

Bye-Laws

Leeds University Union Bye-Laws

General

1. Leeds University Union (“the Student’s Union” or “the Union”) is a company limited by guarantee.
2. These Bye-Laws are made in legal agreement with Article 62 of the Articles of Association of the Union.
3. These Bye-Laws cover the following:
 - i. Ideas & Policy
 - ii. Union Forums
 - iii. Membership Decision-Making
 - iv. Elections
 - v. Membership
 - vi. Student Groups and Activities
 - vii. Student Representatives
 - viii. Complaints, discipline and appeals
 - ix. Subcommittees of the Board
 - x. Board of Trustees
 - xi. Changes to the Articles

Definitions and Interpretations

4. Words and phrases used in these Bye-Laws have the meaning set out in the Glossary. Where these words are phrases come from the Articles of Association, they have the meaning given to them in that document.
5. The Articles of Association take precedence over these Bye-Laws and these Bye-Laws will not be interpreted or applied in any way which is inconsistent with the Articles of Association of the Union.
6. The Returning Officer, as defined below, will take sole responsibility for interpreting these Bye-Laws within this framework.
7. As outlined in Article 12, a member is any person who is a registered student at the University of Leeds, who has opted in to Union membership and has not yet graduated.

Amendments

8. These Bye-Laws may be altered, varied or amended by the Trustees in accordance with the Articles of Association under Article 62, which require any amendments to be approved by the Union Forum. In accordance with the Code of Practice any changes to these Bye-Laws must also be approved by the University’s Appointed Officer.

Guidance Documents

9. Rules and provisions made in Guidance Documents provided supplementary to these Bye-Laws shall carry the same weight as rules contained within the Bye-Laws themselves.
10. Amendments to Guidance Documents shall remain the authority of the relevant body as detailed below;

Document	Supports Bye-Law	Oversight body
Idea submission guidance	1,3	Student Executive
Campaign Rules	4	Appointments & Governance subcommittee
Student Activity Group Model Constitution	6	Activities Executive
Activity Group Formation guidance	6	Activities Executive
Student Representative Role Descriptions	7	Student Executive
Office Holder Code of Standards	7	Appointments & Governance subcommittee
Student Executive Portfolio Descriptions	7	Appointments & Governance subcommittee
Complaint procedure	8	Appointments & Governance subcommittee
Code of Practice	8	Board of Trustees and University of Leeds
Safeguarding Policy	8	Audit & Risk subcommittee
Delegation of Authority	9	Board of Trustees
Officer Terms of Employment	11	People & Values subcommittee

Named Roles

11. There are a number of named roles within these Bye-Laws and descriptions of these roles are set out below. Where there is no named role, the Chief Executive (or their nominee) will be responsible for implementing the processes set out in these Bye-Laws.
12. Returning Officer
 - i. The Returning Officer is an independent individual, appointed annually by the Board of Trustees to oversee use of these Bye-Laws. The primary involvement of the Returning Officer is in overseeing cross-campus elections. The Returning Officer is also responsible for interpreting these Bye-Laws, including decisions on how to approach acts of non-compliance. Unless otherwise stated the Returning Officer's decision will be subject to appeal to the Board of Trustees.
 - ii. The Returning Officer role may be carried out by any of the following:
 - An NUS staff member
 - A nominee of the University of Leeds
 - A senior staff member of another students' union

- iii. If the Returning Officer is unable to fulfil this role then a nominee of the Returning Officer will administer the Bye-Laws in their place.
13. Union Affairs Officer
- i. The Union Affairs Officer is the Chair of the LUU Board of Trustees, and has responsibility for overseeing all democratic and governance matters at the Union.
 - ii. The Union Affairs Officer has a role description set out in the Officer Portfolio Descriptions which is freely available to any member.
 - iii. The Union Affairs Officer has delegated authority over certain governance, democratic, and financial decisions as set out in the Delegation of Authority.
 - iv. If the Union Affairs Officer is unable to fulfil their role, the Board will select another Officer Trustee to act in their place.
14. Supervising Trustee
- i. The Supervising Trustee is appointed annually by the Board of Trustees, and is always an External Trustee. Usually, the Supervising Trustee is also the Chair of the Appointments & Governance subcommittee.
 - ii. The Supervising Trustee has specific authority over matters relating to the Trustee Code of Conduct.
15. Advisory Trustee
- i. The Advisory Trustee is appointed annually by the Board of Trustees, and is always an External Trustee. Usually, the Advisory Trustee is also the Chair of the People & Values subcommittee.
 - ii. The Advisory Trustee supports the Chair of the Board in the direct line-management of the Chief Executive, including attending performance review meetings, setting objectives, and putting forward any recommendations around Chief Executive performance management, development, and remuneration.
16. University Appointed Officer
- i. The University Appointed Officer is the individual selected by the University of Leeds to oversee the Union's compliance with the Code of Practice, the regulations which set out the relationship between the University of Leeds and Leeds University Union.

Bye-Law 1: Ideas & Policy

Ideas

1. Any member of the Union can submit an Idea to the Union at any time. This submission must be in writing and include the name and student number of the member who is proposing the Idea.
2. Ideas must be submitted in the format set out by the Union. Guidance is freely available to any member on request.
3. The Union will work with members who propose Ideas to ensure that a Union Forum is the most appropriate route to take to make change, and suggest alternative options if appropriate. Members can request that their Idea is heard at a Union Forum.
4. Ideas can be deferred or stopped from being discussed at a Union Forum if the Idea is identified by Officer Trustees as posing a financial, legal, reputational, or other legitimate risk to the Union.
5. If an Idea has been deferred from a Union Forum then the extent of the risk will be investigated. During this investigation, the member who submitted the Idea will be given the option to:
 - i. Change their Idea so that it is no longer considered a risk
 - ii. Withdraw their Idea
6. Ideas will be published at least five working days before they are discussed at the relevant Union Forum.
7. For their Idea to be discussed the member who submitted it must:
 - i. Still be a member of the Union at the date of the relevant Forum at which it is proposed that their Idea be discussed.
 - ii. Attend the relevant Forum to explain their Idea or, if they are unable to attend, nominate another member of the Union to speak on their behalf.
8. If the student who proposed the Idea notifies the Union that they cannot attend in advance of the relevant forum and they're unable to nominate a spokesperson, then their idea will be deferred to the next relevant Union Forum. If the student does not attend, nominate a spokesperson or notify the Union before the relevant Forum then their Idea will be withdrawn.
9. No Idea with materially the same content can be discussed at Union Forums twice in one academic year unless it has been deferred from a previous Forum.
10. Ideas that have not been discussed at a Union Forum by the end of the academic year will be discussed at the first relevant Forum of the next academic year as long as the student who proposed the Idea is still a member of the Union.

Policy

11. Policy (as defined in Article 70.1.27) is set by:
 - i. Union Forums in accordance with Article 61.1.2 of the Articles of Association or
 - ii. Referendum of the Members in accordance with Article 16.4
12. Policy will exist for three years unless it is overturned.
13. Policy can only be overturned by Referendum.
14. Policy remains subject to the authority of the Board of Trustees in accordance with Article 42.2. For example, Policy may be blocked if there are serious concerns with regard to financial considerations, breaches of law, or reputational risk.

15. At Union Forum, if at least three quarters of the student panel vote for an Idea then the Idea will become policy. If at least three quarters of the student panel vote against an Idea, it will fail and will not become Policy.
16. If an Idea does not achieve three quarters of the votes of the student panel then it will be referred to a cross campus referendum.
17. An Idea taken to referendum will become Policy if the referendum is quorate and the simple majority of the votes cast are in favour of the Idea.
18. If a Policy requires a change to the Articles then it will be subject to the amendment process set out in these Bye-Laws. If the Policy also requires a change to the Bye-Laws, these changes will not come into effect until changes to the Articles have been approved.

Bye-Law 2: Union Forums

1. Union Forums will perform the functions outlined in Article 61 of the Articles of Association, and will run in accordance with the rules set out in these Bye-Laws.
2. The Union will run a minimum of three Union Forum meetings each year. The Union can group Ideas falling within similar categories or areas and will set out in writing where a Union Forum meeting is focussed on a specific category or area.
3. Union Forums will be held during a weekday of term time
4. The agenda for Union Forums will be published at least five working days before the Forum is due to be held.

Proceedings

5. Each Union Forum will consider Ideas submitted by members.
6. Each Union Forum will receive an update from the Trustees in the form of an accountability report from the Officer Trustees.
7. All Union affiliations will be considered at least once per year at a Union Forum.
8. The Union Forum can consider proposals from the Trustees to make, repeal or amend the Bye-Laws.
9. Union Forums hold the power to:
 - i. Create Union Policy.
 - ii. Remove any representative from any committee with the exception of the Student Executive and Board of Trustees.
 - iii. Nominate members to serve as representatives on bodies outside the Union.

Attendance

10. Each Union Forum will be hosted by the Forum Facilitator, who is a paid member of student staff.
11. At least two Student Executive Officers are required to attend each Union Forum meeting.
12. Relevant Student Representatives are required to attend each Union Forum. If the Union runs Union Forum meetings with separate categories of Ideas, the role definition of these Student Representatives will name the Union Forum(s) they are required to attend.
13. Any member may attend any Union Forum and speak. Non-members can attend with prior permission, but do not have speaking rights.
14. Quorum for Union Forum meetings shall be a simple majority of the representatives entitled to attend.

Duties of Student Representatives

15. Student Representatives will communicate with students prior to Union Forums so that they can voice the different viewpoints held amongst the students that they represent.
16. Student Representatives must actively seek to promote Union Forums and themselves to the students that they are expected to represent.
17. Student Representatives must encourage members to propose Ideas to Union Forums.

18. For the avoidance of doubt, if Student Representatives have not properly communicated with students prior to Union Forums this shall not in any way invalidate any process or decision at the Forum.

Student Panel

19. A different student panel of 20 randomly selected members will attend each Forum meeting. The panel is responsible for voting on any Ideas which are put forward to the Forum.
20. Quorum for this panel will be 15 members.
21. The student panel will vote using a secret ballot.
22. Before being asked to vote the panel members must declare that they feel able to make a decision for or against the Idea:
 - i. If the panel members declare that they feel able to make a decision then they may proceed to a vote
 - ii. If the panel members declare that they feel unable to make a decision then they may use their speaking rights to help them make a decision.
23. If the panel declares that they are unable to make a decision then the Forum Facilitator has the power to defer the decision to the next appropriate Union Forum.

Discussion

24. The Forum Facilitator will manage discussion at Union Forums, taking the role of chair. The Forum Facilitator will refrain from making comments in order to remain impartial.
25. Any member present at a Union Forum has the right to speak in order to:
 - i. Ask a question
 - ii. State a practical point of clarification
 - iii. Make a comment
 - iv. Propose a change to an Idea
26. Changes will be accepted at the discretion of the member who proposed the Idea.
27. Officer Trustees have the power to close a discussion and defer an Idea to a subsequent Forum meeting if it has been changed in a way which may pose a material risk to the Union.

Bye-Law 3: Membership Decision-Making

Referendum

1. A referendum is a secret cross-campus ballot where members are asked to vote either yes, no, or abstain.
2. A referendum will be held if:
 - i. An Idea is referred to referendum from a Union Forum. This happens if the Student Panel votes on the Idea but does not reach a three quarters agreement.
 - ii. A petition is raised
3. After a referendum is triggered, a minimum of five working days must be allowed before voting. This time allows members to debate the Idea or Ideas before the beginning of voting. This debate may take the form of a physical meeting or be hosted online.
4. Campaigning for or against individual Ideas must be conducted in accordance with the Campaign Rules. Therefore, campaigning may only commence once the Returning Officer or their nominee has completed a campaign briefing.
5. Once referred to referendum, Ideas cannot be changed and can only be withdrawn by the member who submitted it or the Returning Officer.
6. Referendum voting will last for four working days.
7. A count will not begin any earlier than 24 hours after closing of voting.
8. The quorum for a Referendum is 1500 members voting per Idea, except when the Idea is to remove a Student Executive Officer in which case the quorum is 2500 members.

Petitions

9. A petition can be requested by any member who wants to trigger a Referendum to:
 - i. Appeal a decision made at a Union Forum
 - ii. Remove a Student Executive Officer
10. A petition may also be requested by a member who wants to trigger a General Meeting to approve a change to the Articles.
11. A request for a petition can be made at any point through the publicised process. The Union will ensure the petition is open and available to sign by members within two working days. The petition will close at the same time, on the same day that it opened exactly one week later.
12. A request for a petition must include a full copy of the Idea proposed, which must be submitted in the format set out by the Union. Guidance is freely available to any member on request.
13. Quorum for petitions is 600 member signatures.
14. The Union will seek to ensure that Petitions are accessible for all members of the Union to sign.
15. Members may campaign to encourage other students to sign the petition. This campaigning must be conducted in accordance with the Campaign Rules. Therefore, campaigning may only commence once the campaigner has been briefed on the Campaign Rules.
16. When the petition closes the Returning Officer will confirm the total number of members who have signed the petition. If duplicate or invalid student numbers

or names are discovered then they shall be removed and discounted from the petition.

Bye-law 4: Elections

1. The following posts are elected by cross-campus ballot:
 - i. Student Executive Officers
 - ii. NUS representatives
 - iii. Any other roles as set out by the Board of Trustees
2. The quorum for the Student Executive Officers election is 1500 members voting per position. All election procedures relating to Student Executive Officers will be subject to review by the University's Appointed Officer.
3. The following posts shall be elected by specific groups of members.
 - i. Activities Executive – The members of activity groups in each category will elect a representative to the Activities Executive
 - ii. Activity Group Committee members - The members of an activity group will elect their committee members.
 - iii. Any other representative roles deemed by the Student Executive to be electable only by a specified group of members.
4. By-elections will be held to fill any vacant posts following an election.
5. Officer Trustees elected in by-elections shall hold office from the date that the result is declared.

Election Process

6. Nominations must be submitted through the process set out by the Union. Nominations submitted in another way may not be valid.
7. Nominees must comply with the terms and conditions of the election, including following relevant Campaign Rules.
8. In the case of Student Executive elections, no member may stand for more than one position in the same election.
9. Campaigning begins on a date specified within the election process, and only once the nominees have been briefed on the relevant terms and conditions. In the case of cross-campus ballots, this includes the Campaign Rules which exist as a separate guidance document.
10. Each member shall have one vote. No member shall have more than one vote per election or referendum.
11. Students must prove that they are Members of the Union in order to vote.
12. The Returning Officer will seek to ensure that cross campus voting is accessible for all members of the Union.
13. Voting in elections shall be by secret ballot using the single transferable vote system as described by the electoral reform society and shall include re-open nominations as a candidate.
14. In elections, the names of candidates for each position shall be placed in a random order on the ballot paper.
15. If re-open nominations is elected in a multi-seat election its surplus of votes shall be transferred to a new re-open nominations candidate.
16. If re-open nominations is elected in a single-seat election then the post shall remain vacant until nominations can be reopened and a by-election held.
17. If the result of voting in an election or referendum is a tie then the result is decided in line with the electoral commission's rules by the drawing of lots (i.e. a method of selection by chance such as tossing a coin or picking a name out of a

- hat). The method of selection will be decided and conducted by the Returning Officer or their nominee.
18. The count shall be supervised by the Returning Officer or their nominee.
 19. Complaints about the count must be made in writing to the Returning Officer or their nominee no later than one working day after the announcement of the result.
 20. The results of voting will only come into effect once the Returning Officer or their nominee has certified that the result is the accurate outcome of a free and fair democratic procedure, and once any complaints have been resolved.

Election Complaints and Appeals

21. Complaints relating to any aspect of an election other than the count must be made to the Returning Officer no later than 1 hour after the close of voting. Complaints can be made by any member, but must be in writing and must set out the grounds for complaint including the name of any candidate or campaigner who is accused of breaking a rule.
22. The Returning Officer or their nominee will investigate the complaint and provide a written report. If the complaint is upheld, the Returning Officer may delay any count until the complaint is resolved.
23. If the complaint is upheld then the Returning Officer or their nominee has the right to take disciplinary action including but not limited to;
 - i. Candidate disqualification, which can be appealed
 - ii. A private caution, which cannot be appealed
 - iii. A public warning, for which a right of reply will be given but no appeal
24. If the Returning Officer or their nominee believes the offence to have fundamentally damaged the integrity of a vote then they may also call for referendum, petition or election to be rerun as soon as is considered reasonably practical by the Union.
25. Appeals against complaint decisions regarding elections must be received within 24 hours of the decision. This appeal must be made in writing to the Union stating the desired outcome and the grounds for appeal. An appeal is designed to remedy any defects in the process rather than repeat the investigation, and therefore the only grounds that will be considered are:
 - i. unfairness of judgement
 - ii. the severity of the penalty, with consideration of any key extenuating circumstances
 - iii. new evidence coming to light that was not available at the time of the original investigation
 - iv. material procedural irregularities
26. Election appeals will follow the process for appeals set out in the Complaints, Discipline and Appeals Bye-Law, except that the timeline set out in the Bye-Law will not apply. The appeal panel will be convened at the earliest possible time and all supporting material should be submitted alongside the written appeal.

Bye-law 5: Membership

1. All full-time and part-time students registered at the University of Leeds are eligible for full student membership of the Union.
2. Full student membership of the Union is processed at registration. Membership is renewed each time a student re-registers with the University.
3. There is no charge for full student membership of the Union.

Full Student Membership Rights

4. Full student members can join any student activity group, as long as they meet the conditions set out in the group's constitution.
5. Full student members can attend any student members meeting, including Union Forums, and can take part in votes and elections.
6. Full student members have the right to compete in sporting events as a representative of the University of Leeds, and to wear official team colours.
7. Full student members can stand as representatives to serve on bodies outside of the Union.

Associate Membership

8. The Union does not have any associate membership categories.

Bye-law 6: Student Groups and Activities

1. Student Activity Groups are recognised by LUU once they have undergone the formation process and adopted a constitution. The constitution must include all the provisions in the model Constitution and which cannot be amended to counter the spirit and intentions of these provisions.
2. The Activities & Opportunities Officer will approve changes to the sample constitution. The Activities & Opportunities Officer's decision can be appealed to the Activities Executive.
3. Student Activity Groups are part of the Union and are subject to decisions of Union Forums, Referendum and the Board of Trustees.
4. Groups will have the right to use space in the Union building and will be eligible for financial assistance from the Union once they have completed the formation process.
5. Membership of Student Activity Groups is only open to members of the Union, as defined in the relevant Bye-Law. Where non-members participate in any group activities these must be approved in advance by the Union.
6. The Union will ensure that there is always independent student media.

Formation and dissolution

7. Activity formation applications must be completed following the guidance available from the Union, and are subject to Activities Executive approval.
8. Any Group whose membership falls below the defined acceptable level will have their activities and funds frozen until their activity membership exceeds that level. If after six months the Activity Group still has fewer members than required the Activities Executive may rule that the Group will no longer be recognised by the Union.
9. On dissolution all assets and monies of the Group revert to the Union.
10. Any data held by the Union about the Group will adhere to the LUU data policy and the Data Protection Act.

Responsibilities of the Club/Society

11. The Union will keep membership lists in order to assess Groups' viability. This information will not be disclosed to any third party without consent.
12. Every group must have a committee, including core committee roles as defined by the Model Constitution. Membership of this committee must be decided democratically by the members of the group. The group must provide the Union with the names of its committee members including a key contact person and their details.
13. Committee members will be held accountable for the actions of their Group under the remit of Bye-Law 8.
14. Groups must use the appointed Student Activities cash office for all financial transactions and must abide by the Union's financial procedures.
15. Groups may not hold any external bank account.
16. Groups must promote the views, interests and organise activities of common concern for members of the group.
17. The Group's committee will consult the members of their group and appoint a person to attend assembly meetings to speak on their behalf.

Bye-law 7: Student Representatives

1. The Union has a range of routes by which members are represented by their peers. These representatives may be elected or appointed, and each will have a clear Role Description which is publicly available.
2. All Student Representatives are bound by the Office Holder Code of Standards which is reviewed by the Appointments & Governance subcommittee.
3. Student Representatives will take office on the 1st of July for a term of twelve months. The term of office may be shorter or longer on a transitional basis to coincide with an alteration of the year start or end. A Student Representative may serve for a maximum further term of twelve months. For the avoidance of doubt, a Rep's terms of office may be either consecutive or non-consecutive.

The Student Executive

4. The Student Executive is made up of the following roles:
 - Activities & Opportunities Officer
 - Education Officer
 - Equality & Liberation Officer
 - International & Postgraduate Officer
 - Union Affairs & Communications Officer
 - Wellbeing Officer
5. All members of the Student Executive are Officer Trustees as defined in the Articles of Association.
6. The Student Executive is the name in these Bye-Laws given to the Executive Committee in the Articles of Association.
7. The collective duties of the Student Executive are:-
 - i. To be trustees in the capacity of Officer Trustees on the Board of Trustees (subject to the terms of the Articles of Association).
 - ii. To campaign and consult members on their views, and speak on their behalf.
 - iii. To promote, defend and extend the rights of members.
 - iv. To interpret, implement and uphold Union policy.
 - v. To be responsible for, and accountable to, the Student Executive as a whole.
 - vi. To ensure Union members are kept up to date on the actions of the Student Executive.
 - vii. To fulfil their roles as outlined in the Student Executive portfolio descriptions and to support, where appropriate, other student representatives in the fulfilment of their roles.
 - viii. To liaise with external organisations appropriate to individual roles.
 - ix. To steer the strategies and policies of LUU ensuring the Union works for students.
 - x. To act as the spokespersons for the Union.
 - xi. To act as NUS representatives
8. Each Student Executive Officer has their own portfolio as set out in the Portfolio Description document, with individual responsibilities and accountability for delivering their objectives.

9. The full responsibilities of individual Executive Officers are detailed in the formal Portfolio Description for that Officer, which are publicly available on the LUU website, and reviewed on an annual basis, prior to election, by the Appointments & Governance committee.
10. Student Executive Officers will attend all committees and formal meetings which they are nominated to in a representative capacity. For avoidance of doubt all Exec Officers shall be expected to attend Union Forums organised as a function of democratic policy decision-making.
11. Student Executive Officers will lead any groups of Student Leaders which they have nominated leadership for, and accountability to, as set out in the Portfolio Descriptions.
12. Student Executive Officers will appropriately engage with key named stakeholders relevant to their role.
13. The formal Officer Portfolio Description will detail all key areas of work for a given Student Executive Officer.
14. All Student Executive Officers are expected to meet an acceptable standard of performance and to adhere to any terms and conditions of their employment by LUU including (but not limited to) the conditions detailed in this Bye-Law.
15. Student Executive Officers are granted all the privileges of Union membership during their term of office, except that they may not hold elected positions except as NUS representatives.
16. Student Executive Officers must be a Member at the time of their election.
17. If Student Executive Officers wish to campaign for other students during an election they must do so in their own time using only their personal resources.
18. Unless stated otherwise, the Student Executive will make decisions using a simple majority of the six members.

Removal of Student Executive Officers

19. Student Executive Officers can be removed in the following manners:
 - i. by a vote of no confidence by the members
 - ii. through disciplinary action arising from their employment by LUU
 - iii. through a majority resolution of no confidence by the Board of Trustees, in accordance with Article 39.1 of the Articles of Association.
20. A member of the Student Executive can be removed by a member vote of no confidence through referendum. The decision will be made by simple majority and a quorum of 2,500 members. A no confidence referendum can only be triggered by a petition signed by at least 600 members, in line with the process detailed in these Bye-Laws.

Activities Executive

21. The members of each activity category will elect a representative to the Activities Executive. The Activities Executive will:
 - i. Attend the appropriate Union Forum
 - ii. Attend a minimum of five executive meetings per academic year chaired by the Activities & Opportunities Officer, or by another member of the Activities Exec in the officer's absence
 - iii. Represent their category's views at all meetings
 - iv. Give guidance and support to the Activities & Opportunities Officer
 - v. Monitor and receive reports from the Activities & Opportunities Officer

- vi. Hold the Activities & Opportunities Officer to account
 - vii. Assist in the organisation of events and campaigns
22. The Activities Executive will have the power to:
- i. To oversee the discipline of Student Activities Groups as detailed in these Bye-Laws.
 - ii. To agree the subsidy grants for the groups in their category and approve all grants along with the other members of Activities Exec. This financial delegation is subject to oversight through the Finance subcommittee.
 - iii. To approve the formation of new groups and closure of existing ones. This delegation is subject to oversight through the Appointments & Governance subcommittee.

Other Elected Representatives

- 23. The Union may elect Student Representatives for any purposes which improve the experience of students at the University of Leeds.
- 24. All Union elected Student Representatives will be elected following a clear process run in accordance with the elections Bye-Law.
- 25. When a group of representatives are elected to attend a conference on behalf of LUU, the delegates will elect a Delegation Leader.
- 26. Following the conference, the Delegation Leader will provide a report to the relevant Union Forum(s).
- 27. Should there be a delegate vacancy at the point of registering for any national representative conferences, delegates may be approved at the Union Forum.

Other Appointed Representatives

- 28. The Union may appoint Student Representatives for any purposes which improve the experience of students at the University of Leeds.
- 29. Where a representative role is by appointment, the Union will follow an open and inclusive recruitment process, the terms of which will be freely available to members on request.

Bye-law 8: Complaints, discipline and appeals

Complaints Process

1. Any current LUU member, or group of current members, dissatisfied with their dealings with LUU has the right to make a complaint. Where a group raises a complaint, an individual will be required to be the named lead for the complaint.
2. University of Leeds students also have the right to make a complaint if they are dissatisfied with LUU, or claim to have been unfairly disadvantaged as a result of not opting into LUU membership.
3. All rules within this Bye-Law are supported by the Complaint Procedure guidance document, setting out matters that can or cannot be investigated under this procedure and the process for investigation, and advice on how other matters can be progressed.

Scope

4. This procedure covers complaints raised by members of LUU as defined under the Articles of Association, and students at the University of Leeds. Complaints raised by non-members may still be pursued, but the action that LUU can take in respect of complaints from non-members may be limited.
5. Associate members of clubs and societies are considered members of LUU for the purposes of this procedure.
6. Any incident raised through this procedure which is outside of the legitimate jurisdiction of LUU will be referred to an appropriate external body for investigation. This may include the University of Leeds or the Police.
7. Complaints which relate to the conduct of members of LUU staff will be referred to the LUU People Team and managed through employee disciplinary processes.
8. Complaints relating to elections and democratic campaigning at LUU will be managed using the procedure in the Elections Bye-Law.
9. Complaints relating to Trustees will be managed using the procedure in the Trustee Code of Conduct.

Definitions

10. There are two stages of the complaint process, but some matters (at the discretion of the Complaints Officer) will be immediately escalated to the second, formal stage. Where an incident is escalated, the complainant will be informed.
11. Incidents reported to LUU will be considered confidential. This means that LUU staff, the University of Leeds, and wider support services may be informed only where necessary, and the complainant will be made aware if their complaint is passed on to another party. In some cases, the context of the complaint will mean the complainant is identifiable even if the complaint remains anonymous. Any concerns about anonymity should be raised as early as possible within the process.

Stage 1 - Initial complaint

12. We hope that most complaints will be resolved through a relatively informal discussion about the matter at the earliest opportunity.
13. If the complaint is about an area or service of LUU, the matter should be brought to the attention of the Manager of the service, or Officer Trustee responsible for the area in question. This may be orally or in writing, including by electronic format using the LUU website.

14. If the complaint is about a student activity group, it should be referred to the officers of that group for resolution. Groups can access support in managing complaints from the Student Activities Team.
15. The recipients of these initial complaints are responsible for responding to them promptly and fairly. This will normally be within seven working days of receiving the complaint. Complainants will be told if the process will take longer, and given an indication of when to expect a response.
16. If the complaint is not resolved satisfactorily through informal discussion, the complainant can raise the matter as a formal written complaint. This process can be used for complaints may be made about a service, an individual, or a group within the Union.
17. As noted in clause 10, complaints that are more complex or raise broader issues will – at the discretion of the Complaints Officer - be referred straight to the formal process and will bypass the initial stage.

Stage 2 - Formal written complaint

18. A formal complaint must be made in writing (letter, email, or complaint form) and directed to the Chief Executive, unless the complaint relates to the Chief Executive, in which case it must be made in writing to the Union Affairs & Communications Officer.
19. Complaints will be considered eligible for consideration under this procedure if the complainant:
 - i. is eligible to use this procedure as defined in paragraphs 1 and 2
 - ii. provides details of their name, address and telephone number
 - iii. provides details of the event or occurrence giving rise to the complaint
 - iv. raises the complaint within 10 working days of the event or occurrence giving grounds for complaint, unless there are exceptional circumstances
 - v. raises matters that fall within the scope of this process, as set out in paragraphs 3-8.
20. Eligible complaints will be acknowledged by the Complaints Officer, who will confirm the timeline for investigation and the details of the manager nominated by the Chief Executive to investigate the complaint (the Investigating Manager).

Stage 3 - Investigation

21. Eligible complaints will, where practicable, be investigated within 15 working days of receipt.
22. During the investigation stage the complainant and others involved may be asked to provide verbal or written evidence or clarification but no formal hearings will take place.

Stage 4 - Investigation Outcome

23. The Investigating Manager will determine:
 - i. all findings of fact and
 - ii. any mitigating circumstances and
 - iii. appropriate further action if any.
24. Where complaints are not upheld the complainant will be advised within five working days after completion of the investigation and informed of the right to raise the matter with the Independent Complaints Officer of the University of

Leeds in accordance with the Education Act 1994 and as outlined in the in the Students Union: Codes and Procedures.

25. Where complaints are upheld, confirmation of this and any appropriate action to be taken will be confirmed in writing to the complainant.
26. Any disciplinary action to be taken will be done so according to the relevant LUU procedures which may include:
 - i. Bye-Law disciplinary procedure
 - ii. staff disciplinary procedures
 - iii. Any procedures set out in a relevant club & society constitution

Vexatious Complaints

27. LUU will not usually consider the same complaint multiple times, especially where a complaint is not upheld.
28. Any member or group of members raising the same complaint repeatedly will be considered vexatious, including where the same complaint is raised through multiple channels or to different areas of LUU operations.
29. Where a complainant becomes vexatious, LUU may take action under the terms of the disciplinary procedure.

Disciplinary Procedure

1. This procedure outlines how LUU may take disciplinary action against individual members and/or Activity Groups.
2. LUU may take disciplinary action against non-members, including imposing bans on entrance to LUU premises and preventing individuals from attending LUU events.
3. LUU has the right to exclude a member or Activity Group from LUU premises, services, or activities, when there is a genuine fear for the safety or wellbeing of staff and/or other members or customers or where there has been an allegation of harassment.
4. If a member is excluded on this basis, the Chief Executive or their nominee must be informed of the incident in writing at the next available opportunity and a decision will be made whether to continue this exclusion whilst the matter is investigated. The Chief Executive can recommend extension of the exclusion to other services and facilities within LUU.

Scope

5. Action may be taken under this procedure as a result of upheld complaints, or as a result of any other investigation undertaken by LUU resulting in a recommendation of disciplinary action.
6. Areas which are not covered by this procedure include;
 - i. Alleged misconduct by LUU trustees will be dealt with under Articles 37, 38 and 39 of the Articles of Association
 - ii. Alleged misconduct in relation to elections or referendum will be dealt with under the Elections Bye-Law
 - iii. Alleged misconduct that is subject to investigation by the Police may not be considered until that process has come to a conclusion
 - iv. Alleged misconduct by LUU staff will be dealt with under the staff disciplinary procedures
7. Types of incident falling within this procedure:

- i. Threats of, or actual, physical or verbal abuse or harassment of staff, students, elected officials or members of the public on LUU premises
 - ii. Damage to LUU property or property of others whilst under LUU control or on its premises
 - iii. Contravening LUU policy or procedures, or agreed protocols or procedures of the University of Leeds where these relate directly to LUU
 - iv. Any incident covered under the LUU safeguarding policy
 - v. Any other conduct that may be considered detrimental to the interests, operation or reputation of LUU
8. Where an incident occurs which relates to an LUU-affiliated Student Activity Group, the group will first make use of the disciplinary procedure within their Club or Society Constitution. Any subsequent action taken by LUU under this bye-law will be considered a new process and the full terms of this bye-law will apply.

Stage 1 - Investigation

9. When a recommendation of disciplinary action has been made as part of an investigation into a Formal Complaint, this will be considered to be a full investigation.
10. When a recommendation of disciplinary action has been made as part of an investigation into a safeguarding incident, this will be considered to be a full investigation.

Alleged misconduct involving individual members

11. The Chief Executive will nominate an Investigating Manager, who will initiate an investigation into the matter within ten working days of being notified of an incident. The member concerned will be given an opportunity to put their case to the Investigating Manager.
12. The Investigating Manager will make a recommendation on the matter to the Union Affairs & Communications Officer as follows:
- i. To dismiss the case
 - ii. To impose a penalty as outlined in clauses 16 to 19 of this Bye-Law
 - iii. To report the matter to the University to be dealt with under the University disciplinary procedures

The Union Affairs & Communications Officer will consider the recommendation and come to a decision. The member concerned will be informed of the decision in writing, and this written notification will include details of the opportunity to appeal the disciplinary decision.

Alleged misconduct involving activity groups

13. The Investigating Manager will initiate an investigation into the matter within ten working days of being notified of an incident and will prepare a case to be heard by the Activities Executive. The Activity Group's committee will be interviewed as part of this process. The Activity Group will be given the opportunity to put their views in writing for the Activities Executive.
14. The Investigating Manager, or their nominee, will make a recommendation to the Activities Executive as follows:
- i. To dismiss the case
 - ii. To impose a penalty as outlined in clause 19 of this Bye-Law

- iii. To refer individual group members to be considered under clause 16 of this Bye-Law
 - iv. To hand the case back to the society committee to take action under their group constitution
 - v. To report the matter to the University to be dealt with under the University disciplinary procedures
15. The Activities Executive will consider the recommendation at their next scheduled meeting and come to a decision. The Group will be given written notification of this decision by the Chair of the Activities Executive following the meeting. The written notification will include details of the opportunity to appeal.

Stage 2 - Penalties

Individual members

16. Disciplinary penalties may include (but are not limited to):
- i. An apology
 - ii. Exclusion from use of a service or activity
 - iii. Ban from use of a service or activity for a defined period, or for the duration of membership
 - iv. A fine to cover additional costs incurred to LUU for example from damage to property
 - v. Expulsion from membership of LUU under Article 13.4 of the Articles of Association.
 - vi. Other penalties that are deemed relevant and appropriate to the offence
17. Disciplinary decisions may also be reported to the University of Leeds, or other partner institution in the case of Associate Members.
18. When Bye-Law 8.16(v) is being invoked the incident will always be reported to the University of Leeds, or other partner institution in the case of Associate Members, for consideration under the Student Disciplinary Procedure which can ultimately result in exclusion from the University.

Activity Groups

19. Disciplinary penalties may include (but are not limited to):
- i. An apology
 - ii. Exclusion from (and cancellation of) use of rooms, venues, LUU digital platforms, transport and/or
 - iii. Freezing of activity group accounts and/or
 - iv. Fines and/or
 - v. In respect of sports groups, match bans and/or
 - vi. Other penalties that are deemed relevant and appropriate to the offence

Appeal Procedure

20. Individual members or Activity Groups who are dissatisfied with action taken under the Disciplinary Procedure have the right to appeal.
21. Non-members of LUU do not have any right of appeal against decisions taken by LUU.
22. Student Activity Group members who have been issued with a disciplinary penalty by their Student Activity Group do not have a right of appeal under this Bye-Law. They should appeal the decision using the process detailed in the Club or Society constitution, making their appeal to the Activities Executive.

Appeal Panel

23. The Appeal Panel is composed of three members. The Wellbeing Officer is the Chair of the panel, and is joined by another Officer Trustee, and a Student Trustee.
24. If the Wellbeing Officer has a conflict of interest and cannot perform their duty as Chair of this panel, the role of Chair will be delegated to another Officer Trustee.

Stage 1 - Confirmation of Appeal

25. All requests to appeal a disciplinary decision issued by LUU should be made in writing, and directed to the Chair of the Appeal Panel.
26. Requests to appeal should be received within five working days of receipt of the disciplinary decision.
27. An appeal is designed to remedy any defects in the disciplinary process rather than repeat the investigation of the misconduct. Therefore the only grounds that will be considered are:
 - i. unfairness of judgement
 - ii. the severity of the penalty having regard to extenuating circumstances
 - iii. new evidence coming to light that was not available at the time of the original hearing/investigation
 - iv. material procedural irregularities
 - v. bias of panel members
 - vi. unfairness of the interview
28. The Complaints Officer will confirm receipt of a request to appeal, and will detail the expected appeal timeline, including requests for submission of evidence for consideration. The Complaints Officer will also confirm the composition of the Appeal Panel.
29. At least 10 working days prior to the date of the hearing, the Appellant will confirm:
 - i. whether or not they intend to attend the hearing and, if so, the name of any person who will be accompanying or representing them
 - ii. if they intend to submit any such fresh evidence that they wish to rely upon. This evidence should be submitted at least five working days prior to the date of the hearing.
30. At least five working days prior to the date of the hearing, the Union will provide the Appellant with the appeal pack. This will include any evidence submitted by the appellant, and any further evidence which LUU wishes to rely upon.
31. Neither party will rely on any statement or document other than those provided or identified as part of the appeal pack, unless there is specific consent from the other party, or permission from the Appeals Panel.

Stage 2 - Appeal Hearing

32. The Appeal Hearing should take place at a mutually agreed time, giving sufficient opportunity for necessary evidence to be gathered and distributed to all parties.
33. Both the appellant and an LUU Representative must be present for the meeting to proceed.
34. In the absence of either party the meeting shall adjourn and the Chair shall investigate the reasons for absence. The meeting may proceed at the discretion of the Appeal Panel and any of the parties may have the right to appoint another member as their representative.

35. The appellant, or their representative, will present the case. Legally qualified representatives will not normally be permitted.
36. All parties have the right to question each other under the direction of the Chair.
37. The Appeal Panel will consider their decision in camera.
38. The Appeal Panel must reach its decision by simple majority.
39. The appellant will be notified of the decision in writing.

Stage 3 - Outcome

40. The Appeal Panel will consider the evidence and statements provided during the appeal hearing when reaching their decision. The Appeal Panel has the power to:
 - i. uphold the original disciplinary decision
 - ii. overturn the original disciplinary decision
 - iii. uphold the original decision in part, but recommend changes or caveats
41. The appellant will be notified in writing of the outcome of their appeal, including any amendments to the original decision.

Bye-law 9: Subcommittees of the Board

1. The Board of Trustees will be supported by the subcommittees defined within this Bye-Law in line with the Delegation of Authority.
2. The purpose of the subcommittees is :-
 - i. To provide challenge to the Senior Leadership Team around strategic and operational delivery
 - ii. To make decisions and create direction for the areas within the remit of the subcommittee
 - iii. To scrutinise strategic and operational project plans
 - iv. To offer expert advice in line with the remit of the subcommittee
 - v. To represent LUU culture and best practice
 - vi. To make recommendations to the Board, and be delegated business by the Board
 - vii. To oversee LUU business within the remit of the subcommittee
3. The membership of each subcommittee will be :-

Full Members

 - i. At least 3 Trustees who are nominated by the Board
 - ii. A minimum of 2 and maximum of 3 external members of appropriate skill and expertise
 - iii. External members will have a standard term of two years
 - iv. External members may serve a maximum of three terms
 - v. The Chair of each subcommittee shall have the power to appoint and remove members, in line with the guidance of the Appointments & Governance subcommittee

Additional Attendees

 - vi. In addition to the full membership, the University may appoint experts in line with the requirements of the Code of Practice. These experts have no limit to their appointment while they are employed by the University, and are not counted for quorum
 - vii. Any Trustee may attend a subcommittee for as long as they remain a Trustee
 - viii. Subcommittees may invite additional attendees where specific expertise is required on a certain subject
 - ix. At least one member of staff from the Senior Leadership Team will attend each subcommittee meeting, but are not entitled to vote
4. The proceedings of each subcommittee will be :-
 - i. The Board will appoint the chair of each subcommittee from amongst its members
 - ii. Where the chair is unavailable for any reason, another trustee may step into the chair with agreement from the chair of the Board
 - iii. The quorum of the subcommittee will be 3 full members, at least one of whom shall be a Trustee
 - iv. The subcommittee will meet a minimum of 3 times per year, in line with the LUU governance cycle
 - v. Where a non-member Trustee attends a meeting, they are not entitled to a vote

- vi. University appointed attendees are not entitled to a vote
- 5. Each subcommittee has their own remit as detailed below

Appointments & Governance

- i. To oversee the appointment, induction and development of trustees and subcommittee members
- ii. To maintain oversight of skills and diversity within LUU governance, ensuring that the composition of LUU governance effectively represents the membership and their needs
- iii. To review LUU compliance with all relevant charity legislation, legal duties, and codes of practice, and to assure the Board of this compliance
- iv. To oversee and scrutinise the Officer Trustee election process, including setting engagement targets
- v. To maintain a watching brief on all governance activity within LUU

Audit & Risk

- i. To oversee and scrutinise the internal and external audit processes of LUU, including appointment of auditors, receiving proposals, approving process, and reviewing reports for Board recommendation
- ii. To keep under review the financial control environment of LUU
- iii. To analyse and review the LUU risk profile and appetite
- iv. To offer an ultimate port of call for the more urgent or sensitive concerns raised in respect of the integrity of LUU, financial and otherwise, and to instigate investigative activity around these concerns as appropriate
- v. To maintain a watching brief over auditable activity, in particular legal, financial and tax management, investment policies and performance, health and safety, insurance, information systems and data security

Engagement & Development

- i. To direct marketing and communication strategies to LUU members and external stakeholders, ensuring these strategies reflect LUU values and strategic goals
- ii. To scrutinise the efficacy of marketing and communication strategies in engagement of members
- iii. To define the cycle of strategic review processes, and receive reports concerning the changing operating environment which may impact LUU strategic goals
- iv. To develop, monitor and advise upon engagement interventions across all segments of LUU membership
- v. To provide oversight and scrutiny of all partnership initiatives developed by LUU working with external organisations

Finance

- i. To review, advise and approve the approach to financial affairs and oversight in conjunction with the delegated authority of the LUU Board and in line with the agreed Financial Strategy
- ii. To review and consider appropriate methods of controlling the Union's financial activities, considering return on investment and management of commercial and fundraising activity

- iii. To approve the scope and profile of capital investment in line with the LUU Delegation of Authority, and to monitor the return on investment
- iv. To monitor performance of income generating services and activities, and to advise the Board in respect of any opportunities which may carry financial or commercial benefit for LUU
- v. To oversee and scrutinise all contractual relationships with external organisations carrying financial impact for LUU

People & Values

- i. To recommend and oversee the implementation of the HR strategy, including amendments to and implementation of employee policies
- ii. To define and scrutinise delivery of activity around embedding LUU culture and values
- iii. To oversee the Union-wide Pay Award, and all pay and reward structures including remuneration of the Chief Executive
- iv. To review, advise and approve the approach to skills development at LUU, considering both paid and voluntary roles
- v. To receive regular updates and provide guidance on delivery of work to support the equality, diversity and inclusion policy of LUU.
- vi. To maintain a watching brief over People activity, including recruitment and retention, grievances and cases and pay bill management

Bye-law 10: Board of Trustees

1. The appointment and retirement of LUU Trustees is outlined in Articles 33 to 41. The Trustee Code of Conduct is outlined in this Bye-Law.
2. Student Trustees may only hold office so long as they are registered members of LUU. Student Trustees are appointed through the Trustees in accordance with Article 35.1. Their term of office will commence by agreement of the Chair of the Board and Appointments and Governance subcommittee.
3. External Trustees are appointed through the Trustees in accordance with Article 36. Their term of office will commence by agreement of the Chair of the Board and Appointments and Governance subcommittee.
4. Officer Trustees shall be members of the Student Executive.
5. The Student Executive shall have formal meetings at least five times per academic year [session] at a time that allows them to review the legal and financial risk of Ideas as outlined in Bye-Law 1.
6. For clarity, unless otherwise stated the Student Executive will make decisions using a simple majority of all six members.

Trustee Code of Conduct

7. This code outlines how LUU will deal with matters concerning the conduct of its Trustees and, if necessary, the process that the Board of Trustees will undertake in order to bring a resolution to remove a Trustee as set out in Article 39. This provision allows for disciplinary action against a Trustee. For clarification, Article 38 confirms the right of Members to remove a Trustee, which is achieved by a petition to hold a referendum as outlined in the Membership Decision-Making Bye-Law.
8. The Board of Trustees have powers to remove a Trustee to address a situation where problems of conduct are raised. This procedure is necessary to ensure fairness and consistency in the treatment of the Trustees. A copy of this code will be given to all LUU Trustees as part of their induction.
9. The Trustee Board will annually appoint an External Trustee, known as the Supervising Trustee, to oversee the procedure laid out in this Bye-Law. The Supervising Trustee will report to the Appointment & Governance Committee on any use of the code.

Scope

10. Trusteeship is a publicly visible office, and Trustees represent LUU. This means any action taken by a Trustee, at any time while they are in office, may be associated with LUU. The Code of Conduct sets out how LUU and the Board will address actions taken by Trustees which are considered detrimental to LUU or the Board.
11. Where an incident occurs relating to an Officer Trustee in the course of their employment at LUU, this will first be considered within the scope of the Terms and Conditions of their employee role. An outcome of the process within the Terms and Conditions may be disciplinary action as a result of the formal stage of the Trustee Code of Conduct.
12. The Code of Conduct includes an informal stage and a formal stage.

Meaning

13. Under this code, detrimental actions are considered to be any action which has or could have a negative impact on LUU as an organisation, or on the Board. This includes (but is not limited to):
- i. Gross misconduct, which is defined by LUU as;
 - Theft of LUU property or the property of LUU employees, visitors or students
 - Fraud
 - Malicious damage to LUU property
 - Fighting or physical assault of any kind
 - Serious or persistent sexual or racial harassment
 - Bringing LUU into serious disrepute
 - Serious infringement of health and safety regulations
 - ii. Other misconduct including (but not limited to);
 - damaging any property, whether deliberately or negligently
 - contravention of legal standards of behaviour required as a Trustee of a charity
 - misuse of social media resulting in damage to LUU reputation
 - misuse of the Trustee position (for example to gain entry to restricted areas, or to influence areas of work or members of staff)

Procedure

14. Complaints and grievances should be made to the Supervising Trustee by way of the Chief Executive of LUU, or their nominee. If the Chief Executive of LUU is made aware of any action covered under clause 13 of this Bye-Law then the Chief Executive is obliged to report this to the Supervising Trustee. If the complaint relates to the conduct of the Supervising Trustee, this should be made to the Chair of the Board who will take up the role of the Supervising Trustee.
15. Cases of other misconduct or perceived poor performance will be addressed informally by the Supervising Trustee, who may recommend coaching, counselling or other informal support. The case may be escalated if an informal conversation immediately and demonstrably requires a more formal process to occur.
16. In cases of gross misconduct, or where other misconduct continues to occur despite informal intervention by the Supervising Trustee, a disciplinary investigation will be undertaken.
17. It is recognised that being the subject of a complaint can be a difficult time for an individual, and LUU will undertake any investigation with appropriate discretion, care and consideration. LUU will endeavour to ensure all steps in the process remain fair and in line with the appropriate LUU policy and procedures.
18. No trustee or LUU representative shall comment publicly on any incident that is being dealt with under this procedure, with a view to avoiding comments which are likely to prejudice a fair outcome for all parties, unless the comment is first formally approved by the Chief Executive. Failure to observe this requirement will result in disciplinary action being taken under this Bye-Law or other appropriate procedures.
19. If necessary the Supervising Trustee may require a period of exclusion from any or all of LUU premises or events, or compliance with such other restrictions as the Supervising Trustee may require in order to conduct a full and proper investigation. Such an exclusion should only be imposed after careful

consideration and should be reviewed regularly to ensure that it is not unnecessarily protracted. Excluding a Trustee from participation in LUU activities is not in itself a form of disciplinary action whilst the investigation is progressing.

Disciplinary Investigation

20. The Supervising Trustee will determine whether the issue(s) being raised fall(s) under the scope and meaning of this code. In making the judgement the Supervising Trustee will be careful to ensure that appropriate matters of Trustee misconduct are handled through this procedure, and that matters not relating to Trustee conduct are handled through alternative procedures.
21. If an allegation is contained within a complaint pursuant to this Bye-Law which could, if upheld, constitute a potentially criminal act, then careful consideration will be given to the early involvement of the Police. The decision on whether to involve the Police will be made by the Chief Executive in conjunction with the Supervising Trustee and if a report is made, the Chief Executive and Supervising Trustee will then liaise with the Police as to the procedure to be adopted in order not to prejudice any criminal investigation or process.

Stage 1 - Investigation

22. If a complaint is made under this code which the Supervising Trustee considers merits a disciplinary investigation, having regard to the terms set out above, the Supervising Trustee will appoint an independent third party to investigate the matter. The investigator will be independent from both LUU and the University, and will be selected on the basis of professional background via a recommendation from the Chief Executive.
23. The investigation is to establish the facts and where appropriate obtain statements from any available witnesses. The process for the investigation will be:
 - i. Formal notification to the complainant and respondent, detailing the complaint being investigated, details of the procedure being followed, timeframe of the investigation, and name and contact details of the investigator.
 - ii. Collection of written statement and any related documents from the respondent, within 10 working days of the formal notification of investigation. If the respondent does not engage with the process, the investigation may continue and the investigator can draw reasonable conclusions from a failure to engage.
 - iii. Delivery of report, which should include recommended outcomes. The target for delivery of the report will be within 15 working days of the formal notification. If adjustments are necessary to allow for a full investigation then this can be approved by the Supervising Trustee and all parties will be informed of revisions to the timeframe of the investigation.
24. The investigator will make a report to the Supervising Trustee. The Supervising Trustee will then decide how to proceed, which may include;
 - i. dropping the matter;
 - ii. arranging for informal coaching, advice or counselling; or
 - iii. review of the matter by disciplinary panel

Stage 2 - Panel Review

25. Where a panel review is required, the Supervising Trustee will have discretion over panel composition.
26. The standard panel composition will be three Trustees.
27. The panel will hold a disciplinary hearing at which the respondent will have an opportunity to state their case and answer the allegations that have been made. The appointed investigator will present the complainant's case and the charges that have been put to the respondent [together with their findings] at the disciplinary hearing.
28. Disciplinary hearings will be arranged as far as possible at a mutually convenient time and place, and the respondent will have the right to be accompanied by a colleague or lay representative of their choice. Disciplinary hearings and associated materials will be considered to be confidential.

Stage 3 - Outcome

29. Following the conclusion of the hearing the panel will either:
 - i. recommend that no further action is necessary and that the matter is concluded
 - ii. impose or require disciplinary action, which may include a recommendation to the Board of Trustees that a resolution be tabled to remove the Trustee as set out in Article 39
30. The Respondent will be informed of the outcome in writing. Where disciplinary action is imposed or required, the written outcome will include:
 - i. the detail of the misconduct that has resulted in the disciplinary action
 - ii. any recommendations/action required to prevent future disciplinary action
 - iii. the consequence of failure to follow any disciplinary requirements imposed by the panel or to carry out any actions mandated by the panel
 - iv. details of the appeal mechanism
 - v. the length of time of any formal written warning recommended by the panel shall remain on the records pertaining to the Trustee before it is disregarded

Stage 4 - Appeal

31. The Trustee must notify the panel of their intention to appeal against disciplinary action within 10 working days of receipt of the confirmation letter. The appeal should be made in writing, stating the grounds upon which the appeal is to be made, and addressed to the Supervising Trustee via the office of the Chief Executive of LUU.
32. An appeal hearing will be convened following receipt of the written appeal, with a target timeframe of 15 days from receipt. The standard panel composition will be a current student who does not hold office at LUU, a nominee of the University of Leeds, a Chief Executive/General Manager from another students' union, and an Officer of another students' union.
33. The Supervising Trustee will have discretion over panel composition.
34. The Appellant will have the right to be accompanied by a colleague or a lay representative of their choice. The Appellant will be notified of the outcome of the appeal in writing within seven working days of the hearing.

35. An appeal is designed to remedy any defects in the disciplinary process rather than repeat the investigation of the misconduct. Therefore the only grounds that will be considered are:
- i. unfairness of judgement
 - ii. the severity of the penalty having regard to extenuating circumstances
 - iii. new evidence coming to light that was not available at the time of the original hearing/investigation
 - iv. material procedural irregularities
 - v. bias of panel members
 - vi. unfairness of the interview
36. Possible outcomes of an appeal include:
- i. the appeal is upheld and the disciplinary sanction reduced or removed; or
 - ii. the appeal is upheld and there is a request for a re-investigation or rehearing; or
 - iii. the appeal is denied and the original decision is upheld

Appeal against removal

37. In the case of an appeal against a resolution to remove a trustee, the appeal panel will be as defined in Article 40.2.
38. In all cases, student panel members will be selected through use of the random selection method in use to select forum panel members.
39. The members of the appeal panel should not have had any substantive involvement in the matter under appeal. Their relationship with the appellant should not give rise to any conflict of interest.

Bye-law 11: Changes to the Articles

1. The Articles are subject to change in the following circumstances:
 - i. By recommendation of the Board of Trustees
 - ii. Where Union Policy is passed by the members that cannot be enacted without changing the Articles.
2. As a company, LUU is subject to the Companies Act 2006 which only allows changes to the Articles to be made by special resolution. Special resolutions can be passed in two ways;
 - i. By general meeting
 - ii. By written resolution.
3. Changes to the Articles must also be approved by the University of Leeds and, in some instances, the Charity Commission as LUU is a registered charity.

Changes at a General Meeting

4. Members who wish to change the Articles will be required to submit the Idea to a Forum. If the Idea becomes Policy, in line with the process in these Bye-Laws, then it will become a special resolution as outlined in clause 2 of this Bye-Law.
5. In line with Article 17, the Board of Trustees can decide whether or not to call a general meeting to hear the special resolution.
6. If the Board of Trustees chooses not to call a general meeting, in line with Article 17.1, members can request a general meeting using the petition process outlined in these Bye-Laws.
7. The general meeting will be organised as outlined in Articles 17 to 25
8. Members wishing to vote by Proxy will be able to appoint a Trustee, normally the Chair of Trustees, to cast their vote.
9. Members wishing to appoint another Proxy will be required to complete a proxy notice and return it to the Union as outlined in the notice published when the general meeting was called.
10. Members who have used their Proxy vote will not be able to vote at the general meeting should they decide to attend.
11. The special resolution will be passed where 75% of those entitled to vote in person or by Proxy, vote in favour.

Changes made by Written Resolution

12. In line with the Companies Act 2006, changes to the Articles can only be passed by a written resolution if at least 75% of all Members vote in favour.

Glossary

This section is not a formal Bye-Law, but is considered a 'Guidance Document' which exists to support the Bye-Laws. The glossary is reviewed by the Appointments & Governance subcommittee.

This glossary sets out definitions of all key words and phrases used in this document.

Articles of Association	The main governing document for LUU. It is a legal document and it sets out the most important rules for LUU.
Bye-Law	A Bye-Law is an explanation of a specific area of the rules at LUU, and how they work.
Code of Practice	The Code of Practice is the agreement between the University and the Union and explains how they work together. It is based on part of the Education Act 1994.
Cross-campus ballot	A vote which is open to every full student member of LUU.
Quorum	The number of votes or meeting members which needs to be reached for the decisions made to count as valid.
Re-open Nominations (RON)	An option in all voting at LUU, and allows people voting to explain that they don't think any of the candidates are right, and to ask for nominations to be opened for new candidates to come forward.
Single Transferable Vote	The voting system at LUU.
Working day	Days on which the majority of LUU is open and operational. This is usually Monday to Friday, except over holiday periods.
In camera	When a discussion is taken between a specific group only, and the discussion is not recorded.
Resolution	A decision made by a group which makes a change to the way LUU works, or the governing documents.
Proxy	A person who submits a vote on behalf of someone else, when they are not able to be present themselves.

