. A report on the conduct and outcome of elections of ICU Officers, which must confirm that they have been fairly and properly conducted.
  - c. A list of the external organisations to which it is currently affiliated and the details of any donations, subscriptions or similar fees paid to such organisations since its previous Annual Report.
  - d. A note of any charitable collections made by the ICU.

OTHER MATTERS AFFECTING THE RELATIONSHIP BETWEEN  
THE COLLEGE AND THE ICU

HEALTH AND SAFETY

40. The President of the ICU is the person with overall responsible for health and safety matters in the ICU. His or her responsibilities in this regard are set out in detail in the College's Health and Safety Policies.
41. For reasons of continuity, the ICU General Manager, or another senior member of the ICU's permanent staff, will be the Departmental/Divisional Safety Officer for the ICU, advising the President and the ICU's Health and Safety Committee as appropriate
42. The ICU is to maintain a Health and Safety Committee, chaired by the sabbatical officer with responsibility for Health and Safety matters. Its remit will be to advise the President on such matters as affect the safety of students and others in the Union Building, in the other facilities managed by the Union, and at student functions and clubs and societies events elsewhere, as well as ensuring the safety of equipment owned by the ICU and its clubs and societies wherever located.
43. The ICU Health and Safety Committee is to report to the College Health and Safety Management Committee in the same way as the College's faculties, departments and divisions. The ICU is also represented on the Health and Safety Consultative Committee by the Deputy President (Clubs and Societies).
44. Health & Safety matters affecting students at the outlying campuses will be reported to the relevant Health and Safety Committees at those campuses by student representatives nominated by the President.
45. The College's Safety Department has the same rights of access to the ICU and its facilities as it has to other parts of the College for the purposes of fulfilling its remit to advise on, monitor and audit safety across the College and to carry out investigations as necessary.

**ESTATE MANAGEMENT ISSUES**

46. All space is College space. Areas are only allocated to the ICU by the College on the understanding that the allocation may, after consultation with the ICU, be varied where necessary for the good of the College as a whole.
47. The areas allocated to, or currently used by, the ICU are set out in Annex J to this Code of Practice. These areas have been provided to the ICU for the furtherance of the social, cultural and welfare activities of the College's students, together with other areas in the College where the Union may carry out trading activities.
48. The College will at all times endeavour to preserve and augment the areas used for student activities. However the College may, after consultation with the ICU, alter, withdraw or limit the use of such areas if it is reasonable to do so in the wider interests of the College. In such cases, the College will endeavour to find suitable alternative space if it is possible so to do. Any requests by the ICU, its Faculty Unions and/or its clubs, societies and other affiliated bodies, for the allocation or use of additional space in the College which is not part of a Faculty or academic Department or Division, should be made by the ICU President or the ICU General Manager to the College Secretary or to such other officer as the Rector may designate.
49. In addition, the ICU will be permitted to use other areas in the College, also identified in Annex J, for sporting, leisure and cultural activities, although these will remain the management responsibility of the College and may from time to time be varied, following consultation with the ICU, according to the changing needs of the College. Such variations are to be reflected in revisions to Annex J of this Code of Practice as and when they occur.

50. The ICU will continue to be provided with office space in each of the Faculties and the outlying campuses for its Faculty Unions and outlying campus committees. Such space is to be determined by consultation with the respective Faculty Principals or their nominees as appropriate and is to remain under the administrative control of the Faculty/ Department/ Division/ Campus in which it is situated. The allocation of this space is to be reflected in Annex J.
51. Those areas which are identified for use primarily or solely as areas for student functions will be let by the ICU to its clubs, societies and outside organisations on the understanding that they abide by current rules laid down by the College through the Conference Office.
52. The College Council will from time to time review and determine those areas of the College which are occupied and managed by the ICU to enable the Union to fulfil its legitimate role.
53. The College's Facilities Management Division, Building Projects Division and Property Services Division will provide support and guidance to the ICU in accordance with the Service Level Agreements set out in Annex J.

### **RULES GOVERNING THE USE OF SPACE**

54. The allocation to and use of space by the ICU, the Faculty Unions and student clubs and societies shall be subject to the College's Property Rules, which are published by the Facilities Management Division. In accordance with these Rules, the allocation, use and modification of space shall be subject to inspection and approval by College officers, as appropriate, including:
  - a. **Facilities Management Division**. The Facilities Management Division:
    - (1) Must authorise all physical alterations to space, other than simple redecoration in accordance with College Project Management Procedures.
    - (2) Must be notified of any change in the allocation and/or use of space so that this can be recorded on the College database.
    - (3) Will exercise control over the repair and maintenance of the fabric of buildings and building services.
  - b. **Security**. For access control and the security of persons, equipment and buildings.
  - c. **Chief Fire Officer**. For compliance with fire legislation.
  - d. **Safety Department**. For compliance with health and safety legislation.
  - e. **College Secretary**. For compliance with legislation and with the terms of this Code of Practice.
55. The following College Officers should also be consulted about the allocation, use and modification of space as appropriate:
  - a. **Director of Commercial Services**. For consideration of the impact on and interaction with the College's Commercial services, including Sports and Leisure, Residences Catering and Conferences.
  - b. **Director of Finance**. In connection with insurance requirements, value for money studies and the like.
56. In areas under the management control of the College which are used for student activities, the ICU shall not permit any alterations to the internal structure or decor, other than the temporary displacement of furniture. No games machines, video games or like equipment may be installed in these areas without the permission of the College Secretary or such other officer as the Rector may designate.



## **HUMAN RESOURCE ISSUES**

57. The College's HR Division will provide support and guidance to the ICU in accordance with the Service Level Agreement set out in Annex G.

## **STAFF/ STUDENT PROTOCOL**

58. The maintenance of the integrity of democratic practice within the ICU precludes the direct involvement of staff, whether employed in the Union or not, in matters of policy, while the maintenance of the integrity of the ICU as an employer precludes staff matters, either related to work or personal matters, from being discussed in any open forum of the ICU.
59. The arrangements for ensuring that staff are not involved in matters of policy and that staff matters are not discussed in any open forum are set out in the Staff/ Student Protocol, which is included as Annex H to this Code of Practice.

## **FINANCE MANAGEMENT ISSUES**

60. The College's Finance Division will provide support and guidance to the ICU in accordance with the Service Level Agreement set out in Annex I.

## **INFORMATION COMMUNICATION TECHNOLOGIES (ICT) ISSUES**

61. The College's ICT Division will provide support and guidance to the ICU in accordance with the Service Level Agreement set out in Annex K.

## **TRADING ACTIVITIES**

62. The ICU may continue to operate legitimate trading activities in the College. Should it wish to alter significantly the purpose of a current trading outlet or introduce a new one it must notify the College Secretary, or such other officer as the Rector may designate, who will need to determine the space which can be allocated and the terms under which that allocation is made. He or she will need to satisfy him or herself that the proposed trading activity integrates with the College's own plans for trading outlets. The operation of the ICU's trading outlets and the other trading outlets operated by the College will be subject to a retailing agreement between the College and the ICU, a copy of which is included as Annex B to this Code of Practice.
63. Trading activities where the College and ICU hold a joint interest shall be detailed in agreements recorded in Annex C of this Code of Practice.
64. As far as this is consistent with Charity Law, the ICU may retain any profits received from its trading activities or rental charged to its franchises to fund legitimate, charitable non-political student activities.

## **HARLINGTON GRAVEL PROCEEDS**

65. In accordance with the decision of the Finance and Executive Committees of the Governing Body at their meeting on 12 May 1989, the policy in respect of proceeds arising from the extraction of gravel on the north side of the Harlington Sports Ground is that the Governing Body "will administer all existing and future sporting and athletic facilities for the benefit of students and that any income arising from the use or disposal of such facilities will be applied for the benefit of students".
66. At its meeting on 23 September 2005, the College Council further resolved that:

- a. The sum held by the College to fund annual grants, the Harlington Grants Fund, “should be retained for that purpose and should be available for disbursement for the benefit of students of Imperial College in relation to sporting, athletic and recreational facilities”;
  - b. “Responsibility for the disbursement of the income from the Grants Fund should be delegated through the Rector to the Harlington Grants Fund Committee”;
  - c. “The Harlington Grants Fund Committee should be chaired by the Pro-Rector (Educational Quality) and include as members the incumbent Imperial College Union President and a former Imperial College Union President”; and
  - d. “The Harlington Grants Fund Committee [will] be required to report annually through the Rector to the Council as the Harlington Trustees”.
67. In accordance with previous decisions of the College Council, the principles on which the Harlington Grants Fund Committee is required to operate may only be amended by the College Council.

### **NOTICEBOARDS**

68. The ICU shall be responsible for designated noticeboards on the Walkway at the South Kensington Campus and at other locations across the College’s other campuses. The ICU will take steps to ensure that:
- a. All notices posted on these noticeboards are in English or if posted in a foreign language include an English translation.
  - b. Notices do not include racist, sexist or otherwise offensive language or images.
  - c. Any notices which are posted other than on official noticeboards are removed promptly.

### **UNION MEDIA**

69. All features, articles, letters and advertisements published by or on behalf of the ICU are the responsibility of the Editor of the publication concerned and/or its Editorial Board and, as such, are independent of Union’s senior officers, the College and the College Council. The College accepts no responsibility for anything published by or on behalf of the ICU. (This includes Felix, other Union publications, ICU world-wide web pages, and IC Radio and STOIC broadcasts). However, where the content of such publications or broadcasts is in breach of defamation law, as summarised in the Defamation Code of Practice appended to this Code of Practice at Annex F, or of other College policies and codes of practice such as those covering Freedom of Speech, Data Protection, Equal Opportunities and Diversity or the use of IT facilities, the College may take action to remove or amend any such features, articles, letters or advertisements.
70. **Felix.**
- a. All features, articles, letters and advertisements published in Felix are the responsibility of the Felix Editor and/or the Felix Editorial Board and, as such, are independent of the ICU, the College and the College Council.
  - b. The Editor of Felix is required to operate in accordance with the Code of Practice agreed within the publishing industry as attached at Annex E, and with the Defamation Code of Practice attached at Annex F.
  - c. Where a complaint or dispute arises in relation to the Code of Practice agreed within the publishing industry, the ICU Court will perform a role similar to that of the Press Complaints Commission and will aim to resolve the issue amicably and as quickly as possible. If an amicable resolution cannot be achieved, the ICU Court will investigate further and adjudicate and the Editor must abide by any decision made. Failure to do so may result

in disciplinary action being taken against the Editor in accordance with the procedures set down in the ICU Constitution.

71. Other Union media shall also operate in accordance with the Code of Practice agreed within the publishing industry and attached at Annex E, the Defamation Code of Practice as attached at Annex F and other relevant College policies and codes of practice.
72. Any trading activities carried out by the Felix Office or any other Union media are to be subject to the same constraints as other ICU trading activities.

### **USE OF THE COLLEGE CREST AND THE "IMPERIAL COLLEGE" TRADEMARK**

73. The words "Imperial College", "Imperial College of Science, Technology and Medicine" and "Imperial College London" are registered trade marks. The College crest is granted by the College of Heralds and is also a registered trade mark. The trade marks may be used only with the College's prior written consent. By virtue of Section 10 of the Imperial College Act 1997, and Section 10 of the Imperial College Act 1999, the following names may not be used without the College's prior written consent:
  - a. National Heart and Lung Institute.
  - b. Charing Cross and Westminster Medical School.
  - c. Royal Postgraduate Medical School.
  - d. Wye College.
  - e. The College of St. Gregory and St. Martin at Wye".
74. The Union and its recognised clubs and societies may use the name and arms of Imperial College in their titles and in pursuit of their activities but they may not assign the privilege to any other individual, group, or company without the approval of the College Secretary or his or her nominee. In using the names and arms, the Union and its clubs and societies shall have due regard for Imperial College's status and reputation.

### **CHANNELS OF COMMUNICATION WITH THE COLLEGE ADMINISTRATION**

75. The ICU President has regular meetings with the Rector and with the Deputy Rector, Pro-Rector (Educational Quality) and College Secretary. The effectiveness of these and other channels of communication between the Sabbatical Officers and the ICU General Manager and members of the College Administration will be kept under review. In addition, more formal reporting procedures are to be maintained in order that the College can be assured that the ICU is carrying out its responsibilities and to ensure that it is receiving the support and guidance it needs in accordance with this Code of Practice.
76. The Union is to report formally to the College on the following activities:
  - a. On financial matters to the College Audit Committee;
  - b. On health and safety matters to the College Health & Safety Management Committee;
  - c. On Estates management matters to the Support Services Committee.

### **REVIEW AND ARBITRATION**

77. The College Council will formally review this Code of Practice, at least once every five years.
78. The Annexes to this Code of Practice may be updated periodically by agreement between the College Secretary and the ICU Trustee Board on the recommendation of the ICU President without further reference to the College Council. The Annexes, as amended, shall be presented to the College Council alongside the Code of Practice at its next formal review. The creation of new Annexes will require the approval of the College Council.
79. In his capacity as the College's Chief Executive and Senior Finance Officer the Rector will act as arbiter to resolve any disputes on the interpretation or application of this Code of Practice.

80. The Union Court (and President in a preliminary capacity) shall make interpretations of this Code of Practice in respect of the internal government of the Union where necessary, without prejudice to the role of the Rector.

**Approved by the Council: [date]**

**Date for next Review: [date]**

**ANNUAL COSTS TO BE MET BY ICU**

1. The costs currently to be met by the ICU, which are subject to review from time to time, are set out below.
2. Staff salaries including those of Sabbatical Officers.
3. Cleaning of all areas under the management control of the ICU. The cleaning of other areas in the College when used by the ICU's clubs and societies shall be a charge on those clubs and societies and not the Union itself, except where those clubs and societies are unable or unwilling to pay.
4. With the exception of the external fabric and building plant and services, maintenance of all areas under the management control of ICU, to approved standards laid down for the College by the Facilities Management Division, which has rights of inspection and specification, to include:
  - a. A cyclical programme of internal redecoration;
  - b. Repairs to and maintenance of electrical services from the point of outlet;
  - c. Repairs to and replacement of damaged items of property including locks, fire appliances, etc.
  - d. Health and Safety compliance costs including the electrical testing and repair of portable items used by ICU clubs and societies and those in areas under the management control of the ICU, in accordance with the College Policy on electrical testing, as advised by the Safety Director or his nominee.
5. Provision of First Aid boxes and First Aid supplies to standards required by the Director of Occupational Health.
6. Security costs incurred by special functions, the level of security being determined by the Head of College Security in consultation with the ICU General Manager in light of the nature of the function.
7. Training of Sabbatical Officers and staff, including safety training, except for those internal College courses which are not charged to Departments/ Divisions.
8. Provision, repair and replacement of furniture and equipment in areas under the management control of the ICU.
9. Office expenses including stationery, photocopying, printing and postage.
10. Telephone and FAX rentals and all calls.
11. Sabbatical Officers' accommodation.
12. Insurance, such specialist insurances as are required to cover those areas not covered by the College's policies.

RETAIL AGREEMENT

[TO BE CONFIRMED]

TRADING ACTIVITIES

[TO BE CONFIRMED]

**RELEVANT COLLEGE POLICIES**

**[TO BE CONFIRMED]**



**ICU PUBLICATIONS**

**CODE OF PRACTICE**

The Code of Practice shall be that adopted, and from time to time amended, by the Press Complaints Commission, in relation to the press in the United Kingdom.

The Press Complaints Commission address is:

Press Complaints Commission,  
Halton House  
20/23 Holborn  
London  
EC1N 2JD

The Code may be obtained from the Press Complaints Commission's website, at <http://www.pcc.org.uk/cop/practice.html>.

ICU publications shall also take account of the Press Complaints Commission's Code Advice and Guidance Notes, as from time to time adopted and amended.

In the Code, advice and guidance as applied to ICU publications any reference to the Press Complaints Commission shall be read as a reference to the Union Court.

## UNION MEDIA - DEFAMATION CODE OF PRACTICE

### INTRODUCTION

1. The publication of defamatory material in any format including Internet notice boards or websites could place the ICU at risk of substantial legal proceedings. The College does not wish to interfere with the freedom of expression enjoyed by ICU and its publications. However, it does require some safeguards to be in place to enable a speedy response to an allegation that defamatory material has been published. In setting out this procedure the College looks to balance freedom of expression (as required under section 43 of the Education (No.2) Act 1986) against the substantial liability which can be occasioned by suits for defamation.
2. This code of practice attempts to summarise briefly the law of defamation. However the law is more complex than this and subject to change by statute or the courts, nor is it a substitute for proper legal advice.
3. This procedure shall only be used in relation to potentially defamatory statements in the Union Media and for no other purpose.

### **WHAT IS DEFAMATION?**

4. Defamation is defined as "the publication of a statement which tends to lower a person in the estimation of right-thinking members of society generally." The "statement" can be words, visual images or some other method of signifying meaning. Defamation takes two forms, libel and slander. Libel involves (amongst other things) writing or printing a defamatory statement. Slander is speech or gestures of a defamatory nature.

### **WHAT ARE THE DEFENCES TO A CLAIM OF DEFAMATION?**

5. **Justification** – this will only apply if there is evidence that will stand up in a court of law that can prove that what has been said is true. The burden in law is upon the publication to prove truth. Simply putting 'allegedly' at the start of a statement does not necessarily stop it from being defamatory. It must also be noted that simply repeating a defamatory statement that has already been published elsewhere is considered to be a separate act of defamation in itself and is further actionable in the courts.
6. **Fair Comment** – the argument that a statement was an honestly held opinion on a matter of public interest, without malice (set out in paragraph 8) can also be used as a defence against a defamation claim. Unlike qualified privilege (explained below), fair comment is not limited to those with a "duty" to publish. The "public interest" includes matters "as such as to affect people at large, so that they may legitimately be interested in, or concerned at, what it going on; or what may happen to them or others;". Fair comment covers only comment, not statements of fact, and must be based upon facts which are true or privileged.
7. **Privilege** - There are times when complete freedom of speech, without any risk of defamation action, is in the public interest. Privilege can be "absolute" or "qualified". Absolutely privileged

statements include statements in Parliament, Parliamentary reports, statements made in UK judicial proceedings, fair and accurate contemporaneous reports of judicial proceedings in the United Kingdom and UN tribunals and communications by ministers of other officers of state in the court or official duty.

Qualified privilege may only be exercised in the absence of malice (set out in paragraph 8), and upon “any occasion when the person who makes a communication has an interest or a duty, legal, social or moral, to make it to the person to whom it is made, and the person to whom it is made has a corresponding interest or duty to receive it.” An element of reciprocity is essential, however if “a publication related to a matter of public interest, ... the reciprocal duty and interest could be found even where publication was by a newspaper to a section of the public or the public at large.” In the leading case of *Times Newspapers v Reynolds*, ten factors to be taken into account in considering qualified privilege were set out:

1. The seriousness of the allegation. The more serious the charge, the more the public is misinformed and the individual harmed, if the allegation is not true.
2. The nature of the information, and the extent to which the subject-matter is a matter of public concern.
3. The source of the information. Some informants have no direct knowledge of the events. Some have their own axes to grind, or are being paid for their stories.
4. The steps taken to verify the information.
5. The status of the information. The allegation may have already been the subject of an investigation which commands respect.
6. The urgency of the matter. News is often a perishable commodity.
7. Whether comment was sought from the plaintiff. He may have information others do not possess or have not disclosed. An approach to the plaintiff will not always be necessary.
8. Whether the article contained the gist of the plaintiff's side of the story.
9. The tone of the article. A newspaper can raise queries or call for an investigation. It need not adopt allegations as statements of fact.
10. The circumstances of the publication, including the timing.

Qualified privilege also applies to the fair and accurate reporting of domestic or foreign legislatures, courts, inquiries, international conferences, public registers, commissions and other such bodies, subject to conditions as set out in the Defamation Act 1996.

8. **Malice** - For the defences of fair comment and qualified privilege to succeed, it is essential that the statement be made without malice. Malice means any dishonest or improper motive. If a person has made a comment based on facts they knew to be untrue, or commented upon facts recklessly without caring whether they were true or not, or made a comment about someone simply to discredit them, then this would constitute malice, and they would not be able to claim “fair comment” or “qualified privilege” as their defence.
9. **Accepted offer of amends** – the person or body defamed has accepted an apology or offer of amends.
10. **Consent** – The person defamed consented clearly and unequivocally to the publication of the defamatory statement.

### **PROCEDURE**

11. If, in the opinion of the College Secretary or, in his absence, another member of the College Management Board, defamatory material has been published in any form in the ICU managed student media, the ICU President shall be contacted and will authorise and arrange for the removal of the offending material immediately pending further investigation. In the event of the ICU President being unavailable, any Deputy President may arrange for the removal of the offending material from distribution.
12. Where a complaint is directed in the first instance to the ICU President, he or she will notify the College Secretary, or in the College Secretary's absence, another member of the College's Management Board immediately for further advice.

13. Where there is a dispute over the existence of defamatory material (for example, where the author or editor of the publication in question believes that the material is not defamatory due to the existence of a defence), the material in question shall be removed for the protection of the College and ICU while the College Secretary consults an arbitrator for guidance.
14. The arbitrator will normally be the Pro-Rector (Educational Quality) or his or her nominee, and shall act independently. If the arbitrator is under a conflict of interest the Rector shall appoint another independent arbitrator. The arbitrator must provide the College Secretary, editor and ICU President with an opportunity for comment prior to making any decision.
15. The arbitrator shall come to a decision within 7 days of the complaint, or within 14 days with the approval of the Rector. Should the arbitrator feel that legal advice is necessary, the opinion of the College's Solicitors shall be sought. The arbitrator's decision shall be final and shall be divulged in full with reasons to all relevant parties.
16. If the arbitrator finds defamatory material to have been published, the publication shall be withdrawn and may only be re-issued with the defamatory material withdrawn or redacted. If the arbitrator finds there to have been no published defamatory material, then the College and the ICU may consider jointly such measures as are appropriate to remedy any financial loss to the ICU publication affected.
17. Any members of the College who are found to have deliberately published defamatory material will be dealt with under the relevant College or Union disciplinary procedures.
18. The Union Court is responsible under the Constitution as an independent part of the Union responsible among other things for dealing with complaints about Union publications, in a role equivalent to that of the Press Complaints Commission, such complaints possibly including defamatory material (though material need not be defamatory to breach the PCC Code). However, given the potentially swift dissemination of Union publications and potential liability of the College, this procedure shall be established in addition to any rights and remedies available in the Union Court.

**HUMAN RESOURCES DIVISION AND IMPERIAL COLLEGE UNION**

**SERVICE LEVEL AGREEMENT**

1. The College's HR Strategy has been developed to facilitate the achievement of the College's Strategic Objectives; the achievement of these is dependant upon the performance of staff and the quality of their contribution. The Human Resources Division has developed specific Aims and Actions to facilitate this, one of these is; "HR service performance measures against targets".
2. The Human Resources Division provides a professional Human Resources management service to the College. The operational HR teams support managers to carry out their line management responsibilities effectively.
3. HR metrics have been in place at the College for some time, with the devolvement of operational HR processes to Faculties/ Departments in some areas; it is timely that these are reviewed to ensure HR teams have an agreed benchmark to judge their service delivery.
4. The Human Resources Service Level Agreement (Agreement) has been produced to measure the delivery of specific requirements by the operational HR teams. The Agreement has also been developed to aid users of the HR service understand their role within the individual HR processes and timescale within which the process should be delivered.
5. The timescales within the Agreement should be used as a benchmark to indicate the average time to deliver a requirement/process. They are based on HR teams receiving all the relevant information to enable the completion of the process. It also allows HR teams to review their performance in an objective way, both in regards to turn-around time and quality.
6. Statistics will be collected jointly; by information recorded by the HR teams and via the completion of a questionnaire from users of the HR service. HR teams will be responsible for collating the information and passing these to the Head of HR Operations on a monthly basis. These statistics will be published quarterly.
7. With regard to the questionnaire, it is proposed that the Senior HR manager will meet with Heads of Departments/Divisions/Director of Operations (Business School) or their nominated representatives (possibly Departmental Administrators), on a quarterly basis, to obtain feedback on the quality of service provision.
8. Additionally, the collated information will be used to audit if the agreed standards are being achieved and, to review if there are any resources or procedural implications that are creating a barrier to the effective delivery of high quality service.
9. The Agreement will be reviewed on an annual basis to ensure its relevance and to incorporate any agreed changes. To assist the review, Human Resources Division (Head of HR Operations) welcomes comments on this Agreement.

**STAFF/STUDENT PROTOCOL**

**(The Relationship of the Elected Officers of ICU,  
its Committees and its Permanent Staff)**

1. It is recognised that any officers elected by the student members of ICU are accountable to that membership, through the ICU Council, or through its committees. ICU staff are accountable through the line management structure to the General Manager and ultimately, through the ICU President, to the ICU Trustee Board .
2. The aim of this Protocol is to clarify the relationships between students, their elected representatives and staff. The document serves to provide protection to staff and the democratic processes of the Union, but also to promote an effective working environment.
3. The President of the ICU and the General Manager are responsible for ensuring all officers and members of ICU staff are aware of this protocol. Sabbatical Officers and any other person who derives employment from elected office are "ICU officers" and not "staff" for the purposes of this protocol.

**THE ROLE OF STAFF IN MATTERS OF ICU POLICY**

4. The maintenance of the integrity of democratic practice within ICU precludes the direct involvement of staff employed in the Union in matters of policy.
5. Staff shall at all times strive to uphold the policies, aims and objectives of the ICU.
6. Staff members may attend meetings of any body of the ICU when invited or with the permission of the President.
7. Staff members may not exercise a vote in any Union meeting.
8. Staff members may advise officers of the ICU on any matter within their work area, but shall not in any other way seek to influence the policy-making process of the Union.
9. Staff members may not take part in public discussion of ICU policy nor give public expression to views contrary to ICU policy within the Union.
10. Staff members shall not comment on ICU policy except to answer factual questions which come within their area of work.
11. Staff shall not involve themselves in any partial way in the election of any officers or representatives of the ICU.

**THE ROLE OF MEMBERS OF THE ICU IN EMPLOYMENT ISSUES**

12. The maintenance of the integrity of the Union as an employer precludes any staff matters, either related to work or personal matters, from being discussed in any open forum of the Union.
13. All matters relating to conditions of service, performance and conduct of members of staff employed in the Union shall be dealt with by the ICU President in consultation with the ICU, General Manager where appropriate. The ICU President and General Manager may seek the advice and support of the College's Human Resources Division.
14. All matters relating to the conditions of service, performance and conduct of the ICU General Manager shall be dealt with by the ICU President as the General Manager's line manager, in consultation with the College's Human Resources Division, where appropriate.

15. All matters relating to the performance and conduct of members of College staff shall be raised at the appropriate level in the College by the ICU President , where appropriate.
16. The officers of the ICU shall refer complaints about individual members of staff employed in the Union to the ICU President who will handle them in consultation with the ICU General Manager and in accordance with the line management structure of the Union.
17. The officers of the ICU shall not permit discussions relating to the conditions of employment, performance or conduct of members of Union staff in articles, correspondence or other publications produced under the auspices of the ICU.
18. Officers of the ICU should be encouraged to make use of the staff support available, but shall not directly manage the work of individual members of staff employed in the Union. In the event that an ICU officer wishes to change the priorities of an ICU staff member, this should be done through the Union's line management structure.
19. Complaints about the conduct of ICU Staff members while not on Union business, which are raised by members of the Union, College or the general public or by shall be addressed through the appropriate line management structure.
20. Matters relating to ICU staff shall be considered within the context of the line management structure of the Union and, where necessary, in accordance with the College's disciplinary and grievance procedures .

#### **SABBATICAL OFFICERS**

21. Sabbatical Officers shall be subject to the same scrutiny and discipline as any other ICU officer, subject to the relevant Union Regulations and policies.

#### **STUDENT STAFF**

22. Students may be employed by the Union on a part-time basis. These students should be not be prevented from exercising their democratic rights as student members of the ICU because they are also members of ICU staff. Therefore, student staff may take a full and active part in the democratic administration of the ICU, including full membership of all its committees with the exception of the Trustee Board.
23. Student staff may not raise any issue relating to the employment, terms and conditions of service, performance and conduct of themselves or any other staff member in any committee of the ICU.
24. Student staff are entitled to comment on policies relating to the areas of the ICU where they work, other than employment policies, and shall not be discriminated against for doing so.
25. Student staff will be afforded the same protections as permanent ICU staff members under this protocol.
26. Student staff should pursue any issue which arises in connection with their employment through the relevant line management structure.

#### **ENFORCEMENT and INTERPRETATION**

27. The ICU President is ultimately responsible for the enforcement of this protocol and shall be responsible for clarifying the relationship between the ICU and members of staff. When the Trustee Board or Court are sitting, its chair shall be responsible for the clarification or enforcement of the protocol. The Court shall interpret this protocol when required as with any other Union rule.
28. When the President or other ICU officer for the time being with delegated authority to manage staff act through such staff, the conduct of the President or other officer may be the subject of comment

in any open meeting or forum. Discussion of the conduct of the staff themselves shall be subject to the prohibitions set out above.

29. The Trustee Board, Executive Committee and Court may discuss matters relating to employment issues for staff with safeguards for propriety set out elsewhere in the Constitution and Regulations. The Trustee Board and Court may require staff to attend, answer questions and produce documents or items.
30. Breaches of this protocol by ICU staff shall be resolved through the line management structure, by the ICU General Manager. If the General Manager is implicated the ICU President shall resolve the matter.
31. Breaches of this protocol by ICU members shall be resolved by the President, if necessary, through the appropriate disciplinary procedures. If the President is implicated the matter shall be referred to the ICU Trustee Board.

## 6. COURT STANDING ORDERS

### IMPERIAL COLLEGE UNION COURT – STANDING ORDERS

*Any Part or section with an asterisk requires the approval of the Trustee Board.<sup>3</sup>*

*Footnotes are included as part of the standing orders where necessary to explain the provenance of any rule or make comments upon it.*

#### **Introduction**

The Union Court standing orders are the internal rules of the Court. The Court is permitted to run its own procedure<sup>4</sup>, and to pass standing orders<sup>5</sup> for its own administration. These are done by the Court itself (by a two-thirds majority<sup>6</sup>), however some standing orders which concern access to the Court, appeals or other miscellaneous matters also require the approval of the Trustee Board.<sup>7</sup>

Though they are internal rules only as the Court is prohibited from making policy for the rest of the Union<sup>8</sup>, they do affect others when they have any dealings with the Court.

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<sup>3</sup> Regulation 2.19

<sup>4</sup> Constitution 9.1.4

<sup>5</sup> Regulation 2.18

<sup>6</sup> Regulation 2.19

<sup>7</sup> Regulation 2.19

<sup>8</sup> Constitution 9.3 and regulation 2.2



The standing orders should be read in conjunction with the Court regulation and make more sense when so read.<sup>9</sup> Each part refers any relevant part of the Court regulation.

Standing orders are entitled to disapply certain regulations<sup>10</sup> for the Court's own internal procedure,<sup>11</sup> though this does not affect any other part of the Union, and certainly not the Council in its appointment or election of members. However, were the Court to act internally to censure or no confidence a member, it would have to comply with the full procedure for doing so.

The Code of Conduct, which applies to the members of the Court rather than the Court itself,<sup>12</sup> has further rules for members' demeanour and management of a hearing.

**A. Administration**

**B. Commencement of a case \***

1. This Part supplements Part D of the Court regulation.

**Requesting a case**

2. A case may only be requested in the following circumstances:
  - i. An interpretation, review or declaration may be requested by any member of the Union or constituent part of the Union,<sup>13</sup>
  - ii. A request for an adjudication in a role equivalent to that of the Press Complaints Commission may be made by any person or organisation mentioned or referred to in a Union publication, or by the Mediation Board,
  - iii. An appeal in an election or referendum dispute may be made by any candidate or elector in it,
  - iv. An inquiry may be requested by the Trustee Board, Council, Executive Committee, 50 Full Members of the Union or any constituent part of the Union,
  - v. A review of any proposed constitutional amendment, regulation, policy or act may be requested by any member of the Union or constituent part of the Union, and
  - vi. A case in another jurisdiction created by any policy or rule shall be summoned in whatever way that policy or rule determines, or by standing orders.

**Procedure for accepting a case**

3. The Chair and Deputy Chair shall initially decide if a case is properly brought. They may ask for additional information from the person or body requesting it or others if required. If they decide to reject it, or disagree, the matter will be referred to the whole Court which shall determine in committee whether to accept it. The Court may delegate certain categories of request to the Chair and Deputy Chair to reject without further reference.
4. The fact that a requested case merely appears unmeritorious on its face is not a reason in itself to be disregarded.<sup>14</sup> The proper forum for considering the merits of a case is in session.
5. The Court cannot institute a case of its own motion, though it may re-institute one if there are reasonable grounds to believe a previous order is not being complied with.<sup>15</sup>
6. A case must be accepted notwithstanding the rest of this Part if:
  - i. It is referred by the Trustee Board or Council,
  - ii. It is an appeal under the Disciplinary Policy<sup>16</sup> or
  - iii. It has been referred compulsorily to the Court for review under the constitution or regulations.<sup>17</sup>

**Pre-commencement directions**

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<sup>9</sup> Regulation 2

<sup>10</sup> Regulations 3, 4, 5, 6 and 7

<sup>11</sup> Regulation 2.18.2

<sup>12</sup> Constitution 9.6 and regulation 2.17

<sup>13</sup> However, under paragraph 56 of the Disciplinary Policy, requests for reviews of proceedings under the Disciplinary Policy will only be accepted when made by the President or a nominee

<sup>14</sup> The process of choosing whether to accept a case exists only to prevent those where there is no student interest at all in its acceptance – the task of deciding its merits lies with the panel, not the Court in its administrative guise

<sup>15</sup> Regulations 2.25

<sup>16</sup> This does not include disciplinary appeals under other policies, where the appellant will have to demonstrate that the appeal has some merit

<sup>17</sup> Examples of this include constitution 11.5 & 21.4 (constitutionality of referendum petitions) and regulation 1.28 (arbitration upon request by Trustee Board)

7. A nominee of the Court Chair may make directions, including specified compulsory directions in relation to a request for a case before the Court has decided to accept it or appoint a panel.<sup>18</sup>
8. Any such direction shall then be administered by the panel, if appointed. If the Court decides not to hear the case the directions shall lapse.

#### **Interpretations, reviews or declarations**

9. A request for an interpretation, review or declaration must be
  - i. Relevant to the person making the request, or
  - ii. Important to the Union, or any part of it, and in either case
  - iii. Not be a purely hypothetical or academic issue.

#### **Inquiries**

10. An inquiry<sup>19</sup> may be requested if particular events have caused, or are capable of causing, concern among the Full Membership, or there is concern among the Full Membership that particular events may have occurred. An inquiry differs from an interpretation, review or declaration in that it may require the Court to provide an opinion upon the merits and quality of an officer's or committee's decision-making, rather than just its procedural propriety.
11. Inquiries requested by a constituent part of the Union may only cover that part of the Union. A more senior constituent part, or several parts, may request the inquiry be widened to cover them.
12. In deciding if to agree to conduct an inquiry, the Court may consider whether the subject of the inquiry justifies the time and resources to be spent on it.

#### **Requests for a case by members of the Court**

13. The Court shall not accept a request for any kind of case by one of its own members unless:<sup>20</sup>
  - i. The member is a candidate in an election and appealing the returning officer or election committee's decision,
  - ii. The member was subject to disciplinary proceedings, or
  - iii. The member is personally directly affected by a matter and no other member of the Union not in the Court (who could instead make the request) is similarly affected.
14. Any member of the Court or the Court as a whole may complain about a publication matter to the Executive Committee,<sup>21</sup> which shall deal with it under its own procedures which are not subject to these standing orders. The Mediation Board shall have no role in such cases.

#### **Illogical, vexatious, frivolous or anonymous requests**

15. A request of any kind within any part of the Court's jurisdiction (except those covered under standing order B6) which is illogical, vexatious, frivolous or anonymous may be disregarded.

#### **Appeals**

16. A request to the Court in its appellate jurisdiction (except under the Disciplinary Policy) which appears to be wholly unmeritorious may be disregarded.

#### **Requests outside the Court's jurisdiction**

17. A request of any kind to the Court to hear a case (except those covered under standing order B6) which appears to have no reasonable prospect of being determinable within the Court's jurisdiction may be disregarded.

### **C. Appointment of panels**

#### **D. Hearings**

1. This part supplements Part G of the Court regulation and paragraphs 11 – 15 of the code of conduct.
2. The panel chair is responsible for maintaining order and the agenda in the hearing. Any ruling made by him or her may be over-turned by a majority of the panel.
3. There shall be no formality of procedure or language beyond that needed fairly to conduct the hearing under the applicable rules.

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<sup>18</sup> Regulation 2.24

<sup>19</sup> Regulation 2.1.5 – inquiries

<sup>20</sup> Regulation 2.21 – also note the Code of Conduct prohibits the use of one's position on the Court to advance the interests of others or to assist one's own position in private disputes within the Union

<sup>21</sup> Regulation 2.5

4. Any Full Member of the Union may normally make submissions, arguments or comments to the Court. Any other person may normally do so if they are affected by any potential determination, are a student complaining he or she is discriminated against as a result of opting out of membership of the Union, or with the Court's leave.
5. No member of the Court who is not on the panel may make any submission, argument or comment to the Court in a hearing, unless he or she is an interested party in the hearing. A member may give evidence of any matter which he or she witnessed.

#### **Interested parties**

6. A person or part of the Union who is certain or likely to be personally and directly affected by a potential determination is an "interested party". The Court may deem such individuals as interested parties, though the following are automatically:
  - i. The person or constituent part of the Union who requested the case to be heard,
  - ii. A constituent part of the Union whose rules are being interpreted,
  - iii. The editor of and, if appropriate, the author or creator of the relevant media item in a publication complaint, and
  - iv. All candidates and the returning officer in an election appeal,
  - v. A person potentially subject to an electoral disqualification,<sup>22</sup>
  - vi. A defendant in a disciplinary case or motion.<sup>23</sup>
7. Reasonable steps must be taken to inform any interested party of the hearing and its purpose, and if practicable to schedule it so that the interested parties can attend.
8. An interested party has, along with any rights of a Full Member of the Union:<sup>24</sup>
  - i. The right of reply in any issue affecting them in the hearing,
  - ii. The right to know what arguments are being advanced in opposition to them, and
  - iii. To attend hearings in closed session unless specifically excluded.
9. The absence of an interested party does not invalidate the proceedings, except if standing order K13.iii applies.

#### **Deciding disputed facts**

10. Any evidence may be permitted which is relevant and fair.
11. Any person who wishes to give evidence may do so, but must then answer any further questions or suggestions made by the Court or another with its leave. If a person is not prepared to do so their evidence may be disregarded.<sup>25</sup>
12. If several people are giving evidence, then they may be excluded from the hearing (even if they are interested parties) until they have done so.<sup>26</sup>
13. A statement of agreed facts may be produced by direction with the consent of the interested parties.

#### **Disapplied rules**

14. The following rules within regulation 4 (standing orders for all Union meetings) do not apply to the Court in a hearing:<sup>27</sup>
  - i. Proxy votes,<sup>28</sup>
  - ii. Secret and roll-call ballots,<sup>29</sup>

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<sup>22</sup> Regulation 4.101 – 4.107

<sup>23</sup> This includes anyone facing proceedings under the Disciplinary Policy, a disciplinary tribunal, a censure or no confidence motion or appealing against them (if within the Court's jurisdiction to hear such an appeal) – those proceedings being reviewed or appealed in the hearing

<sup>24</sup> This ensures that those affected by a Court decision have the chance properly to answer anything said against them; this also has the effect of giving those who are not Full Members the standard rights of Full Members in relation to the hearing (for example to be present and be heard); see also standing order E8

<sup>25</sup> "Cross-examination" provision – this means that no person can simply speak about disputed facts without having what they say tested if necessary. This relates only to "evidence", that is, what events may or may not have happened. This is distinguished from submissions or suggestions about what the rules or policies mean.

<sup>26</sup> This is an old rule of evidence to make it more difficult for people to fabricate an account as they can't hear what the others are saying or what questions are being asked of them before they testify

<sup>27</sup> Regulation 2.18.2

<sup>28</sup> Regulations 6.23 – 6.25 and 2.16

<sup>29</sup> Regulation 6.22

- iii. Quorum<sup>30</sup> (quorum is the whole panel, unless standing order C14 applies),
- iv. Automatic resignation of members,<sup>31</sup>
- v. Closed session<sup>32</sup> (instead regulations 2.4, 2.35 and 2.40 apply<sup>33</sup>)

**When hearings may be dispensed with**

- 15. A determination or report may be made without any public hearing (though a hearing can nevertheless be convened) only in the following circumstances:<sup>34</sup>
  - i. A request for a report in relation to a proposed constitutional amendment, regulation, policy or act,
  - ii. Approving (but not rejecting) a referendum petition as constitutional,<sup>35</sup>
  - iii. Approving (but not rejecting) a new referendum returning officer or members of a referendum committee,<sup>36</sup> and
  - iv. Referring a breach of a penalty back to the Disciplinary Committee under section 44 of the Disciplinary Policy, if the person or body accused of breaching it accepts the breach.
- 16. Directions can be made without a public hearing but are then subject to a later review in a hearing.<sup>37</sup>

**Closed session**

- 17. The Court may, but need not, direct that a hearing or part of a hearing is in closed session only if:
  - i. Staff matters are being discussed (compulsorily in closed session),
  - ii. A member of the Union staff is giving evidence in his capacity as a member of staff, unless he or she consents to being heard in public,
  - iii. A decision or act under the Disciplinary Policy, Disciplinary and Complaints Regulation, or other disciplinary procedure is being reviewed, and a defendant student or body does not wish it to be in public,
  - iv. The Court is of the view that the quality of a person's evidence would be improved by it being given in private, due to its sensitivity or their vulnerability,
  - v. It relates to a without notice application for a direction to search premises or other purpose, or
  - vi. In cases of grave disorder.

**E. Determinations and reports**

**F. Compliance hearings**

**G. Appeals \***

- 1. This Part supplements Part J of the Court Regulation.
- 2. The Court shall appoint with the approval of the Council an appellate panel of its members who are of proven and substantial ability and integrity.<sup>38</sup>

**Appeals to the Trustee Board**

- 3. In these standing orders an "appeal" is defined as an appeal from a determination by the Court to another panel of its members. An appeal to the Trustee Board may be possible after this appeal process is exhausted.<sup>39</sup>
- 4. Leave to appeal internally and leave to appeal to the Trustee Board are not the same, and either or both may be given or denied. If an internal appeal is heard, the Trustee Board's leave is quashed, though the appellate panel may re-grant it.<sup>40</sup>

**When appeals are possible**

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<sup>30</sup> Regulations 6.29 – 6.30

<sup>31</sup> Regulations 6.31 – 6.32

<sup>32</sup> Regulations 6.39 – 6.42

<sup>33</sup> Parts of regulation 2 which determine when closed session may be or is required to be used

<sup>34</sup> Regulation 2.34

<sup>35</sup> Constitution 11.5 and regulations 4.34 – 4.35

<sup>36</sup> Regulation 4.38

<sup>37</sup> Regulation 2.30

<sup>38</sup> Regulation 2.54

<sup>39</sup> Regulations 2.55 – 2.56

<sup>40</sup> This provision is to prevent having two appeals simultaneously in different directions, with the attendant problems this could cause. An external appeal can only be made once the internal process is exhausted.

5. The appellate jurisdiction within the Court only exists if:
  - i. At least one person is a member of the appellate panel, and
  - ii. Sufficient members of a permissible panel are available to hear an appeal.
6. The Court shall not hear an appeal in a matter relating to:<sup>41</sup>
  - i. proceedings under the Disciplinary Policy (except in its role as the Union Appeals Committee itself),
  - ii. a publication dispute in a role equivalent to the Press Complaints Commission which was itself an appeal from the Mediation Board, or
  - iii. a report produced as a result of an inquiry, or review of a proposed constitutional amendment, regulation, policy or act (but it may from an interim determination leading up to one).
7. The Court shall not hear an appeal from an interim determination,<sup>42</sup> or direction<sup>43</sup> (including a specified compulsory direction) unless
  - i. leave is given by the panel making one,
  - ii. the final determination has also been made, or
  - iii. the Court in committee, upon appointment of the panel, provided for appeals to be permitted from interim determinations in that case.<sup>44</sup>

#### **Scope of appeal**

8. An appeal panel shall accept all the facts found by the original panel and not re-open any factual inquiry unless new and relevant evidence has emerged or an original factual decision appears unreasonable.
9. An appeal panel shall confine itself to the issues which concerned the original panel, unless it determines that the interests of justice require new issues to be considered.
10. Subject to the above restrictions, the appeal panel may amend, rescind or add to any part of any direction, interim or final determination, or other aspect of the Court's jurisdiction in session, including any associated orders. The appeal panel may also, after making a ruling, remit any matter back to the original panel for a further determination.

#### **Leave to make an appeal**

11. An appeal may only be requested within two weeks of the final determination.
12. A person or body requesting an appeal, unless the original Court panel has given leave or it is the Council, must:
  - i. be directly affected by an order or lack thereof, and
  - ii. justify, in the light of the restrictions on the scope of an appeal (particularly on questions of fact), upon what grounds the original determination was incorrect.
13. Leave may be granted, as satisfying the requirements in this Part, by
  - i. A majority vote of the Chair, Deputy Chair and members of the appellate panel (under standing order G2), but excluding anyone on the original panel,<sup>45</sup>
  - ii. The original panel, or
  - iii. The Council.
14. If, and only if, there are insufficient available people to hear an appeal then those listed in standing order G13.i may, despite leave being granted, revoke it. In doing so they may grant or re-instate leave to appeal to the Rector.

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<sup>41</sup> The exclusions from appeal here are matters which have already been appealed, or where an appeal would be illogical, such as a report, which is normally written for the benefit of the Council or other committee which would be a better forum for grievances to be aired

<sup>42</sup> Regulation 2.43 – these are determinations mid-way through a case to resolve preliminary matters or narrow down issues

<sup>43</sup> Regulations 2.30 – 2.33

<sup>44</sup> This is to prevent appeals from stymieing the Court mid-way through a case; however there may be larger cases when appeals may be appropriate on certain issues, so the Court can institute a main panel and appellate panel for more specialist or complex issues

<sup>45</sup> It follows that if an appellate panel is appointed by the Court and Council they (along with the Chair and Deputy Chair in their administrative capacity if not already members of the panel) they would need to decide whether an appeal request met the criteria as well; an independent appeal process necessarily excludes people who sat on the original panel from administering an appeal against their own decision – if all of appellate panel sat on the original panel then there cannot be an appeal in any event so it doesn't matter that they're all excluded by this provision from deciding the merits of an appeal request

### **Appointment of panel to hear appeal**

15. The panel to hear the appeal shall be appointed in the same manner as a normal panel, except:
  - i. those listed in standing order G13.i make the appointment,
  - ii. no person upon the original panel may sit on an appeal from a direction or determination therefrom, or participate in the appointment of the appellate panel,
  - iii. only members of the appellate panel may chair it,<sup>46</sup>
  - iv. members of the appellate panel must form a majority of members,<sup>46</sup> and
  - v. a member may only sit alone if approved to do so by the Court and the Council under standing order C10, as well as being on the appellate panel.

### **Divided panel**

16. If the panel hearing the appeal consists of an even number of members (under standing order D11) and is evenly divided then any proposed order falls<sup>47</sup>, and if voting on whether to allow or dismiss an appeal, the appeal is dismissed.

## **H. Specified compulsory directions \***

1. This Part supplements Part F of the Court regulation.
2. The three specified compulsory directions are those directions set out in regulation 2.32 to be: a requirement to attend and answer questions, production of items and search.
3. These provisions do not apply to the Executive Committee in exercise of its equivalent powers under regulation 3.8 (except as it or the Council may so incorporate them).
4. All specified compulsory directions must only be made when:
  - i. They are relevant to the Union administration,
  - ii. there is no other way in which the information can be obtained, and
  - iii. their contents are likely to affect a final or interim determination.
5. An application for a specified compulsory direction can be made to the Court in closed session without notice to other interested parties.<sup>48</sup>
6. Any applicant for a search direction must make full disclosure of any relevant facts known to them in requesting such a direction. If such disclosure is not made the Court shall ensure that no advantage can come to any applicant as a result of such a failure, which may among other things involve revocation of the direction, exclusion from the case of anything found as a result of it or discontinuance of the case.<sup>49</sup>
7. A panel ("the SCD panel")<sup>50</sup> may be appointed by the Executive Committee (or in an urgent situation, the President) to perform certain duties in respect of these specified compulsory directions, with the following rules:
  - i. Members of the Executive Committee are always members of the panel,
  - ii. Union members, Union or College staff or licensed members<sup>51</sup> only are eligible, and
  - iii. No member of the Court shall be on the panel.
8. One of more members of the SCD panel, excluding those who have an interest in the hearing, must be appointed by a Court panel if making a search direction or production of item direction (unless in the latter case copies can and will be made by the subjects of the direction).
9. SCD panel members act under the direction of the Court.
10. In making any order for the production of any document or item:

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<sup>46</sup> Regulation 2.54

<sup>47</sup> Orders normally need approval of the majority of the panel under standing order E4 – here the rule about the panel chair voting a second time (only for even-numbered panels) is displaced with another rule dismissing the appeal; the rationale is that for the original hearing, some kind of decision is absolutely necessary, so the chair takes it – however for appeals a split appellate panel cancels itself out and leaves the original decision to stand

<sup>48</sup> Regulations 2.30 (directions made administratively) – clearly a search direction (in particular) would have little use if those to be searched knew about it in advance

<sup>49</sup> Since the search direction is among the most Draconian of the Court's powers, anyone requesting it must be entirely fair and open

<sup>50</sup> Since these are Draconian powers the Court delegates the task of searching and retaining items to a body outside its own membership so that members of the Court do not get too involved in the mechanics of enforcing its authority

<sup>51</sup> In serious cases which necessitate independent supervision of a search, a person licensed by the Security Industry Authority or a constable could be used on the SCD panel

- i. Copies of a document should be requested unless sight of the original is necessary,
  - ii. Custody of any item (unless a copy) should be handed over to a member of the SCD panel,
  - iii. Any items should be returned as soon as is practicable.
11. In executing any search direction:
- i. It must be under the supervision of a member of the SCD panel,
  - ii. No search of a person or residence is permitted,
  - iii. It may only apply to the offices of a permanent member staff with the approval of the President or General Manager,<sup>52</sup>
  - iv. Those searching must explain to any person present who asks the terms of the order and that it can be re-considered at a hearing,<sup>53</sup>
  - v. Only items clearly covered by the direction may be removed or copied,
  - vi. A list must be made of any items removed or copied, and they are to be restored as soon as possible,
  - vii. Documents should not be removed if satisfactory copies can be made at the time,
  - viii. No electronic equipment should be removed if opportunity has been given to copy or print out the relevant material, and it is satisfied that nothing further may be found upon it,
  - ix. No fragile item may be searched, used or removed unless a person accompanying the search has sufficient expertise not to damage it, and
  - x. If the place of search is likely to have an unaccompanied woman, then at least one woman must accompany the search.<sup>54</sup>

#### **I. Disciplinary Proceedings, Appeals and Reviews**

- 1. The part supplements the Disciplinary Policy, the Disciplinary and Complaints Regulations Part H and the Clubs and Societies Policy.
- 2. Any case dealt with under this Part must follow the same procedure (namely appointment of a panel, a hearing, determination and orders) as any other case.

##### **Disciplinary Policy**

- 3. Any rule, restriction or power in the Disciplinary Policy imposed upon or given to the Court or other person shall bind the Court in its internal administration.<sup>55</sup>
- 4. The selection of the chair, members and replacement Clerk (if necessary) of the Disciplinary Committee<sup>56</sup> shall normally be performed by whoever of the Chair and Deputy Chair is the Full Member of the Union, or his or her nominee within the Court.
- 5. No member of the Court who served upon the Disciplinary Committee shall participate in the appointment of the panel to act in any appeal, or sit on it.
- 6. Any appeal or review of proceedings under the Disciplinary Policy shall be in closed session, unless the defendant student or body wishes it to be in public.<sup>57</sup>
- 7. When the Court is acting as the Union's Appeals Committee it should if possible be composed of at least five members.
- 8. A breach of a Disciplinary Policy penalty imposed or affirmed by the Court acting as the Union's Appeals Committee, or reviewing the same, shall be dealt with under paragraphs 46 and 47 of the Disciplinary Policy and not in a Court compliance hearing.<sup>58</sup>

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<sup>52</sup> Regulation 2.32.3

<sup>53</sup> Standing order D15

<sup>54</sup> This reflects a rule in the (real) civil courts for search orders (CPR practice direction 25, paragraph 7.4(5) to cater for the potential vulnerability of someone in that position)

<sup>55</sup> Constitution 9.1.4 and regulation 2.2 prevents Union policy from binding the Court's internal administration – however the Disciplinary Policy purports to do so and has also been approved by the College Council as doing so; therefore the standing orders (which do bind the Court) 'confirm' any rule the Disciplinary Policy makes in respect of the Court's internal rules

<sup>56</sup> Disciplinary Policy paragraph 20

<sup>57</sup> Disciplinary Policy paragraph 34 and regulation 2.35

<sup>58</sup> When the Court sits as the Union Appeals Committee there are potentially two ways in which a breach can be dealt with – it could go (via the Court) back to a Disciplinary Committee for further sanctions to be considered, or go to the

### **Disciplinary Tribunal**

9. The Court may only act as a disciplinary tribunal under Regulation 7 Part H upon the request of the President, Council Chair or Trustee Board Chair.<sup>59</sup>
10. The Court shall consider whether to accept the case under Part B of the standing orders, in particular ensuring that the alleged misconduct not merely constitutes (though it may include):<sup>60</sup>
  - i. a failure to maintain the confidence of the Council or other policymaking body,
  - ii. a failure to adhere to any manifesto commitment, or
  - iii. inadequate representation on behalf of the student body.
11. The Court may exercise any of its other jurisdictions at the same time as acting as a disciplinary tribunal.<sup>61</sup>
12. If the President requests that the Court acts as both a disciplinary tribunal and in place of the Disciplinary Committee under paragraph 23 of the Disciplinary Policy then the panel appointed shall have both jurisdictions.
13. The following procedures shall be followed in addition to others set out in the standing orders in relation to a disciplinary tribunal:
  - i. The defendant shall have reasonable notice of the hearing and be informed of the charges against them in writing;
  - ii. The defendant may bring witnesses and a representative, giving notice to the Court if so doing;
  - iii. The hearing shall not be invalidated by the absence of the defendant provided reasonable notice has been given of it;
  - iv. The Court shall consider firstly whether each of the charges is true, secondly whether each constitutes misconduct, and thirdly what penalty or referral may be imposed;
  - v. The Court may amend a charge if it does not cause injustice to the defendant to do so;
  - vi. The Court, if evidence of the charges taken at its highest could not either prove them or demonstrate misconduct, shall dismiss the case without hearing from the defence;<sup>62</sup>
  - vii. If the defendant does not give evidence at the hearing (and is competent to do so), or failed to mention when asked in any prior investigation something he or she later relied upon in the hearing, the Court may draw such inferences as appear proper in relation to the facts or finding of misconduct;<sup>63</sup>
  - viii. Earlier misconduct shall not be presented or taken into account until a finding of misconduct has been made; and
  - ix. A finding of misconduct shall only be made if no more than one member of the panel dissents.<sup>64</sup>
14. The Court may at any stage in the disciplinary tribunal, or in committee if considering whether to accept the matter, refer it to the Trustee Board.<sup>65</sup>

### **Other Disciplinary Appeals**

15. Appeals to the Court in relation to disciplinary proceedings shall only be accepted in exceptional circumstances before an internal appeals process is exhausted.
16. The Court may decide to hear an appeal by way of re-hearing or review of the reasonableness of the original decision.

## **J. Mediation Board**

11. The right of a party to refer a complaint to the Court only comes into existence after the first meeting of the Mediation Board, or two weeks since the complaint was made,

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Court for a compliance hearing; since the Disciplinary Policy includes its own system for penalty breaches, breaches are dealt with under it rather than the Court's normal system

<sup>59</sup> Regulation 7.63

<sup>60</sup> Regulation 7.62

<sup>61</sup> Regulations 2.23 and 7.65

<sup>62</sup> Commonly known as the *Galbraith* test in criminal law, this means that if the evidence is particularly weak the case should be stopped as it is not the purpose of disciplinary proceedings to force a person to incriminate himself or herself in the absence of proper evidence

<sup>63</sup> Failure to comment or give evidence can be held against a defendant – this is of particular relevance given disciplinary tribunals are held in relation to office-holders in the Union

<sup>64</sup> Provision duplicated in standing order E5

<sup>65</sup> Regulation 7.64



whichever is the earlier.<sup>66</sup> \* The Court may in committee or session refer such a dispute or part thereof back to the Mediation Board as an alternative to hearing the case, without prejudicing its position in the event of a further referral.

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<sup>66</sup> Regulations 2.22 and 2.19.4 (restrictions on summoning cases) – requires Council’s approval

## 9. Disciplinary policy

### STUDENT DISCIPLINARY POLICY

*Passed by Union Council on 11<sup>th</sup> June 2007*

#### **A. Jurisdiction**

1. The policy has jurisdiction over the following areas:
  - i. Union premises as defined as being under the management responsibility of Imperial College Union as laid out in the Memorandum of Understanding, any area used to control entry to Union activities, and the vicinity thereof,
  - ii. Any Union activities defined as anything funded by the Union or organised by an official Union club or society.
  - iii. Misconduct arising outside of Union premises but which are connected with Union activities and are likely to affect the good name and standing of the Union.
2. Parts B, C, D and E of this policy have jurisdiction over all registered students of the College and groups thereof whether or not members of the Union; these parts also apply to Union clubs and societies.
3. Part F of this policy has jurisdiction over Life and Associate Members of the Union, as well as those who are not members of the Union or registered students of the College.
4. In any case which involves a computing offence or misconduct simultaneously involving the Union and other jurisdictions under the College Code of Discipline, the President shall liaise with the College Tutors in respect of the appropriate disciplinary jurisdiction in the Union or College. In particularly grave cases, the President, with the consent of the Court chair, may refer a disciplinary matter directly to the College Discipline Committee.
5. Members of the College staff who are also registered students of the College shall be dealt with under the relevant College disciplinary procedure for staff, and not this policy. The President may exclude such individuals from Union premises and facilities pending College disciplinary action, and shall inform their head of department if so doing.
6. Registered students who hold office within the Union may be proceeded against separately under the Union's Disciplinary Regulation. Clubs and societies, as well as being dealt with under this policy, may have disciplinary action or action under health and safety rules taken in relation to them under other Union Regulations or policies.
7. A particular area or facility within the Union may have rules applicable to it which involve the restriction, suspension or exclusion of people from its use.

#### **B. The disciplinary system**

##### ***Summary punishment***

8. The power and responsibility for curtailing or containing the immediate effects of misconduct and imposing summary punishment where appropriate rests with the President or his or her nominee.
9. Where summary punishment is appropriate, it shall be imposed on the spot, or with the least possible delay, and shall be limited to one, two or three of the following:
  - i. a reprimand;
  - ii. expulsion, not exceeding seven days, from the use of the area where the misconduct occurred;
  - iii. suspension, not exceeding seven days, from the use of a particular facility;
  - iv. a charge, up to a maximum to be determined, from time to time, by the College Tutors and the President, to meet the cost in whole or part of replacing the damaged property or equipment;
  - v. a fine, up to a maximum to be determined, from time to time, by the College Tutors and the President;
  - vi. 'Union Service', i.e. work on College campuses of benefit to the College community.
10. Summary punishment may be imposed upon any person, club or society. It may not be imposed upon a person or body who is being referred to the Disciplinary Committee for the same misconduct, except under paragraph 14.

11. The authority imposing summary punishment must inform the person being disciplined of the punishment and his or her right of appeal.

#### ***Cases where Summary Punishment is inappropriate***

12. The Disciplinary Committee shall deal with misconduct which in the opinion of the President, or his or her nominee, cannot be dealt with adequately by means of summary punishment.
13. If a defendant holds office in the Union and the misconduct is relevant to that office, or particularly serious, a disciplinary tribunal may be formed by the Union Court or Trustee Board under Part H of Union's Disciplinary Regulation.
14. In cases involving misuse of Union equipment or facilities, breaches of Union or College safety rules or potential danger to students, staff or other persons and where the President had referred it to the Disciplinary Committee, a suspension or expulsion may be imposed until such time as the Disciplinary Committee has reached a decision.
15. If a person or body is facing disciplinary proceedings before the Disciplinary Committee, they shall not be suspended nor excluded from the Union or any of its facilities, nor shall their status as a member or body be prejudiced pending determination of the proceedings against them by the committee, unless imposed under paragraph 14.
16. In cases of serious misconduct by medical students, the President may consider that the issue is so serious that restrictions should be placed on the student's activities. In such circumstances, the President should report the allegations against the student to the Principal of the Medical Faculty who shall consider the information supplied and invite the student to make representations. Taking the protection of the public as the paramount consideration, the Principal of the Medical Faculty shall decide whether and if so what restrictions should be placed on the student's activities. Any restrictions imposed shall remain in place until either the student is acquitted by Disciplinary Committee, Appeals Committee or other disciplinary authority or the Fitness to Practise Medicine Panel or the Principal of the Medical Faculty direct otherwise.
17. Students should be aware of the implications of misconduct which is also a criminal offence. This could invoke criminal investigation in addition to Union or College disciplinary procedures. If considered necessary, Union disciplinary procedures may be suspended by the President pending the outcome of criminal procedures.

#### ***Membership of the Disciplinary Committee***

18. The Disciplinary Committee shall consist of
  - i. A member of the Union Court or the Council Chair as chair, and
  - ii. Four non Sabbatical members of the Executive Committee, .
19. If members of the Executive Committee are unavailable, membership shall be drawn from the Council.
20. The Union Court, under its standing orders, shall appoint the chair, and the members of the committee in paragraph 18(ii) and 19. Members under paragraph 18(ii) and 19 are appointed at random.
21. The Chair of the committee shall appoint the Clerk to the committee. Any staff member appointed shall be with the approval of the President. The Clerk shall not vote or participate in a discussion of the merits of a case.
22. No person shall sit on the Disciplinary Committee if he or she is:
  - i. the subject of a charge,
  - ii. the complainant,
  - iii. a witness or a potential witness (i.e. has personal knowledge of the facts surrounding the case),
  - iv. successfully challenged for any good cause; the chair shall decide whether to uphold the challenge or not, prior to the hearing,
  - v. connected with the student being charged or any other person involved with the case, or
  - vi. a Sabbatical Officer.

#### ***Disciplinary Tribunal***

23. If one or more defendants holds office in the Union, the President may request that a disciplinary tribunal under Part H of the Disciplinary and Complaints Procedure in Regulation 7 is convened. If so convened, the disciplinary tribunal (which may be the Union Court or Trustee Board) may also act in place of the Disciplinary Committee with its authority and subject to the restrictions in this policy, in respect of all defendants, whether or not they hold office. In particular:
  - i. The Clerk shall be appointed in the same manner as a normal Disciplinary Committee,

- ii. Paragraph 22 applies in relation to its appointment, and
- iii. The procedural requirements of Part C apply.

### **C. Procedures**

#### ***Defendants***

- 24. Multiple persons may be dealt with in a single hearing. Union clubs and societies or recognised sub-sections thereof may be dealt with as a defendant in the same way as a natural person.
- 25. If a club or society faces disciplinary proceedings, its chair, president or captain or his or her nominee shall represent it.

#### ***Procedural rights***

- 26. The President, through the Clerk, will notify the student, club or society, with reasonable notice in advance of the hearing, of any documents to be submitted or any witnesses to be called.
- 27. Any person or body facing disciplinary proceedings shall be informed in writing of the charges against them, and of their right to be represented at the hearing by a person of their choice who is a member of the College, and to bring witnesses. If they wish to be represented, to call witnesses or present documents either bearing on the charge or in mitigation of any penalty which may be imposed, they shall notify the Clerk with reasonable notice, in advance of the hearing, which will normally be held within ten College working days of the referral.

#### ***Procedure***

- 28. The committee shall base its decision on any fair and relevant evidence presented and examined in the presence of the person bringing the charge and the student charged.
- 29. The committee shall first consider whether each of the charges presented are true, and secondly whether the proven facts then amount to misconduct.
- 30. A conviction by a criminal court shall be regarded by the committee as creating a rebuttable presumption that the person convicted of committing an offence is guilty of it, and that any facts found by the court are true. Conduct amounting to a criminal offence in the United Kingdom is automatically misconduct under this policy, if committed within the jurisdiction of this policy.
- 31. The proceedings of the committee shall not be invalidated by the failure to appear of the student charged following notification of the proceedings in accordance with the earlier paragraphs.
- 32. Evidence of earlier misconduct by the student or body charged which has already been the subject of previous disciplinary procedures shall not be presented until after a decision has been reached on the facts of the case, but may then be admitted and considered in deciding on any punishment.
- 33. Hearings shall normally be in closed session but a written account of the proceedings may be released at the chair's discretion.
- 34. A student, club or society may request that the hearing is held in public. In keeping with the Human Rights Act 1998, should the student, club or society wish, the decision of the committee will be posted on the President's notice board.
- 35. The committee shall reach its decision by simple majority voting, save that on questions of guilt no person, club or society shall be found guilty if more than one member of the committee dissents. The chair may make a casting vote only. The Clerk shall not be entitled to vote.
- 36. A full record shall be made of the hearing and retained for possible use in connection with a review or appeal.

### **D. Penalties**

- 37. The committee may impose one or more of the following penalties:
  - i. a reprimand,
  - ii. a fine,
  - iii. a charge to meet the cost in whole or in part of replacing damaged property or equipment,
  - iv. a charge to meet the cost in whole or in part of any funds lost through mismanagement,
  - v. expulsion or suspension from any part of the Union or its facilities for such period as the committee may determine,

- vi. expulsion from any part of the Union's premises for such period as the committee may determine, which may include permanent expulsion,
  - vii. expulsion or suspension from membership of a club or society,
  - viii. revocation of or reduction in financial authority,
  - ix. 'Union service', i.e. work on Union or College campuses of benefit to the College community,
  - x. in relation to a club, society or recognised section thereof, a freeze in their budget or other privileges of a club or society for any finite period,
  - xi. in relation to a holder of an elected post in the Union, a recommendation to the President or appropriate committee chair that a proposal of censure or no confidence is made to the Council or any other committee entitled to pass it.
38. The committee may instead refer any disciplinary matter to the College Discipline Committee. If so doing it may impose a suspension or expulsion until such time as the College Discipline Committee reaches a decision.
39. The committee may impose a charge under paragraph 37(iv) upon a person, appearing before it in his or her own capacity, found to be responsible for the mismanagement of Union funds, in order to satisfy any funds lost.
40. The Union may, in addition to any penalty, take legal action to recover any sums owing to it. Any funds paid as a result of legal action shall be set off against a charge under paragraphs 37(iii) or (iv), or 9(iv) if relating to the same offence.
41. The committee may make any recommendation to any person or committee.
42. Where a person is excluded from any Union premises licensed for the sale of alcohol, he or she will be informed that it is College policy that the exclusion will cover all College licensed premises and that the relevant people will be informed.
43. Where misconduct lead to prosecution in an outside court, the committee shall take note of the fact and the outcome in imposing any penalty.
44. Any fine collected shall be donated to the College Student Hardship Fund.
45. If the student or representative of a club or society is absent, the Clerk shall notify them of any penalty and rights of appeal.

***Breach of penalties***

46. If a person or body does not pay any fine or compensation within 10 College Days, or is alleged to have breached any other penalty imposed, the matter will be referred to the Union Court by the President. The Court shall determine whether there are any extenuating circumstances such as financial hardship in relation to paying any fine or charge, and whether or not the penalty was complied with. If the Court determines that there was a breach of a penalty, it may refer the matter back to the Disciplinary Committee with its factual findings, which are then not open to review. The committee may then impose any further penalty or refer the matter to the College Discipline Committee.
47. If a Disciplinary Committee is re-convened to consider a breach of a penalty found by the Union Court, it shall as far as possible have the same membership as the original committee, but the Union Court may nominate replacement members if the original ones are unavailable. If the Union Court has modified the decision of the original committee, the Court may nominate a new chair from those who sat upon the appeal or review, and replace any members as necessary.

**E. Appeals and Reviews**

48. An appeal may be made upon a finding of guilt by the student, club or society on the grounds of unreasonable conclusions, an excessive or inappropriate penalty, unconstitutionality or a procedural irregularity. A review may be requested by the President or nominee upon the grounds of unconstitutionality or procedural irregularity.
49. The appeal is made to the Union Court, which shall act as the Union Appeals Committee. Where the Union Court has acted as the Disciplinary Committee under paragraph 23, the appeal shall be to the Trustee Board. When the Trustee Board has acted as the Disciplinary Committee under paragraph 23, the appeal shall be to an independent panel as provided for under Trustee Board policy.
50. A student, club or society upon whom a penalty of suspension or expulsion has been imposed under paragraphs 37(v), (vi) or (vii) may, notwithstanding other appeals or reviews, have the right to have that part of the punishment re-considered by the Disciplinary Committee after six months and thereafter at six monthly intervals. Its members shall be appointed according to the same principles as paragraph 47.

***Preliminary procedure***

51. Any student, club or society wishing to appeal may do so within five College days to the Clerk of the Disciplinary Committee in writing, setting out the grounds and supporting argument.

52. Upon a requested appeal the Clerk of the Disciplinary Committee will write to the appellant at least five working days before the hearing taking place (unless the appellant consents to a shorter period), providing a report with:
- i. a statement of the matters investigated,
  - ii. a summary of the evidence given by each witness,
  - iii. the original committee's decision, and
  - iv. reasons for the judgment reached in relation to submissions made at the hearing,
53. An appeal in relation to a summary punishment shall be made (instead of the Clerk) within 5 College days to the Deputy President (Finance and Services) or if unavailable, another Deputy President. The President or nominee imposing the punishment shall then provide the reasons for the punishment in writing.

### **Appeals**

54. The Court shall hear any appeal in session, appointed according to its standing orders, though no person upon it shall have sat upon the original Disciplinary Committee, except the Clerk, who shall act as Secretary to the Court upon such appeals.
55. An appeal shall be by way of a re-hearing (or in the case of a summary appeal, a normal disciplinary hearing), following the same procedure as the Disciplinary Committee. The Court may confirm, reverse or modify the original decision within the summary or Disciplinary Committee jurisdiction respectively.

### **Reviews**

56. The Court will only accept a review requested by the President or nominee. A student, club or society wishing to contest a decision should request an appeal (as provided for above) rather than a review.
57. The Court will not review the factual basis for a decision unless the decision was wholly unreasonable.
58. A review may not quash an acquittal of misconduct or finding of facts favourable to the person or body proceeded against, unless the Court finds that it was procured by dishonesty relating to the procedure under this policy. In such cases it may remit the matter for a fresh hearing before the Disciplinary Committee, but may not impose an unfavourable finding of fact or a conviction.
59. The Court may make a declaration or interpretation for use in future proceedings, the effect of which would have been to impose an unfavourable finding of fact or conviction if applied in the case reviewed.
60. In conducting a review, the Court may impose an equivalent or lesser penalty, in the event of the original one being unconstitutional.

### **Office of the Independent Adjudicator**

61. Once a student has completed the Union's internal appeals, reviews or complaints procedures, the College will issue the student with a Completion of Procedures Letter. If the student is still dissatisfied, the student may direct his or her complaint to the Office of the Independent Adjudicator within three months of the date on which the Completion of Procedures Letter was issued. Information on the complaints covered by the Office of the Independent Adjudicator and the review procedures is available on its web site at [www.oiahe.org.uk](http://www.oiahe.org.uk).

### **Finality**

62. A decision by the Disciplinary Committee or Union Court once the time limit of 5 College days has elapsed is final (subject to a six-monthly re-consideration in circumstances set out in paragraph 50).
63. No matter which was dealt with and concluded previously under this policy shall be brought again under it.
64. Notwithstanding any finality under this policy, a matter referred back by the Office of the Independent Adjudicator may be re-opened at any point, or any other course of action undertaken in accordance with its directions.

## **F. Life, Associate and Non-members**

### **Life and Associate Members**

65. A Life or Associate Member of the Union is subject to the same disciplinary jurisdiction and enjoys the same rights within it as a Full Member, subject to the following alterations:
- i. No fine or Union service may be imposed,

- ii. The Disciplinary and Appeals Committees may suspend a person's membership of the Union, or expel that person from membership permanently, and
  - iii. The Office of the Independent Adjudicator does not deal with complaints from those who are not and were not registered students of the College.
66. Members of the Union permanent staff who are also Life or Associate Members shall be dealt with by the President and are not subject to the disciplinary jurisdiction in this policy.
67. A Life Member of the Court is not subject to the disciplinary jurisdiction of this policy, except paragraph 14, unless they been first dismissed from membership by the Trustee Board, Council or Court,, or their term has otherwise expired. Paragraph 14 may only apply until a Council meeting is convened to dismiss the member, and if so dismissed, may further apply until the Disciplinary Committee's decision. If the President or another person has not proposed a motion of no confidence in the member for the next available Council, paragraph 14 expires in relation to that member at the end of that Council meeting.

***Non-members of the Union***

68. The President shall deal with any person or organisation who is not a member of the Union, registered student of the College, or member of the Union or College staff. The President shall ensure such a person or organisation is given an opportunity to answer any allegation against them. The President may suspend or expel them from any or all parts of the Union for any period of time or permanently. The Court may review any such decision upon appeal.

**G. Amendment**

69. This policy is reserved to the Union Council, with amendments approved by the Imperial College Council.

## 11. CLUBS AND SOCIETIES POLICY

### CLUBS AND SOCIETIES POLICY

*Passed by Union Council 11<sup>th</sup> June 2007*

#### **A. General**

##### ***Introduction***

1. The Clubs and Societies Policy sets out the rights and responsibilities of the Union, Clubs, Societies, other relevant Union activity and individual members. It also sets out the method of administration of clubs and societies.
2. This policy binds the whole Union, but is aimed in particular at clubs, societies, their members and parts of the Union with responsibility for clubs and societies.

##### ***Statement of intent***

3. The Union is committed under its Constitution (among other things): "To advance the education of its members" "To promote and encourage the interest by students in matters outside the College curriculum, especially cultural, social and sporting interests," and to "To provide or ensure a range of facilities which advance the interests of the students of Imperial College"
4. The Union believes the best way of fulfilling these obligations is by the provision of student-led clubs and societies reflecting the full range of interests and abilities of its members.

##### ***Definitions***

5. The words "club" and "society" are interchangeable and do not refer to specific types of organisation.
6. The Union Club and Society Committee or Faculty Union Union under which a club is constituted is referred to as CSC or Faculty Union in this policy.
7. The senior officer of a club or society will be referred to as the Chair in this policy, though other names (e.g. President or Captain) can be used in practise.

#### **B. Duties of the Union and its Clubs and Societies**

8. This part sets out the general duties of the Union and of the clubs and societies to each other.

##### ***Duties of Imperial College Union***

9. The Union shall fulfil its objects and statement of intent (sections 3 and 4).
10. The Union shall provide a safe environment, free from harassment and discrimination for all Union activity (according to the Health & Safety and Equal Opportunities Policies).
11. The Union shall permit club and societies to be formed freely by groups of students with common aims, provided they do not reject the aims and objects of the Union or its rules and policies, particularly the Equal Opportunities Policy, and no club or society currently exists which caters to their needs. Clubs and societies, once formed, should avoid changing their aims and objectives so that they do not clash with those of an established club or society, without the prior consent of this established club or society.



12. The Union shall provide a Freshers' Fair at the start of each academic year and will endeavour to ensure that all clubs and societies have a stall provided. No charge will be made to the club or society for the stall.
13. The Union shall provide space in the Freshers' Handbook at the start of each academic year for each club and society to have an entry and contact details.
14. The Union shall provide funding for clubs and societies, according to budgetary constraints. The funding is allocated by the Clubs and Societies Board on which all clubs and societies have direct or indirect representation. The Union shall provide banking facilities, including assistance with ordering, deposits and advice for clubs and societies at no charge to them.
15. The Union shall provide basic use of rooms within its premises to clubs and societies at no charge to them.
16. The Union shall provide resources, including computing, printing, photocopying, phone and fax services, though a charge may be made for these.

### ***Duties of Clubs and Societies***

17. Clubs and Societies are expected to comply with the Union Constitution and its regulations and policies.
18. Clubs and Societies are required to conduct themselves in a fair and democratic manner. They owe a duty of care to for the health and safety of their members and a responsibility not to discriminate among them or harass them.
19. Clubs and Societies owe a duty to their members to ensure equal provision of facilities
20. The Union needs to comply with significant financial and health & safety requirements prescribed by law, College and other bodies or agencies. Clubs and Societies will need to demonstrate to the Union that they are complying with these requirements.
21. In particular, Clubs and Societies are expected to comply with the Financial Regulations, Health & Safety and Equal Opportunities Policies, as well as this policy.
22. Clubs and Societies represent the Union and the College when holding events or trips, or performing or competing. As such they are expected to behave responsibly as ambassadors for the Union and the College and not bring the Union or the College into disrepute.

### **C. Chain of responsibility**

23. The Union operates a chain of responsibility for all matters relating to club and societies. This is as follows:
  - i. The Union President,
  - ii. the appropriate Deputy President,
  - iii. The Chair or President of the CSC or Faculty Union,
  - iv. the appropriate committee member for the CSC or Faculty Union,
  - v. The Chair of the club or society, and
  - vi. the appropriate committee member for the club or society.
24. The appropriate Deputy President in section 23.ii) is:
  - i. the Deputy President (Clubs & Societies) for documentation and Health & Safety requirements, and all other issues not covered by the other Deputy Presidents,
  - ii. the Deputy President (Finance & Services) for financial issues, and
  - iii. the Deputy President (Education & Welfare) for issues relating to equal opportunities.

25. The appropriate committee member in a CSC or Faculty Union, club or society (section 23.iv) or vi)) depends upon the CSC's or Faculty Union's, club's or society's rules (though always the Treasurer or Honorary Junior Treasurer for financial issues).
26. Individuals in section 23 are responsible to those above them in the list for the activities of the clubs and societies.

#### **D. Constitutional matters**

##### ***Status***

27. All clubs and societies are formed under a "Club and Society Committee" or Faculty Union, and are bound by their standing orders and decisions.
28. Club and Society Committees and Faculty Unions (CSC and Faculty Unions) are defined in the Union Constitution and Regulation 5 Part . They have their own constitutions or standing orders, officers and meetings, and are responsible providing for the co-ordination and development of student activity within their clubs and societies or central activities.
29. CSC and Faculty Unions report in turn to the Clubs and Societies Board, which determines budgeting, advises on policy issues and deals with inter CSC or Faculty Union disputes. The Clubs and Societies Board reports in turn to the Executive Committee for administration matters and to the Union Council for policy matters. The Executive Committee and Union Council both report to the the Trustee Board.

##### ***Status of CSC and Faculty Union Executives, Rag, Community Action group and others***

30. The central activities of CSCs, Faculty Unions, Rag, Community Action Group and other constituent part of the Union are treated as clubs and societies with respect to the duties, chain of responsibility, documentation and requirements (Parts B, C, F). They are not bound by the internal management provisions in Part E (except as those provisions may be incorporated into their own constitutions or standing orders) or the remainder of this Part, but are expected to run themselves democratically and properly.

##### ***Requirements for creation of a new club or society***

31. A Full Member of the Union may sponsor the creation of a new club or society.
32. Prior to the approval of a new society under sections 36 to 38 the sponsor of a new club or society shall obtain the names, departments, years and signatures of twenty prospective members (all of whom are Full Members of the Union).
33. The New Clubs and Societies Committee may authorise additional measures to ensure the new club or society has a firm foundation; this can include the requirement for small deposits from new members, the requirement for some of the signed up members to turn up to the meeting at which the club or society is approved. Any such measure should balance the need for new clubs and societies to have a firm foundation against ensuring students aren't unnecessarily prevented from associating and participating as a new club or society.
34. A new club or society must have aims and objects that differ from all current clubs or societies.
35. A new club or society's constitution must not conflict with any Union rule, particularly the Equal Opportunities and Health & Safety Policies. A constitution, whether or not of a new club or society, and whether or not it predates a Union rule, is void to the extent of the conflict with that rule. In the event of a dispute, the President shall rule on which parts of a constitution are void.

##### ***Procedure for creation of a new club or society***

36. A new club or society is created by the approval of its constitution by the New Clubs and Societies Committee. A club or society may be created without a constitution (though its aims should be approved) but one should be submitted and approved by relevant body by the end of the term in which it was created.
37. Before the New Clubs and Societies Committee has considered the new club or society, its Chair shall inform the Deputy President (Clubs & Societies), who shall ascertain if it fits the conditions in sections 31 to 35 and inform the CSC or Faculty Union of his or her opinion.
38. The New Clubs and Societies Committee shall allocate all new clubs or societies to whichever CSC or Faculty Union best matches the aims and objectives of the new club or society.
39. Any Full Member of the Union (regardless of whether he or she is connected with the new club or society) may appeal the decision of the New Clubs and Societies Committee to approve or disapprove the new club or society to the Clubs and Societies Board. Its decision on approving the new club or society shall be final.

#### ***Prohibition on types of clubs and societies***

40. The Clubs and Societies Board or Executive Committee may direct that no club or society with proscribed aims and objects, structure or sponsor may be created. This measure should normally be used when new clubs and societies' purposes are expected to conflict either with the aims and objects of the Union or policy putting those into effect.

#### ***Initial management of a new club or society***

41. The initial committee of a club or society shall be appointed by the New Clubs and Societies Committee or its nominee. This committee and its members act with the same authority as an elected committee, and holds office until the end of its first academic year or such earlier time as may be designated.

#### ***Departmental Societies***

42. The above policies shall apply to the formation of departmental societies with the exception that all matters relating to their creation, and any requisite additional measures, shall be considered by the relevant Faculty Union in the place of the New Clubs and Societies Committee.

#### ***Transfer of clubs and societies between CSCs and FUs***

43. A club or society whose aims and object fit more appropriately in another CSC or Faculty Union will transfer to that CSC or Faculty Union under the following conditions:
  - i. A resolution of the club or society's committee (or general meeting if required) and the consent of the CSC or Faculty Union to which it would be transferred, or
  - ii. A resolution of the Clubs and Societies Board or Executive Committee.

#### ***Mergers of clubs and societies***

44. Clubs and societies whose aims and objects are nearly identical should normally merge, unless there are pressing reasons for them remaining separate (which include activities mostly in separate locations). Clubs and societies' aims and objects can be inferred from their activities as well as their constitution.
45. Two or more clubs and societies shall merge under one of the following conditions:
  - i. Resolutions of each club and society's committee (or general meeting if required) and the consent of each CSC or Faculty Union governing them, or
  - ii. A resolution of the Clubs and Societies Board or Executive Committee.
46. For mergers between a Faculty Union club or society and an equivalent CSC club or society, section 45.ii) (imposing a merger without consent) shall be replaced with "a resolution of the Executive Committee or the Trustee Board".

47. Decisions concerning the appropriate CSC or Faculty Union for the merged club or society, and allocation of assets shall be taken by the President on the advice of the relevant Deputy Presidents.

### ***Splitting of clubs and societies***

48. A club or society which has two or more distinct spheres of activity may split into separate clubs and societies, without the usual requirement of new clubs and societies.
49. A split may occur under the following conditions:
- i. A resolution of the club or society's committee (or general meeting if required) and the consent of its CSC or Faculty Union,
  - ii. A resolution of the Clubs and Societies Board or Executive Committee, or
  - iii. A petition of twenty full members of the club or society with their names, years, departments and signatures with the approval of either its CSC or Faculty Union, the Clubs and Societies Board or Executive Committee.
50. A consensus should be obtained between the new clubs and societies for the splitting of assets. Any dispute will be ruled on by the President on the advice of the relevant Deputy Presidents.

### ***Dissolution of club and societies***

51. A club or society shall be dissolved and cease to exist under the following conditions:
- i. A resolution of the club or society's committee (or general meeting if required) and the consent of its CSC or Faculty Union,
  - ii. A disciplinary resolution of the CSC or Faculty Union under standing orders approved by the Executive Committee, or
  - iii. A resolution of the Executive Committee.
52. Dissolved clubs and societies' property and funds shall be allocated by the President on the advice of the relevant Deputy Presidents.

### ***Dormant club and societies***

53. A club or society may be classed as dormant if it has not elected its minimum committee (see section 58) or it has under twenty members. The CSC or Faculty Union is responsible for categorising the club or society as dormant, and exceptions may be made with good reason.
54. Dormant clubs and societies have equal rights to facilities and funds as active ones. Dormant clubs and societies become active upon obtaining the appropriate committee or membership.
55. Once a club or society has been classed as dormant for twelve months it may be dissolved by its CSC, Faculty Union or the Deputy President (Clubs and Societies).

### ***Suspension of club and societies***

56. A club or society may be suspended for disciplinary reasons, in the following manner:
- i. A resolution of the CSC or Faculty Union, Clubs and Societies Board or Executive Committee,
  - ii. By the Deputy President (Clubs and Societies) for incomplete documentation (see section 86) or for a severe breach of the Health and Safety policy,
  - iii. By the Union President.
57. The extent of the suspension for incomplete documentation (in 56.ii) is set out under Part F. The extent of the suspension in 56 i) and iii) will be determined by that authority and may include any or all of the restrictions for incomplete documentation.
58. A suspension should be reviewed regularly and issued for good reason. It may be appealed: for 56 i) in the order the committees are listed; for ii) to the President; for iii) to the Union Court.

## **E. Internal management of clubs and societies**

### ***Management***

57. All clubs and societies are managed by a committee. The members of the committee share a responsibility for its management, though its Chair holds ultimate responsibility to the Union for the club or society's activity, health & safety and finances.
58. A club or society committee requires as a minimum a chair, secretary and treasurer, all of whom are Full Members of the Union. Only Full Members of the Union are permitted to vote on or chair the committee.

### ***Membership***

59. Only Full Members of the Union may become full, voting members of a club or society.
60. All Full Members of the Union are entitled to join any club or society, unless a club or society is registered with a government agency or national governing body which prohibits membership of affiliated clubs and societies on certain grounds. Membership may only be restricted on unavoidable legal or insurance issues (e.g. firearms control). Clubs and societies shall exercise the minimum possible restriction of membership, and inform the CSC or Faculty Union and Deputy President (Clubs & Societies) of any such restriction. The Deputy President (Clubs & Societies) may strike out any prohibition on membership.
61. Life and Associate Members of the Union may become non-voting members of a club or society.
62. The club or society's committee may refuse membership of a club or society to Life or Associate Members of the Union, though reasons for refusal must be given in writing to them.
63. Initiation ceremonies, or other compulsory (or effectively compulsory) degrading rituals, which affects the physical or mental well-being of members, are not permitted. Such behaviour may result in severe disciplinary action being taken against the club or society, its committee and any others involved, and may result in the dissolution of the club or society.

### ***General Meetings and Elections***

64. All clubs and societies shall require the holding of general meetings upon a petition of its members to review the committee's actions and hold its officers to account.
65. All voting members of the committee for a club or society, including its chair, secretary and treasurer shall be elected from and amongst all full members of the club or society at its annual general meeting.
66. A club or society may set qualifications for membership of the committee (for example: the chair may have had to sit on the committee previously, or a post may not be filled by a finalist) but these shall not be unduly onerous, and if they are, may be struck out by the CSC, Faculty Union, the Union President or Court. These qualifications must be set out in the club or society constitution.
67. All elections for next year's committee should be completed before the end of the Spring term. Election procedures should adhere to the Election Regulations and any directions of the club or society's CSC or Faculty Union.

### ***Removal of officers***

68. All clubs and societies shall have a mechanism for removing members of its committee from office. This is normally done through a motion at a general meeting of the club or society. If not

otherwise provided for, a general meeting shall have jurisdiction, subject to section 69, to censure and dismiss any officer.

69. Any procedure must be laid out in the constitution or standing orders and in accordance with Part G (censure and no confidence motions) and the principles of natural justice as set out in Part I of Regulation Seven of the Union Constitution:
- i. a necessity for a petition with a proposer and at least ten seconders,
  - ii. at least one week's notice to be given of a motion,
  - iii. a necessity for at least a two thirds majority of members present and voting, and
  - iv. a course of appeal to a higher body (e.g. the CSC, Faculty Union or a Sabbatical Officer).

### ***Removal of members***

70. Clubs and societies may provide for the removal of members (whether full, associate or any other category). Any such removal is to be treated as a last resort when it is clear that it is not in the club or society's and its members' interest for a person to continue membership of that club or society.
71. The committee or general meeting shall be sole authority for expulsion or suspension of members. Once any internal appeals have been exhausted there shall be an appeal to the Union Court.
72. The Trustee Board, Executive Committee, Union Court and Disciplinary committee can expel a person from membership of any club or society.
73. A person removed from membership of a club or society may not rejoin without the sanction of its committee or the Deputy President (Clubs & Societies).

### ***Constitution***

74. Each club and society's constitution should be obeyed and regularly reviewed by them. It should set out the management structure and procedures enacted in this Part.

## **F. Documentation**

### ***General***

75. Clubs and societies need to inform the Union of their internal controls, provisions on Health and Safety and other matters so the Union can satisfy its legal duties.

### ***Documentation required***

76. Clubs and societies shall provide to the Deputy President (Clubs & Societies), or his or her nominee, the following items of documentation:
- i. **Declaration** – the Chair and Treasurer will sign a declaration that they will obey the Financial Regulations, adhere to the clubs and societies' duties (in Part B) and obey the poster rules ;
  - ii. **Committee contact list** – containing vacation and term time addresses, vacation and term time phone numbers and e-mail address ;
  - iii. **Constitution** – internal management as per Part E ;
  - iv. **Code of Conduct** – expected behaviour on health & safety issues with regard to their risk assessment ;
  - v. **Risk Assessment** – analysing risk to members ;
  - vi. **Membership forms** – a form for each member of the club. This is not required for members who join online;
  - vii. **Data Protection Act** – information in electronic or paper storage that is about, or can be linked to, living individuals ;
  - viii. **Instructor registration** – if appropriate ;
  - ix. **National governing body registration** – if appropriate ;

- x. **Inventory** – containing all items belonging to the club or society valued over £150 ;Any other documents as considered appropriate by the Clubs and Societies Board

### ***Exemptions on documentation***

- 77. A club or society's constitution, code of conduct, risk assessment and inventory do not have to be resubmitted if a satisfactory copy is held by the Union.
- 78. The Deputy President (Clubs and Societies) may exempt a club or society whose activities constitute only an incidental risk to their members from submitting a risk assessment form.
- 79. The instructor and national governing body registration and inventory may be submitted as null returns if appropriate.

### ***Time limits***

Time limits for submission of documents shall be set by the Deputy President (Clubs and Societies).

### ***Other Health & Safety documentation***

- 80. Other documentation such as trip registration forms may be required for certain activities.

### ***Sanctions for incomplete documentation***

- 81. Documentation that is incomplete or invalid (for example: a code of conduct or constitution that has not been passed by the committee or derisorily or badly drafted) will be treated similarly as "incomplete documentation". Documentation only becomes "incomplete" after the deadline.
- 82. A club or society with incomplete documentation shall:
  - i. have its budget frozen
  - ii. not be permitted to use any Union facility (including booking all rooms under Union management)
  - iii. not be permitted to authorise any posters or other publicity
  - iv. not be permitted to vote at any meeting where they are represented
- 83. Sanctions shall be authorised by the Deputy President (Clubs & Societies). A club or society may appeal to the President and then to the Union Court.

**A. Jurisdiction**

1. This policy shall have two areas of jurisdiction:
  - a. The recognition by the Union of service, contribution and dedication by an individual, with the sole exceptions of the sabbatical Officers and the Felix Editor, over the course of the year to Imperial College Union, and
  - b. The recognition by the President of the Union of service, contribution and dedication by an individual over the course of the year to Imperial College Union.
2. The policy in no way rules out the recognition by the Union of an individual or group's contribution to the Union over some period of time in a manner not prescribed in this policy.

**B. Eligibility and nomination**

3. Any individual, unless explicitly stated elsewhere in this policy, may be nominated by any Full Member of the Union for any of the awards described in this policy, save the President's awards.
4. Details of the awards, their descriptions and nomination procedure shall be first published at Council and in Felix at least fifteen College Days before the close of nominations. It should also be made explicitly clear that nominations received after the close of nominations shall not be accepted.
5. Each nomination must contain in addition to the name of the nominee, the name of the award for which the nominee is nominated and a citation of less than 200 words detailing the candidate's suitability for that award, the name, department, year and signature of the proposer. No individual may propose themselves.
6. The date of the close of nominations shall be determined by the President in order that the nominations may be circulated to the members of the Colours Committee in accordance with regulation 5.

**C. Consideration and confirmation**

7. The nominations, with the exception of those for the President's Awards will be considered by the Colours Committee, which shall report the result of its deliberations to the final scheduled Council of the academic year. Council, as is its constituted right, may choose to accept or amend, in part or in whole, the recommendations of the Colours Committee. The decision of Council in this respect is final. However, Council may not refuse or amend the list of individuals nominated by the President for the President's Award.
8. The Colours Committee will consider each nomination on its individual merits. Consideration should not be given to target numbers for each category of awards save that historical numerical precedence implies the grounds for that award. Equally if no nominations fulfil the stipulations of a particular award then there should be no necessity to present the award in that year.
9. Nominations for a particular award should not be considered simply on the basis that the individual gained, in previous years, a lower award for similar good work. Any individual may be awarded with any of the categories of award any number of times, unless otherwise stipulated elsewhere in this policy.
10. The confirmed Colours shall be published in the final Felix of the academic year and in the Annual Report. The Executive, at its discretion, may organise a suitable opportunity to publish elsewhere or present some or all of the confirmed Colours.



#### **D. The Colours of the Union**

11. The Colours of the Union shall be the Half Colour, Colour, Outstanding Service Award, Imperial College Union Fellowship and the Imperial College Union Distinguished Fellowship. Each individual presented with an award shall receive a certificate, stating the appropriate details, and such other items or privileges as are detailed elsewhere in this policy.
12. **Half Colour:** The recipient of the Half Colour will have made a positive contribution to the general life of the Union in an extraordinary fashion. Each individual, so awarded, will have the opportunity to purchase a tie and or pin, the design of which shall be defined by the Executive Committee or by a policy detailing the corporate identity of the Union at such time as one is approved.
13. **Colour:** The recipient of the Colour will repeatedly, through outstanding achievements, over the course of the year, have made a significant contribution to the life of the Union. Each individual, so awarded, will have the opportunity to purchase a tie and or pin, the design of which shall be defined by the Executive Committee or by a policy detailing the corporate identity of the Union at such time as one is approved. It is envisaged that less Colours will be awarded than Half Colours in a year.
14. **Outstanding Service Award:** Any recipient of the Outstanding Service Award will have displayed continuous outstanding achievement across a broad spectrum of Union activities. Each individual, so awarded, will have the opportunity to purchase a tie and or pin, the design of which shall be defined by the Executive Committee or by a policy detailing the corporate identity of the Union at such time as one is approved. It is envisaged that less Outstanding Service Awards will be awarded than Colours in a year and typically less than fifteen.
15. **Imperial College Union Fellowship:** The Imperial College Union Fellowship shall only be awarded to those individuals who have continuously served the Union in an exceptional manner. Each individual, so awarded, will be granted Honorary Life Membership of the Union, and given a silk tie or broach, the design of which shall be defined by the Executive Committee or by a policy detailing the corporate identity of the Union at such time as one is approved. It is not anticipated that the number of Fellowships presented each year would exceed ten.
16. **Imperial College Union Distinguished Fellowship:** The Imperial College Union Distinguished Fellowship is only awarded to those Full Members who have served the Union in a selfless and dedicated manner which is both exceptional and beyond reproach. Each individual, so awarded, will be granted Honorary Life Membership of the Union, and given a pewter tankard engraved with their name and details of the award and a silk tie or broach, the design of which shall be defined by the Executive Committee or by a policy detailing the corporate identity of the Union at such time that one is approved. Only exceptional circumstances would see more than three awards of Distinguished Fellowship being made in one year.

#### **E. The President's Awards**

17. The President shall have the option of presenting, not normally more than, five awards to individuals who he or she personally feels have made a significant contribution to the affairs and fortune of the Union over the course of the academic year. In years where the position of President is held by two or more individuals and the incumbent at the time of the presentation of nominations to Council has held office for a minority of the academic year then the individual or individuals who have held the office of President for the significant period of that academic year may petition the incumbent with their nominations for this award: however, the decision of the incumbent is final.
18. The exact terms of reference of the President's Award shall be at the discretion of the President. Nonetheless, and only in truly exceptional circumstances, is it envisaged that the

President will award the President's Award to a sabbatical Officer or the Felix Editor. In any case the President will not award himself or herself with the President's Award.

19. The recipient of the President's Award will receive a pewter tankard engraved with his or her name and the details of the award. In addition it is expected that the President will present the individual with a small, but not insignificant, token of his or her appreciation.
20. The President shall present as a verbal report, the details of the President's Awards, to the final scheduled Council of the year as the last scheduled item of business. The President if he or she so chooses may also present the individuals with their award at this time.

#### **F. The President's Award for Clubs and Societies**

21. There shall be an award each year to the club or society of the Union which has performed in an exceptional manner for its members and contributed significantly to the Union's aims and objects.
22. The clubs or society must:
  1. be a Union club or society,
  2. have existed for a reasonable length of time as a functioning society, or if a new society, a solid foundation with a likely long-term future, and
  3. not be suspended for incomplete documentation.
23. The award will be made by the President, who will take advice from the Deputy President (Clubs & Societies), the Presidents of the Constituent College Unions and the Chairs of the Clubs and Societies Committees.
24. The President shall table a verbal report to the Council with details of the recipient immediately before the President's Awards for individuals.

#### **G. Sabbaticals**

21. The President, Deputy Presidents, Felix Editor and any other officers holding sabbatical positions shall not normally be considered for any of the awards
22. The Council shall, after awarding Colours, consider and vote separately on conferring Honorary Life Membership upon each holder of sabbatical office in the Union that year.

#### **H. Amendment**

23. This Policy may only be amended by a two thirds majority resolution of the Council.

## 13. EQUAL OPPORTUNITIES POLICY

### **Statement of intent**

1. Imperial College Union as an employer, a service provider and a representative body for students is committed to a policy of equal opportunities for all. The Union wishes to develop and maintain an environment that encourages all to contribute fully to the life and work of the Union and which is supportive of the dignity and self-esteem of individuals.
2. Any election, selection, promotion and training of officers and staff will be based solely on merit, competence and skills. Unfair discrimination and harassment are not permitted in any area of Union activities.
3. All staff, job applicants, students and other people having dealings with the Union will receive equal treatment regardless of race, colour, sex, nationality, ethnic origin, marital status, disability, parental status, religious and political belief, socio-economic background, HIV status, trade union membership, sexual orientation, age, degree status, degree subject and degree year (all subject to the law). Unequal treatment upon these grounds constitutes unfair discrimination.
4. It is the shared responsibility of all staff and students to help foster an environment free of unfair discrimination and harassment. However the burden falls upon the shoulders of the Union Officers and permanent staff to ensure that Imperial College Union is free from institutional bias, hatred, unfair discrimination and harassment.
5. The Union also recognises its role under law (particularly section 43 of the Education (No.2) Act 1986 and the Human Rights Act 1998) to secure freedom of speech, within the law, for its members, guests and visitors, and not to deny use of its premises on any ground connected with the beliefs or views of an individual or of any member of a body, or the policy or objectives of that body; to the extent permitted by law.
6. It is recognised that some of the athletic and recreational clubs and societies may provide activities or enter competitions which discriminate on certain grounds (such as separate men's and women's teams or age requirements). Such discrimination shall be considered fair, but only to the extent that it is permitted by law and is reasonable.
7. It is recognised that, in exceptional circumstances and as a consequence of the Union's duty of care for its members, there may be a requirement to prohibit individual involvement of students in some activities where the student's actions, through negligence, recklessness or lack of skill could cause danger to themselves or others.

### **Implementation**

#### ***Policy***

8. The Deputy President (Education and Welfare) has overall responsibility to the President for the formulation, implementation and monitoring of this Policy.
9. Imperial College Union will ensure that all staff are made aware of the Policy - all permanent staff will be issued with a copy and it will be referred to in the student staff handbook and at training. All new staff members will be provided with a copy of this Policy in their employment packs. Students will be made aware of this policy on regular occasions - via the Student Handbook, posters and other awareness events. All clubs and societies will be provided with a copy of this Policy.
10. Imperial College Union will ensure that all published material is consistent with this Policy.
11. Any member or employee of the Union who fails to comply with this policy may be dealt with under the "Removal of officers" and "Removal of members" procedures outlined in the Clubs and Societies

Policy, under the Union Disciplinary and Complaints Regulation, Disciplinary Policy or staff disciplinary procedures.

12. Any club or society which fails to comply with this Policy or which promotes aims and objectives in conflict with this Policy shall be suspended by the process outlined in the Clubs and Societies Policy and will cease to be granted the use of Union resources and facilities, including those under its control.
13. The Representation and Welfare Board should review this Policy every year, and this review reported to the Council. This Policy needs to be re-tabled at the Council in June 2010.

#### ***Subordinate Union rules***

14. Any Union policy (except that of the Council), subordinate constitution or other Union rule which contravenes this policy may be struck down by the Union Court. The Union Court may draw to the Council's or Trustee Board's attention any of its policies or resolutions which breach or appear to breach this policy.

#### ***Employment practices***

15. Day-to-day implementation of this Policy in respect of staff falls to the General Manager.
16. Imperial College Union can only enforce this Policy within the bounds of applicable law.
17. All posts lasting longer than six months will be advertised externally.
18. All job advertisements will carry the statement "Imperial College Union is striving to be an equal opportunities employer".
19. No application form for employment will require information that could be used to discriminate against applicants on the grounds stated in section 2, except in a detachable and voluntary form for the sole purposes of monitoring the composition of applicants by reference to age, sex and marital status.
20. The composition of applicants regarding age, sex and marital status will be monitored, as will the composition of the Union's staff.
21. A flexible hours working arrangement will be adopted for all posts, where such an arrangement does not impinge on the availability or quality of Union services.
22. Imperial College Union will consider job sharing for all appropriate posts.
23. Where possible the provision of childcare for the children of staff will be pursued in negotiations with College.
24. The attention of all members of selection panels will be drawn to the requirements of this Policy and no one shall be appointed to such a panel who does not accept it.

#### **Harassment**

##### ***Statement of intent***

25. Imperial College Union is committed under its Constitution to advance the education of its members and to promote, without prejudice, their welfare at all times.
26. It is the responsibility of all staff and members to ensure that individuals do not suffer from any form of harassment and that they are supported in any way necessary.
27. However, a larger burden must fall on Union officers and senior managers with regard to ensuring the Union is free from bias and harassment and to ensure that those who may have suffered harassment are offered support and advice with taking the complaint forward.

28. Imperial College Union holds any case of harassment as serious. Action may follow under the Union Disciplinary Policy, or the case may be referred to College. The Union Disciplinary Policy provides a mechanism for a fair appraisal of the complaint, support for those suffering and punishment for those deemed to have harassed others. Such mechanisms will also be flexible enough to deal with cases where false allegations may have been made maliciously or mischievously. The Union Disciplinary Policy will be used against those found to have made such false allegations.

### ***Defining harassment***

29. **Racial harassment** - is committing or inciting any hostile or offensive act or expression by a person of one racial or ethnic origin against a person of another and which is motivated by racial or ethnic difference. Such behaviour includes derogatory name calling, insults, and racist jokes, racist graffiti, verbal abuse and threats, physical attack, and ridicule of an individual because of cultural differences.
30. **Sexual harassment** - occurs in a variety of situations that share a common element i.e. the inappropriate introduction of sexual activity or comments into any situation. It often involves relationships of unequal power and may contain elements of coercion. Sexual harassment includes: unwanted sexual advances, sexually explicit remarks or innuendoes, intentional physical contact, the display of pornographic, sexually offensive or inappropriate material, verbal threats or abuse, and other actions which cause the person to feel threatened or humiliated. Members of either sex can experience sexual harassment.
31. **Other forms of harassment** - can include bullying or repeated reference to personal traits, appearance, sexual orientation, disability, religion and age. Actions designed to undermine an individual's professional competence or confidence are a misuse of power or position. Such actions may include public or persistent unwarranted criticism or exclusion from normal activities. The distinction between strong management / leadership and bullying is that, whilst the former is intended to promote desired work performance, the latter is intended to hurt or undermine the individual.
32. These are examples of well-observed forms of harassment, however they are not meant to be exhaustive. Differences in culture or attitude, and misrepresentation of certain social signals, can mean that what is perceived as harassment by one person may not seem so to another.
33. This Policy shall take behaviour that is intimidating to the recipient and would be regarded as harassment by any reasonable person as the defining feature of harassment.

### ***Dealing with harassment***

34. Some forms of harassment can be remedied by approaching the person, explaining the nature of the complaint and stating that such behaviour is unacceptable.
35. If such behaviour does not stop, then the complainant can advise the person that they will make a note of the details and dates of any relevant incidents (to include the way in which the behaviour may have effected his/her day-to-day activities) with a view to bringing a formal complaint if the behaviour does not stop.
36. Should the complainant wish to take things further (for example if the behaviour does not stop after advice from the complainant or the complainant does not wish to speak to the alleged harasser due to fear of approaching the alleged harasser) they should approach the Deputy President (Education and Welfare), or the Union Adviser for confidential advice.
37. If the first approach does not result in satisfactory progress the complainant is encouraged to approach either the Deputy President (Education and Welfare), President or the Union President.
38. In cases of alleged harassment as an employee of the Union it may be appropriate to first approach the Union General Manager for confidential help and advice.
39. Those approached are required to deal with all complaints of harassment with all possible speed. Investigations should be handled in a professional, independent fashion, remain objective and handled confidentially with respect to the rights of both the complainant and the alleged harasser. The officer

approached is encouraged to seek consent from the complainant to liaise with the Deputy President (Education and Welfare) for help and advice in proceeding with the complaint.

40. Any initial discussions with the alleged harasser will not take place without the permission of the complainant nor will the complainant's name be released without prior agreement from the complainant. Further investigation under the Union Disciplinary Policy or Disciplinary and Complaints Regulation will require that the complainant's name be made available to the alleged harasser.
41. If the complaint is considered serious and the majority of the alleged actions occurred in Union areas, then complainant should be passed onto the Union President and action will be taken under the Union Student Disciplinary Policy or Union Disciplinary and Complaints Regulation.
42. If the complaint is serious and the alleged harasser is a member of the College staff, the complainant would be encouraged to follow the appropriate action laid down in College's Equal Opportunities Statement with full support from Imperial College Union.
43. Incidents of physical assault in Union areas will be dealt with under the Union Disciplinary Policy. Serious incidents or those occurring elsewhere that have been brought to our attention by the complainant will be followed up with College and could potentially result in a College Discipline Hearing.
44. It should be stressed that should the complainant feel unable to approach the alleged harasser, any subsequent action / investigation should not normally be impeded by such a decision.
45. Imperial College Union will seek to be part of the College's network of support advisers - intended to provide trained confidential and informal support to members and staff who feel they are being harassed. Those participating in the scheme will hopefully include the officers mentioned in 31 above.

## **Disability**

### ***Statement of intent***

46. Imperial College Union is committed to protecting the rights of disabled people to work and use the Union as any other member of Imperial College Union's staff and membership. As part of this protection the Union may make "reasonable adjustments" if the employee arrangements or premises places disabled people at substantial disadvantage compared with those who are not disabled.
47. Imperial College Union recognises the definition of disability as laid down in the Disability Discrimination Act 1995 - a physical or mental impairment which has substantial and long-term adverse effects on the ability to carry out normal day-to-day activities. As such the Union will not discriminate in terms of employment, service provision or representation for any reasons relating to disability.
48. The Union should foster an environment free of any negative bias, discrimination or harassment with regards to disability within the bounds of this Policy.

## **ICU Representation and Welfare Board**

49. The Representation and Welfare Board should regularly review this Policy in context with other Union Policies and events and aid the Deputy President (Education and Welfare) in its review and the subsequent reporting to Council on an annual basis as laid down in section 12.

## **Introduction**

1. Council should note that what follows is a proposal for the minimum which the Union should require of Felix – we would expect our student newspaper to provide far more. The Editor should be charged with fulfilling these requirements, whilst maintaining Editorial freedom (as explained below), in the best way that he or she sees fit. In particular, please note the importance of point 10..
2. As Felix holds a unique position in the Union, balancing its role as a student service with the needs of a student-led society, its aims, needs and requirements fall into two distinct categories, which are tackled independently below.

## **As a service**

3. Felix should be a news driven publication, published on a weekly basis and distributed to every major teaching site. Coverage of news relevant to students at the College should be the primary focus – in other words, the cover or front page should be news based, and Editorial priority should always be given to news, ahead of all other material. However, this should in no way be interpreted as an attempt to block the publication of any other content.
4. All Union clubs and societies should be given the ability to publicise and report on their activities. To this end, all parts of the Union should receive preferential advertising rates, to be set at a level no higher than twice the marginal cost of printing the advert itself. Space should also be set aside each week for articles from clubs and societies who wish to report on recent events (although this does not give clubs the right to demand publication, as the Editor should maintain the right to rule out articles on the grounds of literary style, excessive length or irrelevance). Deadlines to be set by the Editor for both adverts and articles should be set at the beginning of the year and circulated widely, and the Editor should be free to reject any material which fails to meet these deadlines.
5. The successes and failures of the Union's sports clubs should be covered on a weekly basis, through match reports etc. However, the precise nature of this coverage (in particular the option to choose between accounts written by players and independent reports) shall rest with the Editor.
6. The Union should be given the opportunity to report on its activities and concerns, through Presidential columns and reports from other sabbaticals and representatives. However, Felix must remain editorially independent of the Union, and therefore all Union articles must be clearly marked as such, and subjected to exactly the same editorial controls as any other column or feature.
7. Space must be provided for feedback from the student body concerning both Felix itself and the issues raised within its pages (particularly those concerning the actions of the Union and College management). Naturally, the Editor should maintain the right to edit letters as he or she sees fit (and sensibly limit the total number of letters printed), but this right should not be used to bias open debate or counteract criticism of the newspaper itself.
8. The Editor should strive to promote student involvement in Union activity wherever possible – in particular, key meetings (Union Council, Court, EGMs etc) should be clearly advertised, and attention drawn to them where necessary. Note that this requirement does not mean that the Editor should promote the decisions or actions or these meetings, only the fact that students have a right to attend them. The Editor shall also ensure that sabbatical elections are given extensive coverage, which shall include advertising the opening of nominations, hustings and the elections themselves, and the publication of manifestos for all candidates, including New Election.

9. Welfare issues of importance to the student community should be given due coverage, and the Editor should liaise with campus support services (Accommodation Office, Health Centre, College Councillors, Union Advisor etc) to ensure that all students are both aware of the services available and fully briefed on key topics.
10. In the pursuance of all the points above, Felix shall be editorially free to operate and report on events as the Editor sees fit, as long as he or she is not acting against the wider student interest (which may or may not coincide with the interests of the Union).

### **As a club**

11. As a club, run by the Editor in the interests of its members (defined for the purposes of this document as regular writers, photographers, editorial staff etc), Felix shall have the right to publish anything and everything (within the constraints of civil and criminal law).
12. Students must be given the right to reply to any article published, in accordance with Section 2 of the Press Complaints Commission Code of Practice. In the case of controversial Felix articles, the Editor should attempt, wherever possible, to present the views of opposing sides in the initial article.
13. All students from all campuses must be given the opportunity to write for Felix, and the Editor should strive to print all material which is of an acceptable standard.

### **Control and Responsibility**

14. The Editor shall oversee and manage all aspects of the running, production and dissemination of Felix – he or she alone shall be responsible to the Union for every article and picture printed, and for the financial integrity of the newspaper. Under no account shall any Union officer (including the Union President) have the right to insist on the inclusion of any material (although they may appeal to Council if they feel that the material should be included as part of the "service" provision above).
15. The Editor shall present a written report to every meeting of Union Council, and shall be present at every meeting to answer questions from the floor.
16. The Editor should strive to hold regular (preferably fortnightly) meetings of the Editorial Board (as defined in the Felix Constitution), at which all members should be given the chance to hold the Editor to account.
17. Felix, as are other Union publications, is required to comply with the Press Complaints Commission Code of Practice, which in the Union is adjudicated upon by the Union Court.
18. The Editor is responsible in his or her role as a Union employee to the President, without prejudice to the Editor's operational and editorial independence, and with the President acting under the constraints set out in this policy and elsewhere.



## 1. Policy statement

- 1.1 Imperial College Union is committed to ensuring the health, safety and welfare of its members, staff, customers, suppliers, visitors and all others who may be affected by its activities.
- 1.2 Imperial College Union recognises that good management of health, safety and welfare is essential to the success of the organisation and is a sign of a well-managed organisation.
- 1.3 Imperial College Union is committed to ensuring that procedures are in place to identify hazards, assess risk and set objectives to improve the management of health, safety and welfare.
- 1.4 Imperial College Union acknowledges its duty to ensure that all relevant legislation regarding health, safety and welfare is adhered to and that resources are made available to ensure health, safety and welfare.
- 1.5 Imperial College Union is committed to developing a positive safety culture, based on the involvement of staff in health and safety management. Imperial College Union will therefore use consultative forums and mechanisms to involve staff in health and safety management, and will endeavour to provide relevant training to all staff and students.
- 1.6 Imperial College Union commits to reviewing this policy at least every 2 years, or as and when necessary. This will be done by the Departmental Safety Officer, Deputy President (Clubs & Societies) and the Student Activities Manager.

## 2. Introduction

- 2.1 This document details the allocation of health, safety and welfare responsibilities, the particular arrangements that are in place to meet the policy statement (see 1.0 above), the measures in place to monitor implementation of the policy and the system for reviewing the policy.
- 2.2 This document details Union-wide policies, procedures and systems to ensure the management of health and safety. Individual Departments, teams, functions, areas, etc. within the Union will introduce more detailed policies and systems covering specific areas.
- 2.3 Imperial College Union is an organisation within its own right. However, the Union is an integral part of Imperial College and could not exist without the College. Therefore, the relationship between the Union and the College is complex and important with regard to this policy.
  - 2.3.1 The College has a legal responsibility to ensure the good management of the Union and in particular the use of the Union's finances.
  - 2.3.2 As such, the College has an interest in ensuring that adequate measures are in place to ensure health, safety and welfare within the Union.
  - 2.3.3 The College has its own Health and Safety Policy and a Health & Safety department.
  - 2.3.4 The Union is committed to working with the College Health & Safety Unit and where appropriate, ensuring that the Union's Health and Safety Policy is in accordance with the College Health and Safety Policy.
- 2.4 Staff of the Union should note that they are employees of Imperial College Union and as such must adhere to the Union's Health and Safety Policy, the College Health and Safety

Policy and the Health and Safety Executive Legislation first and foremost. Staff should also note that breaches of the health and safety policy will be treated with the utmost seriousness and could be deemed gross misconduct.

### **3. Management responsibilities - people, places, equipment, tasks**

- 3.1 As part of the College's charitable status, trustees govern the Union; the trustees of Imperial College Union are defined in the Union Constitution and include the Union President. The trustees are responsible for ensuring that the Union complies with all relevant legislation, including health and safety legislation..
  - 3.1.1 The President of the Union shall act as the "Director" of Safety and as such will have lead responsibility amongst the Sabbatical team to ensure that this policy is implemented and that health and safety legislation is complied with.
  - 3.1.2 The trustees shall delegate many of their responsibilities to staff members, through the line management structure of the Union.

#### **Department Safety Officer**

- 3.2 The Department Safety Officer (DSO) for the Union shall be appointed by the General Manager.
- 3.3 The DSO shall be responsible for:
  - 3.3.1 Implementing the Policy Statement and the details of this policy as shown below.
  - 3.3.2 Reporting on a regular basis to the Trustee Board about health and safety issues.
  - 3.3.3 Providing accident statistics.
  - 3.3.4 Remaining up-to-date with relevant legislation.
  - 3.3.5 Conducting health and safety inspections on a regular basis.
  - 3.3.6 Providing leadership on health and safety issues.
- 3.4 Responsibility for ensuring the health, safety and welfare of equipment (electrical, mechanical or otherwise) lies with the DSO.
- 3.5 Responsibility for ensuring the health, safety and welfare of tasks (electrical, mechanical or otherwise) lies with the DSO in which the task takes place. For example, responsibility for ensuring that the lifting of beer barrels in the Venue is conducted safely lies with the DSO. This responsibility may then be delegated down through the line management structure.
- 3.6 Responsibility for ensuring the health, safety and welfare of all visitors lies with the DSO who is responsible for the building in which the visitor is present.
- 3.7 Responsibility for ensuring the health, safety and welfare of all suppliers lies with the DSO that the supplier is dealing with.

### **4. Delegation of Responsibilities by the Department Safety Officer**

- 4.1 The DSO delegates responsibility for implementation of the Health and Safety Policy to the relevant Line Managers who shall be responsible for:
  - 4.1.1 The implementation of the policy within their department.
  - 4.1.2 Providing leadership on health and safety issues and supervising staff to ensure that the Health and Safety Policy is complied with.
  - 4.1.3 Promoting responsible attitudes towards health and safety.
  - 4.1.4 Identifying and reporting risks
  - 4.1.5 Conducting health and safety inspections on a regular basis.
- 4.2 Responsibility for ensuring the health, safety and welfare of people (staff, customers, suppliers, visitors and others who may be affected by its activities) lies with a specific Line Manager, as shown below:

- 4.3 Responsibility for staff follows the line management structure of the Union.
- 4.4 Responsibility for ensuring the health, safety and welfare of all students involved in Union activities on a voluntary basis lies with the DSO.
- 4.5 Responsibility for ensuring the health, safety and welfare of places (buildings, offices and each physical area of the Union) lies with a specific Manager, as shown below:
  - 4.5.1 The Union Shop, including the office, stockroom and refuse area shall be the responsibility of the Retail Manager.
  - 4.5.2 The Union Bars, including the outdoor seating area and the refuse area shall be the responsibility of the Trading Manager.
  - 4.5.3 The Finance Department offices are the responsibility of the Finance Manager.
  - 4.5.4 All other areas are the responsibility of the DSO.

## **5. Delegation of responsibilities by Department Heads**

- 5.1 Department Heads delegate certain tasks within their departments to staff who have supervisory responsibilities. Line Managers and Supervisors shall be responsible for:
  - 5.1.1 The implementation of the policy within their sphere of influence.
  - 5.1.2 Providing leadership on health and safety issues for the staff they manage or supervise.
  - 5.1.3 Ensuring that staff they manage/supervise are aware of the Union's Health and Safety Policy.
  - 5.1.4 Ensuring that staff they manage or supervise report anything that may impact upon the safety of the working environment.

## **6. Collective responsibilities**

- 6.1 Every staff member (permanent and casual) has certain responsibilities under the Health and Safety Policy. All staff shall:
  - 6.1.1 Make themselves aware of the Union's Health and Safety Policy and adhere to it at all times when at work.
  - 6.1.2 Record any accidents or breaches of the Health and Safety Policy immediately, using the appropriate forms.
  - 6.1.3 Seek the advice of their line manager regarding any medical conditions or other conditions that may affect their or others' health, safety or welfare.
  - 6.1.4 Do everything within their power to ensure a safe and healthy working environment.
  - 6.1.5 Correctly utilise any Personal Protective Equipment (PPE) that is supplied for the purposes of safely carrying out a specific task.
  - 6.1.6 Protecting themselves and others and not interfering or misusing any equipment provided for health and safety purposes.
  - 6.1.7 Responsibility for ensuring the health, safety and welfare of all others who may be affected by its activities lies with the relevant Department Head.

## **16. MIKE THE MICROMETER**

1. Mike the Micrometer is the inviolate mascot of Imperial College Union.
2. It is inappropriate for any constituent part of ICU to violate an ICU mascot.
3. It is unacceptable for any constituent part of ICU to steal an ICU mascot.
4. Mike the Micrometer should attend all important Union events at the discretion of the President.
5. The President may appoint a "Mike-Bearer" if he or she feels incapable of bringing Mike to any event.
6. Mike the Micrometer shall remain under the guardianship of the President.
7. Mike the Micrometer shall remain in the President's Office when not attending events.
8. No-one should repair, alter or modify Mike the Micrometer without first obtaining consent from ICU Executive Committee.

## **17. POSTER POLICY**

### **Jurisdiction**

1. This policy applies to all Union activity, including commercial, welfare and clubs' and societies' activities.
2. The Union, under the Code of Practice with the College, is responsible for student noticeboards along the walkway, and other locations across the College. The Union is also responsible for notices within its own building.

### **Authorising posters**

3. No unauthorised poster should be put up. Posters are authorised by
  - i. the Sabbatical Officers,
  - ii. the Union Manager and Line Managers,
  - iii. the Clubs and Societies Administrator,
  - iv. Chairs, Captains or Presidents of Faculty Unions, clubs and societies.
4. The persons in 3 may nominate another to authorise on their behalf, but are responsible for their nominee's actions. The President may remove the authority of anyone to authorise or put up posters.

### **Rules on posters**

5. Those authorising posters should ensure they adhere to the following rules:
  - i. Carry the ICU logo and the words "Imperial College Union".
  - ii. Display the time, date and location of the club event.
  - iii. Name the club or society as a club or society of Imperial College Union.
  - iv. Be no bigger than A2 in size.
  - v. Be in English only or have an English translation of anything said in a foreign language, the translation being equal or greater in prominence.
  - vi. Not contain any offensive language, including implied offensive language.
  - vii. Not contain material that may bring the Union into disrepute or is of a libellous nature.
  - viii. Not contravene the Equal Opportunities Policy.
  - ix. The poster should either advertise a specific event with the date of the event mentioned or advertise the activity generally and include a reasonable expiry date on the poster.

6. When posters are put up they must:
  - i. Be put up using blu-tack or an equivalent.
  - ii. Not be put up with Sellotape or glue.
  - iii. Not be put up closer together than 5 metres apart where there is insufficient space for other clubs or societies' posters.
  - iv. Not be put up on glass.
  - v. Not be put up over other in-date posters
  - vi. Not indicate that an event is open to the general public unless previously agreed by the Union President.
  - vii. Be removed within 5 College days of the event being advertised having taken place .

### **Locations**

7. Posters should only be put up in the following locations:
  - i. The Union Building with the exception of the Union Bar, da Vinci's, dB's and the Union Dining Hall
  - ii. The Junior Common Room in the Sherfield Building
  - iii. On the communal noticeboards along the walkway.
  - iv. Basement of Mary's i.e., Bar, corridors, at top of stairs.
  - v. Stairway noticeboards at Mary's, on each floor.
  - vi. Glass notice boards at BMS and in UMO student post room.
  - vii. Reynolds First floor walls and basement walls.
  - viii. Academic departments and halls of residence (see 10).
8. The noticeboard outside dB's on the ground floor foyer is restricted to central Union publicity only. Posters may only be put up there with the permission of the President, his or her nominee, or the Union Manager.
9. The noticeboard outside the Union Dining Hall on the right, on the first floor landing, is restricted to central Union notices, such as minutes, elections and meeting publicity. Posters may only be put up there with the permission of the President.

### **Departments and Halls of Residence**

10. Posters and publicity in Departments and Halls of Residence shall comply with any rule set by the Head of Department or Warden.

### **Silwood and Wye**

11. Posters may be put up any areas in Silwood and Wye which are under management control of the Union or used for Union activity . Posters may put elsewhere in compliance with any rule set by the relevant Head of Department or Warden.
12. The Silwood and Wye Executive Committees may make such amendments to these rules, including on content and approval of posters as they see fit for their respective campuses, though not any permitting offensive, disreputable or libellous posters.

### **Former Constituent College Unions**

13. The City and Guilds College Union, Imperial College School of Medicine Students' Union, Royal College of Science Union, Royal School of Mines CSC and Wye Campus Union Society (hereinafter referred to as "former constituent unions") may replace the Union logo with their crest, and the Union's name with their Union, but either the Union's or the former Constituent College Union's details must be on the poster.

### **Private and external posters**

14. Members of the College may put up private notices, or notices on behalf of constituent parts of the College. They should follow the normal poster rules (except those requiring use of the Union name and logo).

15. External organisations may only put up posters with the permission of the Union President.

### **Election publicity**

16. Election posters must be authorised by the Returning Officer. They do not require the Union's name or details of events (unless that particular election requires it). They must not use any College, Union or Constituent College Union insignia, including crests and logos.

17. Elections posters are expected to adhere to the other poster rules above, and any additional ones laid down by the Returning Officer or elections committee.

### **Declaration**

18. Chairs of clubs and societies may be expected to sign a declaration stating that they will adhere to the poster rules as part of their general declaration (see 76.i)).

### **Enforcement**

19. A £5 per poster fine may be issued to the Clubs or Society by the Deputy President (Clubs & Societies) if the Club or Society does not adhere to these poster rules. (<http://www.union.ic.ac.uk/meetings/files/minutes6-364.pdf>)

### **Exemption**

20. The President may exempt a person or constituent part of the Union from any of these rules, except those requiring use of English and prohibiting offensive, disreputable or libellous posters.

<b>18. RESERVED POWERS POLICY</b>
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1. All policies and resolutions of the Trustee Board shall be reserved to the Trustee Board (as "reserved matters" under the Constitution) unless specifically devolved by the Trustee Board.
2. Authority to amend or revoke the following Council policies is reserved to the Council alone:
  - i. Clubs and Societies Policy parts A and B only (passed 11<sup>th</sup> June 2007)
  - ii. Colours Policy (passed 11<sup>th</sup> June 2007)
  - iii. Disciplinary Policy (passed 11<sup>th</sup> June 2007) E
  - iv. Equal Opportunities Policy (passed 11<sup>th</sup> June 2007)
  - v. Felix Policy (passed 11<sup>th</sup> June 2007)
  - vi. Transport Policy parts A, B and C only (passed 11<sup>th</sup> June 2007)
3. The Clubs and Societies Board and the Representation and Welfare Board may pass or amend Union policy relevant to their areas of activity.
4. Only the Union Council may approve policy that obliges the Union to adopt a unified public stance on a political matter.

**ICU Notes**

1. The Union provides an annual Freshers' Fair at the start of each academic session.
2. That the event is aimed at encouraging the student body to participate in the wide range of Clubs and Societies on offer at Imperial.
3. That the event also marks the best opportunity for Imperial College Union to market its central services and activities to the students, especially Freshers.
4. In addition, there is a corporate presence at the event, examples including The Times, Waterstones, and Abbey National.
5. In the past there has been a rule that no trading shall take place during the fair. This has applied across the board, to externals and clubs and societies. However Union Ents was exempt from the policy..
6. Although this rule does not appear in current Union Policy, it has always been included in the Terms and Conditions on the booking form for external organisations.
7. The launch of online sales of tickets and club membership via [www.imperialcollegeunion.org](http://www.imperialcollegeunion.org) enables electronic sales to be made during the time of Fresher' Fair. Restricting the online sales part of [www.imperialcollegeunion.org](http://www.imperialcollegeunion.org) for the time of the Fresher' Fair is an impractical option.

**ICU Believes**

8. Corporate presence at these events is welcome.
9. That the intention of the restriction on trading is to avoid students paying to join many clubs and societies and later realising that there simply isn't the time to pursue a large number of extra-curricular activities.
10. That students expect to be able to purchase food and drink from College and Union bars and catering outlets during the event.
11. That it is convenient and beneficial for both students and the Union for tickets to Union events to be available for purchase during the fair.

**ICU Further Believes**

12. Collection of membership fees at the Fresher' Fair by clubs and societies is not in the best interests of the student body, though the option to buy membership online will exist during the time of the Fresher' Fair.
13. Trading by a corporate body will not be in the best interests of the student body present at Fresher' Fair.

**ICU Resolves**

14. Trading at Freshers' Fair, either in memberships or in other goods or services shall not be permitted.
15. Any external organisation given use of a stall or space at Freshers Fair shall not be permitted to exchange goods or services for payment.

## 20. TRANSPORT POLICY

### A. General

1. This policy covers the use of the Union's transport fleet including vehicles owned by any constituent part of the Union, and sets out responsibilities and procedures for use of the vehicles, registration of drivers and incident procedure.
2. Sections A, B, and C are the preserve of council while the Clubs and Societies Board determines operational policy (remaining sections).

### B. Responsibilities

3. The President has ultimate responsibility for the transport fleet, strategy, and driver and passenger conduct.
4. The Union shall ensure that the fleet is maintained in a roadworthy condition, and overseeing that minibus drivers are of an acceptable standard.
5. The Union shall be responsible for receiving and recording accounts of vehicle bookings and incidents, and reporting these as required in this policy.
6. The Silwood Park committee are responsible for maintaining and booking any of the Union's fleet in their possession.

### C. Disciplinary action

7. The President shall from time to time, in consultation with the members of the Clubs and Societies Board issue a set of recommended fines and charges for minor offences, which shall be available to any Member of the Union or registered driver. The fines and charges may be added to the hire charge in instances of carelessness, or paid personally by the concerned driver, all drivers, or some or all passengers as appropriate in cases of more serious negligence.
8. In the case of more serious incidents, indicating dishonesty, substandard driving ability, or behaviour likely to cause a danger to passengers, the President or his or her nominee may:
  - i. deregister and ban a driver for a period of time or indefinitely,
  - ii. require a person to undertake a new test to reregister as a driver, alongside such extra tuition or testing as may be required.
  - iii. deregister and ban drivers within a club or society or group (where the behaviour of the group as a whole warrants it),
  - iv. ban a club or society or group from using the Union's fleet,
9. Action in sections 7 and 8 constitute summary punishment under the Disciplinary Policy and are subject to appeal and written notification, as detailed in that policy.
10. The President or his nominee is responsible for writing to any individual whom action has been taken against under section 8, informing him or her of the decision, other action that has or will be taken, rights of appeal, and reasons for it as soon as is practically possible. This action shall also be reported to the Clubs and Societies Board.
11. The most serious incidents may involve an individual or club or society being referred to the Disciplinary Committee as per the Disciplinary Policy. Action of this nature shall be reported to the Clubs and Societies Board.

### D. Registration of drivers

#### *Requirements for drivers*

12. All registered drivers of Union vehicles must be a registered student at Imperial College (Union Full Member), a member of the College staff or Union staff, or a Union Life or Associate Member.



13. All registered drivers of Union vehicles must also be at least twenty-one years of age and have a held full European Union B category (car) licence for two years.
14. Drivers shall sign a declaration stating that they have complied with the requirements for drivers in this policy and any other decision of the Clubs and Societies Board.
15. Individuals shall cease to be registered drivers if they no longer fulfil the terms of sections 12-14.

#### ***How drivers are registered and tested***

16. The Student Services Division shall appoint a number of individuals who shall be permitted to approve drivers for registration.
17. The Clubs and Societies Board shall approve a form of assessment which must be undertaken and passed by prospective drivers.
18. A list of registered drivers shall be kept by the Union..

#### ***Concerns about drivers***

19. In the event of an incident the procedure in Parts H and C are to be followed.
20. If a person has private concerns of the driving ability or conduct of a registered driver, then they may bring the matter up in confidence with a member of the Student Services Division..
21. If the concerns are of the driving ability or conduct of a member of the Student Services Division, the matter shall be brought up with the President.
22. No detrimental action of any kind will be taken against a person who makes such concerns known, provided the complaint is made in good faith and without malice. A complainant must make himself known to the responsible authority in sections 20 and 21, but may request their identity be withheld from other individuals. Individuals are however encouraged to put their name to complaints.
23. The relevant member of the Student Services Division or President as appropriate or their nominee shall consult with the driver concerned and make such investigations as appear necessary. That person shall refer the matter to the President who may take action under section 8. If the allegation concerns the President, then the matter shall be referred to the Council Chair, who may take action under section 48.

#### **E. Maintenance of the fleet**

24. The Union shall ensure vehicles are insured, taxed, MOT tests are carried out and other legal administrative duties are carried out at the appropriate times. The Union shall remove from use any vehicle that no longer complies with relevant road traffic legislation.
25. The Student Services Division shall supervise elementary repair work on vehicles, but shall refer any more serious problems to a qualified mechanic or garage, as appropriate and within budgetary constraints.
26. The Student Services Division shall remove a vehicle from use which in their opinion does not comply with road traffic legislation or is for some other reason unsafe to use.
27. In the event of a vehicle being removed from use, the authority removing it from use must inform the Union and any person whose booking may be rescinded immediately.

#### **F. Booking vehicles**

28. Vehicles shall be requested through the union website – [www.imperialcollegeunion.org](http://www.imperialcollegeunion.org).

29. Requests for the hire of a vehicle may be made up to three weeks in advance of the start of the proposed hire. If the vehicle is needed over a weekend the request may be made on the Friday before this three-week period.
30. Requests will be held in the order in which they were received; bookings will be made on each Friday morning for the week starting Friday evening two weeks hence. If the supply of vehicles is insufficient to meet requests, the Student Services Division staff will allocate vehicles accordingly in the following priority order:
  - i. Request received after the bookings have been made for the period will only be accepted if there is availability at the time of receipt – existing bookings will not be displaced.
  - ii. Length of booking – longer bookings will get priority over shorter bookings. This is to try to achieve a higher income for the vehicles.
  - iii. Number of customers able to be accommodated (multiple bookings on a bus with are dovetailed will have priority over one booking of equal financial value).
  - iv. Specialist equipment – roof racks and tow-bars. The more essential need will gain priority.
  - v. The order in which the requests were received.
  - vi. Multiple vehicles requested by a single customer for overlapping periods will be booked only if there is still availability after all other requests have been processed.
31. Fees for use of vehicles shall be as determined by the Clubs and Societies Board.
32. If any vehicle has been purchased partly with contributions on behalf of a constituent part of the Union, the Clubs and Societies Board may determine a booking priority and fees according to the size of external contribution.

#### **G. Motorised mascots**

33. The former Constituent College Unions' motorised mascots (which include the car "Boanerges", the bike "Derrick", the truck "Clem" and the fire engine "Jezebel") are bound by this policy, but are also the responsibility of their respective clubs.
34. These mascots all remain permanently inviolate.
35. These vehicles are exempt from Parts D, E and F (driver registration, maintenance and booking). Appropriate driver registration and maintenance procedures shall be administered by their respective clubs. The respective clubs may make additional requirements upon drivers and their respective driver registration procedures are subject to approval by the Clubs & Societies Board.
36. The respective clubs are exempt from reporting incidents 38 *i,iv*, and *viii*) to the Union (though they may if they wish) with respect to their motorised mascots.
37. The respective clubs shall have a clear policy passed by their main policy-making body on the use and administration of their motorised mascots, including:
  - i. holding the President of the club as ultimately responsible to the Sabbatical Officers for all use and administration of their mascots,
  - ii. a line management and accountability structure for health and safety, finance, bookings and vehicle maintenance,
  - iii. qualifications required of drivers (see section 35) and their assistants,
  - iv. who is permitted to use the vehicles and under what conditions, and
  - v. dealing with minor incidents referred to in section 36.

#### **H. Incidents**

38. An 'incident' shall be defined as:
  - i. A vehicle breakdown,
  - ii. An accident or situation that could easily have resulted in an accident
  - iii. Use of the emergency equipment,
  - iv. Any damage to the exterior or interior of the vehicle
  - v. Any criminal driving offence or parking offence,
  - vi. Consuming alcohol in the vehicle,
  - vii. Use of a Union vehicle without permission, or on un-agreed terms,
  - viii. Non-payment of charges for use,
  - ix. Complaint from another road user,

- x. Failure to report an incident in this section, and
- xi. Any other incident that may give rise to action under the Union Disciplinary Policy, or breach of Health & Safety regulations.

39. Incidents include:

- i. An incident involving a minibus, van, or other motorised vehicle owned or leased by the Union, and
- ii. An incident involving use of a motorised vehicle on any activity organised by the Union, or its clubs and societies.

40. It is recognised that these incidents may not all be the responsibility of the driver or group using the vehicle. It is also recognised that the driver of the vehicle has a duty of care to the passengers and is responsible for incidents directly related to his driving, though this does not absolve the duty of passengers not to distract the driver or otherwise misbehave.

41. An incident as defined in section 38 must be reported by the driver to the Union in soon as possible, but within twenty four hours..

42. The details of any incident and the driver at the time shall be recorded in writing by the driver on the appropriate form.

43. In the event of a more serious incident, or any incident listed in sections 34 *iv* to 34 *xi*,

- i. the President and Deputy President (Finance and Services) shall be informed,
- ii. the President or his or her nominee shall make further investigations as to the circumstances of the incident, and may on the advice of the Union and Student Services Division take further action under Part C.

44. All incidents except those of a trivial nature, or exempt under section 36, shall be reported to the Clubs and Societies Board.