



Constitution of the Students' Association of the University of the West of Scotland

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1. Name

There shall be an unincorporated Association of members in the name of the Students' Association of the University of the West of Scotland or SAUWS (and in this constitution it is called "the Association")

2. Objects

- a) The Association's objects are the advancement of education of Students at the University of the West of Scotland for the public benefit by:
 - a) Promoting the interests and welfare of Students at the University of the West of Scotland by providing representation, support and giving advice;
 - b) Being the recognised representative channel between Students and the University of the West of Scotland and any other external bodies;
 - c) Providing social, cultural, sporting, sustainability and recreational activities and forums for discussions and debate for the personal development of its Students.

3. Equality & Diversity

The Association will seek at all times to:

- I. Ensure that the Diversity of its membership is recognised and that equal access is available to all Members of any origin or orientation
- II. Pursue its aims and objectives independent of any political party or religious group
- III. Pursue equal opportunities by taking positive action within the law to facilitate participation of groups discriminated against by society

4. Powers

The Association through its Board of Trustees shall have the following powers:

- I. To be responsible for the day to day operation of the Association within its premises
- II. To buy, lease, mortgage or sell any goods, things or property of any description necessary for the day to day running of the Association.
- III. To hold a bank account with suitable overdraft facilities as agreed by the SAUWS Board of Trustees in the name of the Association.
- IV. To pay all association expenses out of the funds of the Association via cheque, cash credit card or by direct transfer as appropriate.
- V. To invest the funds of the Association when not immediately required in any manner whatsoever as from time to time may be determined by the Board of Trustees. Such investments will be legally compliant.
- VI. To elect, appoint and dismiss office bearers of the Association in accordance with the relevant regulations contained within the attached bye-laws
- VII. To designate some officer positions to Sabbatical Officers which will be remunerated according to legislation. Such officers may be given any titles and

- remit required by the Students' Association as long as there is always a President position which has overall responsibility for the Students' Association. .
- VIII. To exercise discipline over members of the Association in accordance with the regulations contained within the attached bye-law.
 - IX. To employ staff in order to further the objects of the Association in accordance with legislation.
 - X. To become members of any corporate or charitable body which has similar objects to the Association's and to meet the appropriate subscriptions and charges.
 - XI. To support any RAG or similar fundraising activities carried out by its members for charitable causes, including the provision of administrative support, banking facilities and acting as a holding trustee of any funds raised.
 - XII. To carry out campaigns, seek to influence public opinion and make representations to and seek to influence governmental and other bodies and institutions regarding the reform, development and implementation of appropriate policies either alone or with other organisations. Such activities will be legally compliant.
 - XIII. To do all other things as may appear to be incidental or conducive to the attainment of the above.
 - XIV. These powers may only be exercised in the furtherance of the Association's objects, as set out in this document and are the responsibility of the Board of Trustees
 - XV. For the avoidance of doubt, no part of the income or property of the Association shall (otherwise than in the pursuance of the Association's charitable objects) be paid or transferred (directly or indirectly) to members, either in the course of the Association's existence or on dissolution.

5. Membership

General

- I. Member's details shall be entered in a register of members.
- II. Membership shall not be transferable and shall cease if:
- III. They cease to be a student. For the avoidance of doubt this will include the situation where a Member's Student Status with the University of the West of Scotland is revoked by the University of the West of Scotland.
- IV. A decision is made to remove them from membership of the Association in accordance with the Association's code of conduct.

The membership of the Association shall be as follows:

Ordinary Members

- i. Each and every Student who has not opted out by notifying the University of the West of Scotland or the association of his or her wish not to be a Member of the Association.
- ii. The Sabbatical Officers of the Association

Associate Members

- a) The Executive Committee may decide how and who to grant associate membership to at their discretion.

Reciprocal Members

Reciprocal members shall consist of:

- a) Students Association's with whom a reciprocal agreement has been concluded.
- b) The Executive Committee shall decide the process and requirements to be fulfilled by any Students' Association seeking to have reciprocal membership.

Life Members

Life members shall consist of:

- a) A student who has been an ordinary member for at least one session who has applied and paid the fee set by the Executive Committee.
- b) A person or persons who the Executive Committee defer Honorary Life Membership on for services to the Association.

6. Board of Trustees

Definition and Remit

- I. The Board of Trustees shall be responsible for:
 - a) The management and administration of the Association and (subject to the Education Act, this constitution and the bye-laws) may exercise all powers of the Association.
 - b) The governance of the Association;
 - c) The budget of the Association
 - d) The strategy of the Association
- II. The Board of trustees may override any decision or policy made by the Members in any General Meeting, Referendum or Student Voice which the trustees consider (in their absolute discretion):
 - a) Has or may have financial implications
 - b) Is or may be in breach of, contrary to or otherwise inconsistent with legislation (including ultra vires);
 - c) Affects the responsibilities of the Trustees as defined above.
- III. The Board may, by power of attorney or otherwise, appoint any person to be the agent of the Association for such purposes and on such conditions as they determine.
- IV. The Board may delegate any of their powers or functions to any committee or the implementation of any of their resolutions and day-to-day management of the affairs of the association to any person or committee in accordance with the conditions set out in this constitution.

- V. The Trustees shall establish the following committees (which is a non-exhaustive list) in accordance with their powers:
 - a) Appointments Committee
 - b) Finance Committee
 - c) Remuneration and HR Committee.
- VI. Unless decided otherwise by the Board, the membership of the Board of Trustees shall be as follows:
 - a) Four Sabbatical officers
 - b) Four Student Trustees who are appointed (one from each campus)
 - c) Four External Trustees who are appointed
- VII. The Quorum of the Board of Trustees is four and such quorum must include at least two sabbatical officers.
- VIII. The board shall operate in accordance with the appropriate bye-law.

7. Executive

Definition and Remit

- I. The executive Committee shall be responsible for:
 - a) Representation
 - b) Campaigning Work
 - c) Implementation of Policy which has not been designated to another committee.
- II. The Executive Committee shall not be responsible for the responsibilities of the Trustee Board set out above.
- III. Membership
 - i. Unless decided otherwise by the Board, the Executive Committee shall include:
 - I. Four Sabbatical Officers
 - II. Seven Executive Officers (with appropriate representation from each campus)
 - III. Four Liberation Officers (one from each Liberation Group)
 - IV. One care leavers officer
- IV. For the avoidance of doubt, Liberation officers will be selected from the, LGBT+ group, Women's Group, Black & Minority Ethnic Group and the Disabled Students group through a mechanism decided by the relevant group. The care leavers officer will be selected from the care leavers group through a mechanism decided by the group.
- V. Quorum
 - i. The Quorum of the Executive Committee is six and such quorum must include at least two sabbatical officers.
- VI. The Executive shall operate in accordance with the appropriate bye-law

8. Student Voice

Definition and Remit

- I. The Student Voice shall be responsible for:

- a) Representing the voice of students
 - b) Debating and setting the policy of the Association
 - c) Making, repealing and amending bye-laws jointly with the Board
 - d) Promoting any elections and referenda in the organisation
- II. Membership
- i. Unless decided otherwise by the Board the Student Voice shall include:
 - 1. Any Ordinary Member of the Association
- III. Quorum
- i. The Student Voice shall be open and everyone should feel able to attend it to debate policy. Therefore there shall be no quorum set for the meeting.
- IV. The Student Voice shall operate in accordance with the appropriate bye-law.

9. Referenda

- I. A referendum may be called on any issue by:
- i. A resolution of the Executive Committee
 - ii. A vote of the Student Voice, where the vote took place at a meeting where the number in attendance was equivalent to at least 10% of the students who voted in the most recent sabbatical officer elections
 - iii. A secure petition signed by at least 5% of the membership
- II. A Referendum can be used to:
- i. Change the policy of the Association
 - ii. Change the constitution of the Association
 - iii. Pass a vote of no confidence in any officer who has been elected. If such a motion is passed by a simple majority the officer will have deemed to have resigned from their position with immediate effect.
 - iv. For the avoidance of doubt, a referendum can overturn all decisions save those which are deemed by the Board of Trustees to be their responsibility.
- III. For a Referendum to be valid, the following need to take place:
- i. 5% of the membership take part in the vote
 - ii. Members are given at least two University Weeks' notice of the referendum.
- IV. The Association will ensure that where required support is given to students seeking to take a position in a referendum.
- V. A referendum cannot be called in relation to any issue which has already been sent for referendum for a period of six months.
- VI. The Association will produce and publish guidance on how to call a referendum and the processes involved at the beginning of each Union Year.

10. General Meetings

- I. General meetings may be called by:
 - i. The executive committee, at any time.
 - ii. A requisition submitted by at least 50 Ordinary members – in which case the Executive Committee must call a General Meeting within two University Weeks.
- II. A General meeting can be used to:
 - i. Pass emergency policies of the Association which, if passed will be enacted and upheld by the Executive Committee
 - ii. Pass a motion of no confidence in any officer who has been elected by cross campus ballot. If such a motion is passed by a simple majority the officer will have been deemed to have resigned from their position with immediate effect.
- III. For a general meeting to be valid the following will need to take place;
 - i. A notice of a general meeting will be circulated with at least 14 University days' notice. Such notice will contain the location, date and time of the meeting and the subject which is to be debated.
 - ii. No business shall be transacted at a general meeting unless a quorum is present. 200 or more Ordinary members are required for business to be transacted.
 - iii. If such a quorum is not present within half an hour from the time appointed for the meeting, the meeting shall stand adjourned until the following week on the same day at the same time or as the Trustees shall determine.
 - iv. If at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the members present shall be allowed to conclude their business and the resulting action will be referred to the Board for ratification or approval, if the Board deems it appropriate.
- IV. General meetings shall operate in accordance with the relevant bye-law

11. Other committees

The Association may via the Board of Trustees, Student Voice or General meeting decide to create other committees as it sees fit, such committees will operate within a defined timescale with a defined remit. They will also operate in accordance with the relevant bye-law.

12. Elections & Appointments

- I. There shall be elections for all positions not specifically designated as appointed.
- II. Elections shall take place in accordance with the relevant bye-law
- III. Appointments shall be made in accordance with the relevant bye-law
- IV. All elections will be held using the Transferable Vote System
- V. All ballot papers shall include the option of "Re-Open Nominations" or "RON".
- VI. The Association will produce and publish guidance on the elections process at the beginning of each Union Year.

13. Sports Union

The Association shall provide Sports Clubs and they shall be run in accordance with the Sports Union Constitution.

14. Clubs & Societies

The association shall provide Clubs, Societies and Star groups which shall be run in accordance with the Clubs, Societies & Star Groups Constitution.

15. Amendments to the Constitution

- I. Amendments to the Constitution shall be presented to the Board of Trustees and the Student voice by:
 - a. The Executive Committee
 - b. Any group of Ordinary Members, where such amendment has the signature support of 100 ordinary members
- II. Amendments to the constitution shall be voted on by referendum, unless such amendments are required by law or have financial implications, in which case the Board of Trustees has the power to change the constitution as required.
- III. Amendments to the constitution shall be passed to the Court of the University of the West of Scotland for ratification, before final approval.
- IV. Amendments to the constitution will take effect with immediate effect from the date of ratification.

16. Amendments to the Bye-Laws

- I. Amendments to the bye-laws shall be presented to the Board of Trustees and the Student Voice by:
 - a. The executive Committee
 - b. Any Sports Club, Club, Society or Star group
 - c. Any group of Ordinary Members, where such amendment has the signature support of 100 ordinary members
- II. Amendments to the bye-laws must be passed by a two-thirds majority of either the Board or the Student Voice
- III. Amendments to the bye-laws shall be presented to the Court of the University of the West of Scotland for their information
- IV. Amendments to the bye-laws shall come into force as soon as they have been passed.

17. Review

The constitution shall be reviewed by the Board of Trustees and the Court of the University of the West of Scotland every five years.

18. Interpretation

The meanings of any defined terms used in this Constitution are set out in the Glossary. If any dispute arises in relation to the interpretation of this Constitution or any of the bye-laws, it shall be resolved by the President

19. Indemnity

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

20. Dissolution

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

Glossary of Terms

"Union Year"	The period between 1 st July in one Year to 30 th June in the next Year determined by the Association as the period during which Students are required to be registered with University of the West of Scotland. Each Union Year is for the time being divided into three trimesters
"Appointments Committee"	The committee set up in accordance with the bye-laws that will include the President, the Chief Executive, two Sabbatical Trustees, two members elected by Student Voice and a person nominated by the University of the West of Scotland
"Board of Trustees" or "Board"	The Board of Trustees of the Association
"Bye-laws"	The bye-laws setting out the working practices of the Association made from time to time in accordance with the constitution.
"Chair"	The person who is in control of the meeting in terms of order, agenda and accountability.
"Chief Executive"	The Chief Executive of the association who is appointed by the Board of Trustees;
"Constitution"	This constitution of the Association;
"Deputy Chair"	The Deputy Chair of the Board of Trustees, who shall be appointed in accordance with the constitution
"Disciplinary Board"	A group of students appointed by the Student Voice to deal with alleged breaches of the Association's Disciplinary Code (Bye-Law 4).
"Disciplinary Officer"	Any staff member of the Association, or any Student Officer empowered to be so by the Board of Trustees.
"Education Act"	The Education Act 1994;
"Elected Officers"	The Sabbatical Officers and the Part-Time Officers;
"the Executive Committee"	The Sabbatical Officers and the Part-Time Officers, except for the Union Chair;
"External Trustee"	A Trustee appointed in accordance with the constitution who for the avoidance of doubt shall not be deemed to be either a major association office holder or a sabbatical association office holder for the purposes of section 22 of the Education Act
"in writing"	Written, printed or transmitted writing including by electronic communication
"Honorary Office Bearers"	Officers which are not Ordinary Members of the Students' Association.
"Members"	Members of the Association being Students at University of the West of Scotland as further defined within the constitution and the Sabbatical Officers;

"NUS"	National Union of Students
"Part-Time Officers"	The Members elected to be officers of the Association while continuing their studies at the University of the West of Scotland.
"Personal Interest"	A financial interest or an interest that does not arise in the ordinary course of being a Member or a Trustee (for example, being a member of a club or society)
"Policy"	Representative and campaigning policy set by Referenda or the Student Council in accordance with the constitution or by the Members in general meeting;
"RAG"	The raise awareness/and give society which develops Students by providing them with an opportunity to raise funds for charitable causes
"Referendum"	A ballot in which all Members of the Association are entitled to cast a vote, the protocol for which is set out in the bye-laws
"Returning Officer"	A person who oversees the elections and referenda processes to ensure that such processes are free and fair.
"Sabbatical Officers"	The individuals elected in accordance with the constitution (each of whom is a "major association office holder" for the purposes of section 22 of the Education Act)
"Sabbatical Trustee"	A Trustee elected in accordance with the constitution
"Secure Petition"	A written request to the Association which shall be fixed in a pre-arranged place or places or held securely online
"President"	The President of the Association, as elected by the ordinary members of the Association in accordance with the appropriate policy.
"Staff"	Any person who is employed directly by the Association.
"Student"	Any individual who is formally registered for an approved programme of study provided by the University of the West of Scotland. For the avoidance of doubt, the University of the West of Scotland shall determine whether or not an individual has student status;
"Student Voice"	A mechanism to allow accountability, to get student feedback and to set policy constituted in accordance with this Constitution and the bye-laws of the Association.
"Student Trustee"	A Trustee selected in accordance with the constitution who is a Student and for the avoidance of doubt shall not, for the purposes of Section 22 of the Education Act, be a major Association office holder
"Transferable Vote System"	An election system in which the electorate ranks candidates in order of preference. The Association uses:

	<p>Alternate Transferable Vote for positions in which there can only be one person elected – e.g sabbatical officers</p> <p>Single Transferable voting for positions in which more than one person can be elected, e.g executive officers and Delegations</p>
“Trustee” and “Trustees”	The Sabbatical Trustees, the Student Trustees, and the External Trustees
“Association”	The Students’ Association of the University of the West of Scotland
“University of the West of Scotland” or “University”	University of the West of Scotland which was established by the merger of Paisley University and Bell College of Technology in August 2007
“University Week”	Monday to Friday during Trimester one and two. Bank Holidays are not included in University Weeks.

Bye-Law 1: Officers of the Association

1. General

- a. This bye-law exists to provide guidance on the general and specific duties of the Officers of the Association.
- b. Areas of responsibility are described relating to each Officer; however they are not intended to be detailed or exhaustive.

2. General Duties

- a. Trustees
 - i. To act in a manner consistent with the Constitution of the Association
 - ii. To ensure appropriate control and direction of the Association's management and administration.
 - iii. To ensure resources are deployed in a way that is consistent with the furtherance of the charitable purposes of the Association
 - iv. To assess and manage risk and ensure the long term financial viability of the Association.
 - v. To annually approve budgets, strategies and regulations as required.
 - vi. To adhere to the Code of Conduct of the organisation.

b. Sabbatical Officers

In addition to the above Sabbatical Officers will:

- i. Be deemed to be "major Association office holders" for the purposes of section 22 of the Education Act.
- ii. Represent formally or informally the interests of the Student Voice.
- iii. Provide overall political management of the Association
- iv. Carry out the mandates of standing policy as agreed by the Student Voice and Referenda.
- v. Attend all meetings of the Trustee Board, Executive Committee, Student Voice and University meetings or other meetings as appropriate.
- vi. Attend all appropriate training, either in house or with external partners
- vii. To adhere to the terms of their employment contracts.

c. Executive Officers

The Executive Officers shall:

- i. Support the work of the Executive Committee
- ii. In conjunction with the rest of the executive committee set the political direction of the students association
- iii. Enact the policy of the Association which has been passed by the Student Voice or Referenda.
- iv. Attend each meeting of the Executive Committee, Student Voice or any other meeting deemed appropriate.

3. Officer Remits

The Officers will have the following remits:

a. President

The President shall:

- i. Be the senior representative of SAUWS and ultimately responsible for the actions of the Students' Association jointly with the Board.
- ii. Chair the SAUWS Executive Committee and the SAUWS Board of Trustees.
- iii. Approve the Annual Accounts on behalf of the Board of Trustees, with the Board's agreement.
- iv. Represent members on matters of students support at a local, national and international level.
- v. Provide leadership to the sabbatical team and delegating where appropriate.
- vi. Work collaboratively with the Chief Executive to provide strategic leadership of the Association, upholding its vision, mission and values.
- vii. Act as the senior spokesperson of the Board of Trustees and Students' Association as a whole.
- viii. Attend meetings of the University Court as the Association's senior representative.
- ix. Attend committees of the University which are designated to the Student President.
- x. Represent the Student Body and their interests to the University Senior Management Team, campus trade unions, University staff and outside agencies.
- xi. Work earnestly to eliminate financial hardship, homelessness and hunger amongst the student body.
- xii. Conduct research as necessary to inform their decisions
- xiii. Be familiar with current issues in students' welfare and rights, and provide materials on such issues to the general student body
- xiv. Remain committed to the Association's Equality & Diversity Policy
- xv. Lobby and campaign for change and improvement for all students at UWS.

b. Vice President of Education

The President of Education will:

- i. Be the primary representative on all matters relating to education and the learning experience.
- ii. Be responsible for the Academic Representation of members
- iii. Oversee operation of Class Rep system
- iv. Represent members on matters of education at a Local, National International level.
- v. Arrange conferences and briefing for educational purposes.
- vi. Work with Student Representatives to improve the learning experience
- vii. empower students to enhance the quality of their learning & teaching experience
- viii. Conduct research as necessary to inform their decisions
- ix. Remain committed to the Association's Equality & Diversity Policy
- x. Campaign for change and improvement in their respective area

c. Vice President of Societies & Citizenship

The President of Societies & Citizenship will:

- i. Be the primary representative on all matters related to Societies & Citizenship
- ii. Be responsible for the promotion of Societies, student activities and volunteer opportunities for students studying at the University
- iii. Work to make sure students from different backgrounds are integrated into the University to ensure they have the best student experience.
- iv. Lead on community related matters and to make sure students are engage as active citizens at local and national levels.
- v. Support students campaigning in areas of wider citizenship.
- vi. Be the lead officer for supporting societies.
- vii. Support students in setting up societies, providing office-holders' training, and taking reasonable steps to support and facilitate their activities during the session.
- viii. Conduct research as necessary to inform their decisions
- ix. Remain committed to the Association's Equality & Diversity Policy
- x. Campaign for change and improvement in their respective area

d. Vice President of Sports & Wellbeing

The President of Sports & Wellbeing will:

- i. Be the primary representative on all matters related to Sport & Wellbeing
- ii. Act as President of the Sports Union, and promote the profile of the Sports Union, and general sporting activities, amongst the student body.
- iii. Prepare and implement an effective strategy for increasing participation in, and widening access to, all sporting and physical activities.
- iv. Convene relevant Sports Union committees, and represent SAUWS sporting interests to the university and national student sports bodies.
- v. Ensure that the Sports Union implements, maintains, and adheres to appropriate and relevant policy for the purposes of health and safety within sport.
- vi. Be responsible for the promotion and awareness raising of relevant health and wellbeing issues, and organise events and materials to this end.
- vii. Organise and coordinate annual sporting events.
- viii. Conduct research as necessary to inform their decisions
- ix. Remain committed to the Association's Equality & Diversity Policy
- x. Campaign for change and improvement in their respective area

4. The Second Court Representative.

- a. Shall attend meetings of the University Court as the Association's second representative.

5. Union Chair

- a. The Union shall have an impartial Union Chair elected from cross campus ballot as described in the relevant bye-law
- b. The Union Chair shall

- i. be responsible for the organisation, promotion and chairing of the Student Voice and General Meetings.
- ii. liaise with the student body to hold the elected officers to account.
- iii. be able to question the elected officers on behalf of members of the Association
- iv. ensure that the Association's decision making is open, transparent and democratic.
- v. have the right to attend and observe any meeting held within the Association, but shall not have voting rights, save for any areas of reserved business.

6. Honorary Office Bearers

a. Returning Officer

- i. The Returning Officer shall not be a member of the Association or a member of staff at the Association and they shall have the following duties:
 - 1. shall be responsible for the operation and process of election in terms of the regulations set out in the Bye laws and shall post the results of all elections within twenty-four hours of the count.
 - 2. shall have the right to appoint deposes.
 - 3. shall invite the University Secretary/Court to appoint an Observer in conduct of all ballots for Trustees.
 - 4. shall chair the Elections Tribunal.
 - 5. decisions of the Returning Officer shall be final

b. Depute Returning Officers shall:

- i. Deputise for the Returning Officer, as directed by them in their absence. They shall not be Ordinary members of the Association.

Bye-Law 2: Election, Appointment and dismissal of Office Bearers

1. General

- a. This bye-law exists to give guidance on the election, appointment and dismissal of office bearers.
- b. The Returning Officer of the Association shall adhere as best as possible to the guidance in this document, however they shall be empowered to take whatever appropriate steps are required to ensure open and fair elections.

2. Guidance for candidates for elected Student Officer positions

- a. Terms of office
 - a. The Sabbatical Officers shall remain in office for a term of one year commencing from the 1st July of each year. Terms can be consecutive or non-consecutive.
 - b. Any Student Officer who ceases to be an ordinary member of the Association whilst in their term of office shall be deemed to have resigned.

b. General Rules

- a. All candidates in elections must be Ordinary Members
- b. All candidates to be sabbatical officers must be ordinary members and over the age of 18.
- c. All elections shall be conducted by secret ballot, using the Transferable Vote System.
- d. As stated within the Education Act (1994) no candidate may be in a Sabbatical position for more than two years, or stand in any election which would allow this to be so.
- e. No candidate may stand for more than one officer position at any one time.
- f. For the purposes of doubt, delegations are not classified as being officer positions.

3. Positions which require elections

- a. The following positions shall be elected by cross campus ballot:
 - i. President of Education
 - ii. President of Societies & Citizenship
 - iii. President of Sports & Wellbeing
 - iv. President of Student Support
 - v. Union Chair
 - vi. NUS Delegations
- b. The following positions shall be elected by campus specific ballots:
 - i. Executive Officer (Ayr)
 - ii. Executive Officer (Dumfries)
 - iii. Executive Officer (Hamilton)
 - iv. Executive Officer (Paisley)
 - v. Executive Officer (London)
 - vi. Executive Officer (Distance)

- c. The following shall be elected from the Student Voice Committee from the newly elected pool of Sabbatical Officers, not including the President. These elections will be governed by the Senior Representative election policy:
 - i. The Second Court Representative from SAUWS

4. Positions which are appointed:

- a. Positions appointed by the Board of Trustees:
 - i. Returning Officer
- b. Positions appointed by the appointments committee:
 - i. Student Trustees – four positions, one from each campus
 - ii. External Trustees – four positions, one for each area determined by the Board of Trustees to need expertise.
- c. Positions appointed by the Returning Officer:
 - i. Depute Returning Officer(s)

5. Election Regulations

- a. Organising the elections
 - i. The election of all of the above positions shall take place in the second trimester.
 - ii. The nomination period of the elections should not be less than two University Weeks.
 - iii. The Returning Officer will circulate guidance on the election process when nominations open.
- b. Promotion of Elections
 - i. The Returning Officer should allocate publicity material to each candidate equally.
 - ii. The Returning Officer shall organise opportunities for candidates to be questioned on their manifestos by the student body.
- c. Publicity & campaigning
 - i. No candidates may use their own materials or finance to forward their campaign
 - ii. The use of Association facilities, offices or other rooms apart from those allocated for campaigning purposes is forbidden.
 - iii. Association & University staff will remain neutral throughout election periods.
 - iv. No candidate may begin campaigning before the close of nominations
 - v. A candidate is responsible for the actions of their campaign team.
 - vi. All materials must be approved by the Returning Officer before they can be used.
 - vii. Campaign materials must meet the standards set by the returning officer
- d. Adjudicating in the Elections
 - i. The Returning Officer is responsible for organising an elections tribunal.
 - ii. The University will supply a representative to oversee the election count to meet the requirements of the Education Act.
 - iii. Any complaints received will be dealt with by the elections tribunal before the count.
 - iv. No member of the Elections Tribunal may be a current candidate in an election.

- v. No member of the Election Tribunal may support any candidate in the election.
- vi. Once the results have been counted the results shall be announced by the Returning Officer or their Nominee.
- e. By-Elections
 - i. In the event that a position(s) becomes available due to a resignation during the officer term, the Board of Trustees shall decide whether or not the Returning Officer should be instructed to hold a by-election to fill the position. In which case the regulations will apply.

6. Elections Tribunal

- a. Membership
 - i. The Returning Officer
 - ii. The Depute Returning Officer(s)
 - iii. Student Trustees
 - iv. University Observer
- b. Quorum
 - i. Quorum shall be any three members.
- c. Dealing with complaints
 - i. Complaints will only be dealt with provided that the complainant
 - ii. Submits the complaint in writing with their Banner ID and signature
 - iii. Specifies the nature of the complaint
 - iv. Specifies what part of the bye-law, election regulations or candidates guidelines that have been breached.
- d. Powers
 - i. The Elections Tribunal will have the power to implement any sanction that they deem necessary on a candidate who has breached any of the election rules including terminating their candidacy.
 - ii. The Tribunal may refer complaints to the Association's or University's disciplinary committees for further sanctions.
 - iii. Those alleged to have breached the regulations will have the right to a hearing.

7. Appointments

- a. The Association may appoint the positions outlined in the constitution and bye-laws.
- b. Appointments shall be made by the appointments committee which is detailed in the relevant bye-law.
- c. All appointments must be ratified by a simple majority vote of the Student Voice
- d. Student Trustees
 - i. Each Student Trustee must be a student at the University of the West of Scotland at the time of their appointment and continue to be so during their term of office.
 - ii. Student Trustees shall remain in office for a term of one year commencing on the first of July each year.
 - iii. A Student Trustee may serve a maximum of two consecutive terms as a Student Trustee.

- iv. For the avoidance of doubt, a Student Trustee may also stand for up to two sabbatical terms.
- e. External Trustees
 - i. Unless their appointment is terminated in the manner described below, External Trustees shall remain in office for a term of up to four years. Commencing at the point of their appointment ratification.
 - ii. External Trustees may serve a maximum of two terms which may either be consecutive or non-consecutive.

8. Removal of Elected Officers, Student Trustees and External Trustees

a. General

- i. The Office of a Trustee shall be vacated if:
 1. They become prohibited by law from being a charity trustee
 2. In the case of a Sabbatical Officer they cease to be a Sabbatical Officer or resigns as an employee of the Association
 3. In the case of a Student Trustee, they cease to be a student
 4. In the case of Sabbatical or Student Trustees, they are removed from the membership of the Association in accordance with the Association's code of conduct
 5. They resign (but only if at least four trustees will remain in office when the notice of resignation is to take effect)
 6. They fail to attend three consecutive meetings of the Trustee Board without apology and in the opinion of the trustees that there are no mitigating circumstances.
 7. The Trustee dies.
 8. They are removed as described below.

b. Removal of Student Trustees and External Trustees

- i. Student and External Trustees may be removed by the student voice if:
 1. A motion of no confidence is submitted and passed at a meeting of Student Voice.
 2. If the motion is passed by a simple majority of those eligible to vote at a Student Voice meeting, then this will trigger a referendum of no confidence of the Trustee, which will require a 5% turn out of Ordinary members. If such a referendum achieves this and has a simple majority in favour, the Trustee will be deemed to have resigned with immediate effect.
- ii. Student Trustees and External Trustees may be removed by the Trustee Board if:
 1. The Board passes a resolution of no confidence in the Trustee with a simple majority.
 2. For the avoidance of doubt, the trustee concerned and any Trustee who has a conflict of interest in relation to the matter shall not vote on this resolution and the quorum shall be adjusted accordingly.

c. Removal of Elected Officers (Including Sabbatical Officers)

- i. An Elected Officer shall be removed from office if they:
 - 1. Resign, or die
 - 2. Are removed from office by the Board of Trustees for a breach of contractual obligations.
 - 3. Are removed from office as an elected officer as detailed below:
- ii. Removal of Elected officer by the Membership of the Association
 - 1. An elected officer shall be removed from office if a motion of no confidence in the elected officer is passed by a simple majority of the Ordinary Members voting in a referendum, provided that at least 5% of Ordinary Members cast a vote in the referendum. Such a motion shall only be triggered by a secure petition of no confidence signed by at least 5% of the Ordinary Members or;
 - 2. A motion of no confidence is passed by a two-thirds majority of a duly called General Meeting.
- d. Replacement of Appointed Trustees
 - i. If a Student or External Trustee resigns, is disqualified or removed from office the Appointments committee may replace the Trustee.

Bye-law 3: Meetings and Standing Orders

1. General

- a. This bye-law exists to provide guidance and structures for all of the Association's meetings.
- b. This bye-law also details the standing orders of the Association.

2. Standing orders

- a. Convening Meetings
 - i. The chair of the relevant Committee will convene all meetings
 - ii. Dates, times and venues for all meetings will be communicated to the members of the relevant committee(s) at the beginning of the Union Year, for the remainder of that Union Year.
 - iii. If this is not possible, dates, times and venues will be communicated to the Committee(s) members at least seven days prior to the date of the meeting;
 - iv. The announcement of a date and time for a meeting will be accompanied by a call for business, whereby members can submit items of business to the Chair for discussion
 - v. In the case of emergency or extraordinary meetings, the chair shall ensure that as much notice as is practicable is given to the committee membership.
 - vi. Quorums shall be given for each committee and if a quorum is not met within 30 minutes of a meeting being held then the meeting shall be abandoned and rescheduled.
- b. Agendas
 - i. There should be an agenda for every meeting, produced by the chair of that committee
 - ii. The Agenda should include the following:
 1. Members Present
 2. Apologies
 3. Minutes and Matters Arising
 4. Items of Business
 5. Any Other Competent Business
 - iii. Chairs may add other standing items to the agenda of their committee as required.
 - iv. Agendas and supporting papers will be distributed to all members of a committee prior to the meeting taking place with a minimum of two days notice.
- c. Submitting Items of Business
 - i. All items of business must be submitted to the chair of the meeting in advance of the Agenda being published with any supporting papers
 - ii. Any item of business not submitted by the time the Agenda is published may be brought up under AOCB, but it will be at the discretion of the chair if the item is discussed or passed to the next meeting.
- d. Voting & Decision Making
 - i. Only the defined membership of a committee shall be entitled to vote at any Association Meeting.

- ii. Discussion on matters will be decided by consensus where possible at the direction of the chair
 - iii. Where consensus is not reached, a vote by show of hands will be taken where a simple majority is required
 - iv. Decisions will only be binding if a committee has reached its quorum.
 - v. Committee members will have the option to vote for, against or abstain. The Chair of the Committee will not have a vote in the first instance
 - vi. In the event where a vote is tied, the Chair of the Committee will have a casting vote.
- e. Discussion of motions or resolutions
- i. Any motion or resolution shall be discussed in the following way:
 1. Speech in favour, by the submitter or their named nominee
 2. The Chair will then inform the meeting of amendments submitted, if any
 3. Each amendment will be debated in turn
 4. There will be a speech in favour of the amendment
 5. There will be a debate of the amendment altering between for and against – starting with against.
 6. There will then be a vote; if the amendment is passed it shall become part of the motion, which in its amended form shall be called the substantive.
 7. If there are any further amendments the debate shall return to e.2
 8. There will be a debate on the substantive, alternating between for and against, starting with against
 9. The proposer or their nominee shall have the right to summate at the end of the debate
 10. There will be a vote on the substantive.
- f. Procedural Motions
- i. Procedural motions shall have precedence over all other business except points of order. They may not be raised during a speech or during the course of a vote unless relating to the conduct of that vote.
 - ii. Procedural motions shall be debated in the following way:
 1. There shall be a speech in favour of the procedural motion
 2. There shall be a speech against
 3. There shall be a vote – all procedural motions required a two thirds majority to be passed, unless otherwise stated.
 - iii. There shall be the following procedural motions which are listed in order of priority:
 1. The meeting wishes to overturn a decision of the Chair of the meeting. If passed such a motion will not be treated as a motion of “no confidence” in the chair.
 2. That the agenda be re-ordered
 3. That the question specified shall now be put. If passed that means all debate on a motion shall cease, save that there will be a summing speech and a vote on the substantive as it currently stands.

4. That the question shall not be put. If passed then no decision shall be taken on the motion in question and the meeting shall proceed to the next item of business
5. That the question as specified be remitted to another meeting. Any motions shall specify the meeting concerned and if known the time and place of that meeting.
6. That the question as specified shall be moved in parts
7. That a vote be taken by secret ballot
8. That a vote be taken by roll call
9. That a guillotine be set for the meeting.

g. Points of Information

- i. Point of information and order shall take precedence over any other matter
- ii. A point of information shall be where a matter of correction is required of a speaker
- iii. A point of Order shall be a question to the chair of the meeting relating to the order and rules of the meeting. Members of the meeting may raise the following points of order
 1. A request for a quorum count
 2. A request for a clarification of the rules

h. Powers of the Chair

- i. There shall be order when the chair of the meeting is speaking
- ii. If the chair of a committee is absent or wishes to speak on an item of business, chairing duties shall be passed to a nominee
- iii. The chair of a meeting shall decide on all matters of relevance and competence
- iv. In the event of disorder, the chair of the meeting shall have the right to request any person creating a disturbance to leave the meeting immediately. The chair of the meeting shall also have the right to adjourn or close the meeting

i. Minutes

- i. Minutes will be taken of each meeting of the Association as a record of what was discussed and decided upon at the meeting in question
- ii. Minutes will follow the order of business as set out on the Agenda and will include the full text of any policies or bye-laws passed
- iii. Minutes will be prepared and sent to the chair to check for accuracy, after which they will be published and distributed to members of the committee before the next meeting
- iv. Minutes must be ratified by the next meeting of the committee before being made publically available

j. Reserved Business

- i. The Board of Trustees, Executive Committee, Discipline Committee and Elections Tribunal shall be able to hold reserved business

- ii. The Board of Trustees may grant other committees the power to hold reserved business if required
 - iii. Reserved business refers to confidential matters and only members of the relevant Committee may be present when they are discussed. All observers will be asked to leave the room under an item of reserved business. Staff members may be present at the express wish of the Chair of the Committee
 - iv. Items of business relating to staff, discipline or external complaints will be held under reserved business
- k. Board of Trustees
- i. Trustee Meetings
 - 1. The Board of Trustees membership shall be as defined in the constitution
 - 2. The Board of Trustees is required to hold a minimum of four meetings in any Union Year
 - 3. Guests or observers can attend meetings of the Trustees at the discretion of the chair
 - 4. A Trustees meeting may be held by telephone or by televisual or other electronic or virtual means agreed by a resolution of the Trustees in which all participants may communicate simultaneously with all other participants
 - ii. Quorum
 - 1. The Quorum for Trustees meetings shall be four and such quorum must include at least two sabbatical Trustees. Where the resolution or issue under discussion concerns a matter in respect of which one or more of the Trustees have a conflict of interest, they will be excluded from the number counted as quorum.
 - iii. Chair & Deputy Chair
 - 1. The President shall be the Chair of the Trustee board.
 - 2. The Trustees shall appoint an External Trustee to be Deputy Chair and may at any time remove them from office. The role of the Deputy Chair will be to support the Chair.
 - 3. In the absence of the Chair and the Deputy Chair, another Trustee appointed by the Trustees present shall preside as the Chair of the meeting.
 - iv. Decision making by Trustees at Meetings
 - 1. Questions arising at a meeting shall be decided by a majority of votes. In the case of an equality of votes, the chair shall be entitled to a casting vote in addition to any other vote they may have.
 - 2. The Trustees may, in the circumstances outlined in this clause make a simple majority decision without holding a Trustees meeting if:
 - i. A Trustee has become aware of a matter on which the Trustees need to take a decision

- ii. That Trustee has taken all reasonable steps to make all the other Trustees aware of the matter and the decision
 - iii. The Trustees have had a reasonable opportunity to communicate their views on the matter and the decision to each other and;
 - iv. A simple majority of the Trustees vote in favour of a particular decision on that matter
 - v. A decision of the Trustees may be taken by majority and shall be as valid and effectual as if it had been taken at a duly convened meeting of the Trustees.
 - vi. No decision shall be taken by the Trustees in accordance with this clause unless the quorum is met.
 - vii. The Chair shall be responsible for ensuring that a robust decision making process is taken in these circumstances.
 - viii. In the case of an equality of votes in any decision making process in accordance with this clause, the chair shall be entitled to a casting vote in addition to any other vote they may have, unless they are not to be counted as part of the quorum rules.
 - ii. The Board of Trustees shall have the power to delegate the day to day management of the Association to another Committee or person within the Association. In this case:
 - 1. The delegated power shall be to manage the Association by implementing the policy and strategy adopted by and within a budget approved by the Trustees and if applicable to advise the Board in relation so such policy, strategy and budget.
- I. Executive Committee
- i. Executive Meetings
 - 1. The Executive Committees membership shall be as defined in the Constitution
 - 2. The Executive shall meet at a minimum once every calendar month.
 - 3. Guests or observers can attend meetings of the Executive at the discretion of the Chair
 - 4. The Chief Executive and the Association's senior management team may attend meetings of the Executive Committee at the request of the Executive Committee.
 - ii. Quorum
 - 1. The Quorum of the Executive committee shall be six members, such quorum shall include two sabbatical officers.
 - iii. Chair
 - 1. The President or their nominee shall chair the Executive Committee.
 - iv. Responsibilities
 - 1. The Executive Committee's responsibilities shall not include the duties of the Board of Trustees

2. The Executive Committee shall be the operational management committee of the Association
3. The Executive Committee shall be responsible for the implementation of all policies passed by the Student Voice and to politically lead the organisation

m. Student Voice

- i. Student Voice meetings
 1. Any Ordinary Member at the University of the West of Scotland shall be eligible to attend a meeting of the Student voice
 2. The Student Voice shall meet at a minimum of three times per Union Year
 3. Guests or observers may attend meetings of Student Voice at the discretion of the chair
 4. Student voice meetings can happen simultaneously, in multiple locations using the appropriate technology
- ii. Quorum
 1. There shall be no quorum on Student Voice
- iii. Chair
 1. The Student Voice shall be chaired by the Union Chair or their nominee
- iv. Responsibilities
 1. The Student Voice will set the political direction of the Association
 2. The Student Voice will debate and create policy and plan and organise campaigns relevant to the Student Body.
 3. Hold the elected officers to account for their actions.

n. Appointments Committee

- i. General
 1. The appointments committee will meet as and when required
- ii. Membership
 1. The appointments committee will be made up as follows:
 - President
 - Chief Executive
 - Two sabbatical Trustees
 - Two representatives elected from Student Voice
 - One Representative from the University
- iii. Quorum
 1. The Quorum for the appointments Committee shall be the President plus any three others.
- iv. Chair
 1. The Appointments Committee shall be chaired by the President
- v. Responsibilities
 1. To review the applications of those who wish to be trustees of the organisation
 2. To interview applicants on their experiences

3. To make recommendations to the Board on persons who should be appointed to the Board of Trustees.

o. Archiving & Policy Lapse

- i. Once minutes have been checked for accuracy and ratified by the relevant Committee, they will be sent to the Membership Team for archiving and publishing.
- ii. Any policies passed by the Association will become part of Standing Policy and will remain as policy of the Association for five years. This shall be updated at the end of each Union Year.
- iii. At the last meeting of Student Voice each year. Policies passed five years previously will be set to lapse. The Union chair will present all policies due to lapse to the Student Voice:
 1. If there is no objection, the policy will lapse;
 2. If there is an objection, there will be a speech in favour of the policy being retained and then a vote taken of Council members – a simple majority “for” will retain the policy for a further five years. If a majority is not reached, the policy will lapse.

Bye Law 4: Code of Discipline

1. General

- a. This bye-law is used to give guidance on the discipline process for all members who are subject to the discipline of SAUWS. It should be treated as the Association's code of discipline.
- b. An individual or group subject to the discipline of the Association shall be in breach of discipline in the following circumstances:
 - i. Unauthorised entry to Association functions or facilities;
 - ii. Aiding unauthorised entry to Association functions or facilities;
 - iii. Conduct unbecoming of a member or guest
 - iv. Damage to or misappropriation of property belonging to the Association or any member or guest
 - v. Obstruction of, threat to or assault on a Disciplinary Officer, member, guest or employee of the Association
 - vi. Contravention of any Bye-law, rule or regulation made by the Association in accordance with the constitution
 - vii. Conduct which results in a guilty verdict of a breach of discipline in a Union or Association with which the Association has a reciprocal agreement
 - viii. Failure when cited and without reasonable excuse to appear at, refusal to give evidence to, or giving false evidence to the Disciplinary Board

2. Criminal Offences

- a. Where a matter reported for action under this bye-law would also constitute an offence under the criminal law if proven in a court of law, the Chair of the Disciplinary Board shall as soon as is practicable inform the University Secretary who shall, after consulting such persons as he or she shall think fit, make a report to the Principal. The Principal shall then follow the procedures set out in the University's Code of Discipline for Students and thereafter the matter shall be considered in accordance with that Code in place of this bye-law.

3. Functions of Disciplinary Officer

- a. A Disciplinary Officer who has reason to believe that any Member (or the guest of such Member) has committed an offence of misconduct within the meaning of this bye-law shall proceed as follows:
 - i. Identify himself/herself to the Member or guest as appropriate and draw to that person's attention the right of the Disciplinary Officer to report the matter to the Disciplinary Board.
 - ii. Note the name, student ID number and/or such other details as are relevant to identify the person concerned; in the case of a guest the details of the Member responsible shall also be noted.
 - iii. Note the name(s), Student ID number(s) and/or such other details as are relevant to identify any witness(es) to the alleged misconduct.
 - iv. Instruct the Member (and guest, if any) to leave the premises or, if appropriate, the function concerned and, in the case of an instruction to

leave the premises, to remain off the premises for a period not exceeding twenty-four hours.

- v. To take such reasonable steps as are necessary to ensure that an instruction under 4.a iv is complied with
- b. A Disciplinary Officer has discretion whether or not to refer the matter to the Disciplinary Board and the decision of the Disciplinary Officer shall be final. Such decision shall be taken within five working days
- c. If the Disciplinary Officer decides to refer the matter to the Disciplinary Board, he or she shall complete the form provided for this purpose and pass it, together with any relevant information in his or her possession, to the Chair or Depute Chair of the Disciplinary Board within five working days of the incident giving rise to the alleged misconduct

4. The Disciplinary Board

- a. The Disciplinary Board shall hear and determine all matters reported to it by a Disciplinary Officer. A Member is entitled to be treated fairly by the Board, in particular:
 - i. To be given the opportunity, both orally and in writing, to respond to any charge or charges laid against him or her and to present evidence on his or her behalf
 - ii. To have his or her case considered impartially by the Board, no member or members of which has or have any previous involvement in the matters forming the basis for the charge or charges
 - iii. Within the limits set out in this bye-law to appeal to a higher authority in writing or in person on grounds of procedural defect or unfairness, against any finding of guilt and against any penalties imposed
- b. The Disciplinary Board shall be appointed by the Student Voice and shall be composed as follows, exclusively from Members who are not Office Bearers:
 - (i) a Chair
 - (ii) a Depute Chair
 - (iii) five members
- c. The quorum for meetings shall be the Chair or Depute Chair and three other members. No objection may be taken to the composition of the Board duly constituted as above; provided that no member shall take part who has prior involvement in the matters referred to the Board or has a close personal relationship with any Member involved therein.
- d. The Chair or Depute Chair (as appropriate) shall keep a record of the proceedings and the reasons for any decisions taken.

5. Procedures for the Disciplinary Board

- a. On receipt of a reference from a Disciplinary Officer the Chair or Depute Chair of the Disciplinary Board shall notify the Member concerned in writing, at his or her registered address by recorded delivery post or by hand, of the specific charge or charges of misconduct which have been referred to the Board and giving at

least seven University days notice of the date and time of the meeting of the Board which will consider the matter. The notice shall enclose a copy of this bye-law and draw attention to the right of the Member to attend, address the meeting and call any witnesses in his or her defence. The Chair or Depute Chair shall also notify any witnesses named in the reference from the Disciplinary Officer that they are required to attend, giving the same notice.

- b. The Member concerned may apply to the Chair or Depute Chair for the meeting to be rescheduled for good cause on one occasion only and the Chair or Depute Chair shall have discretion to accede to that request.
- c. Having given due notice, or in the event that the Chair or Depute Chair has agreed to a rescheduled meeting, the Member concerned does not appear, the Disciplinary Board may proceed to hear and determine the matters before it in his or her absence. If the Member does not wish to appear in person, he or she may notify the Chair or Depute Chair in advance and submit a written statement which shall be read to the meeting of the Board by the Chair or Depute Chair and taken into consideration.
- d. The Member concerned shall be entitled to be accompanied by a friend or relative, not being a legal representative, who shall take no part in the proceedings except with the permission of the Board.
- e. The proceedings shall be conducted with proper decorum and the member of the Board in the Chair shall be entitled to eject any individual who attempts to disrupt the proceedings, including the Member concerned.
- f. The order of proceeding shall be:
 - i. The Disciplinary Officer shall outline the alleged facts of the matter.
 - ii. The Member concerned shall be invited to admit or deny each of the charges against him or her. Where there is more than one charge, he or she may admit all of them or some of them.
 - iii. If the charges or any of them are denied, the Disciplinary Officer shall be permitted to call any witnesses named in the reference or to submit signed statements from them.
 - iv. Both the Member concerned and the members of the Board shall be entitled to question the Disciplinary Officer and any witnesses called by him or her and the Member concerned shall be entitled to question the veracity of any signed statements.
 - v. The Member concerned shall be entitled to address the Board and to call witnesses on his or her account.
 - vi. The members of the Board shall be entitled to question the Member concerned and the witnesses, if any.
 - vii. The Disciplinary Officer and the Member concerned shall withdraw while the Board considers the matter.

- viii. If the charges or any of them are admitted, then in respect of those admitted the Member may make a statement in mitigation but no further evidence shall be heard.
- g. The Board shall determine whether the allegations against the Member have been proved on a reasonable balance of probability. If it does not find the allegations proved it shall notify the Member concerned in writing and the matter is at an end. If it finds against the Member, other than a Reciprocal Member, it may impose a penalty as follows:
 - I. Admonishment
 - II. Reprimand
 - III. Suspension from defined facilities under the control of the Association for a period not to exceed twelve months
 - IV. Suspension from defined facilities under the control of the Association for life
 - V. Recommendation to the appropriate body for removal from office or from membership of any club or society.
- h. In addition to and without prejudice to the above, the Disciplinary Board may require the Member concerned to pay the full, or a part as the Board may determine, costs of repair to or replacement of any property belonging to the Association or to any Member or guest. For the avoidance of doubt, nothing in this bye-law precludes the Association from taking action in the civil courts to recover these costs.
- i. The Board shall notify the Member concerned of its findings in writing within five working days of the meeting.
- j. In the case of a finding against a Reciprocal Member, the Chair or Depute Chair of the Board shall as soon as practicable inform the organisation of which the Reciprocal Member is a member of the nature of the reference and the finding.
- k. Where the Association has received notification from an organisation with which it has reciprocal arrangements, and the Student Voice has satisfied itself that the conduct of disciplinary proceedings by the organisation is consistent with the principles set out in paragraph 10 above, the Disciplinary Board may on giving seven working days notice to the Member concerned, and giving him or her the opportunity to be heard in mitigation, proceed to impose a penalty within the limits set out in paragraph 11.

6. APPEAL

- a. The Board of Trustees shall appoint an Appeal Committee of three of its members, one of whom shall act as Chair, to hear and determine any appeal on its behalf. No person shall be appointed to the Committee who has prior involvement in the matters under appeal or has a close personal relationship with any Member involved.
- b. A Member may appeal in writing to the Appeal Committee against the decision of the Disciplinary Board within ten working days of notification of its decision, on the following grounds:
 - i. That it was made in excess of the jurisdiction conferred on the Disciplinary Board by this bye-law;

- ii. That there was a defect in the procedures employed by the Disciplinary Board such as to render the decision unfair;
- iii. That the decision of the Disciplinary Board was unreasonable; in that the Committee in reaching its decision took into consideration something which it ought to have disregarded or disregarded something which it ought to have considered; and may appeal against any penalty imposed by the Disciplinary Board on the following grounds:
 - iv. That the penalty levied was in excess of the limits set out in paragraph 11.
 - v. That the penalty levied was unreasonable.
- c. If the appeal relates to (i) penalty or to (ii) finding and penalty, then in either case the operation of the penalty will be suspended pending the determination of the appeal.
- d. If the matter is to be dealt with by the Appeal Committee:
 - i. The Member shall be given at least five working days notice in writing to his or her registered address or by hand of the date and time at which the matter will be dealt with by the Appeal Committee.
 - ii. The Member concerned may apply to the Chair for the meeting to be rescheduled for good cause on one occasion only and the Chair shall have discretion to accede to that request.
 - iii. Having given due notice, or the Chair having agreed to a rescheduled meeting, the Appeal Committee may proceed to hear and determine the matters before it in the absence of the Member concerned. If the Member does not wish to appear in person, the written statement of appeal and the record of the Disciplinary Board shall be read to the meeting of the Committee by the Chair and taken into consideration.
 - iv. The Member concerned shall be entitled to be accompanied by a friend or relative, not being a legal representative, who shall take no part in the proceedings except with the permission of the Committee.
- e. The proceedings shall be conducted with proper decorum and the Chair shall be entitled to eject any individual who attempts to disrupt the proceedings, including the Member concerned.
- f. The record of the meeting of the Disciplinary Board shall be read to the meeting of the Committee by the Chair and the Member concerned shall be invited to present the Appeal.
- g. In exceptional circumstances, and at the discretion of the Committee, the Member may adduce evidence not available to the Disciplinary Board. In such cases the Committee may adjourn the proceedings to permit the Chair or Depute Chair of the Disciplinary Board and the Disciplinary Officer concerned to attend the meeting to question the new evidence, or may refer the matter back to the Disciplinary Board, at its discretion.

- h. All parties other than the members of the Committee shall withdraw while the Committee considers the matter.
- i. The Committee may quash the decision of the Disciplinary Board, uphold it in full or vary the penalty within the limits set out in paragraph 18. The Committee's decision shall be final and shall be notified to the Member in writing within five working days of the meeting.
- j. Notification of the findings and keeping of records
- k. The Chairs of the Disciplinary Board and Appeal Committee shall post on a designated board notices of decisions made by the respective body, specifying offences found proved and penalties imposed, but not identifying the parties.
- l. The Chairs of the Disciplinary Board and Appeal Committee, as appropriate, shall keep a record of disciplinary action and enter details in a Discipline Record Book to be maintained securely by the Association. In the cases of Members suspended from facilities, the relevant Chair shall notify the appropriate staff of the Association.

Bye-Law 5: Licensing (Clubs) (Scotland) Regulations 2007

For the avoidance of any doubt, the preceding text of the Constitution of the Students' Association of the University of the West of Scotland, in conjunction with any of its bye laws and regulations, shall be read and understood to include the following provisions:

1. No member of the committee or other governing body and no person employed by the club is to have any personal interest in the sale of alcohol on the club premises or in the profits arising from such sale;
2. Other than when an occasional licence has effect, no person is to be supplied with alcohol on the club premises unless that person is–
 - (i) a member of the club;
 - (ii) a person who is on the premises at the invitation of a member of the club and is accompanied by that member; or
 - (iii) a member of another club which falls within the description prescribed in paragraph (1);
3. Where a person referred to in sub-paragraph (2)(ii) is supplied with alcohol on club premises when an occasional licence is not in effect, there is to be entered in a book kept for the purpose–
 - (i) the date in question;
 - (ii) the name and address of the person; and
 - (iii) the name of the member accompanying the person;