
Code of practice governing the Students' Union

The Education Act 1994 regulates the operation of students' Unions and their relationships with the university authorities and students. It requires universities to publicise the arrangements for implementing the Act by means of a Code of Practice. For the University of Leicester, the Code of Practice is made up of the following two documents, both of which are printed in full below:

- a) Ordinance 22 of the University
- b) Other Regulations Concerning the Students' Union

Ordinance 22

1. There shall be a Students' Union of the University (hereinafter called the Union) for the promotion of the general interests of students and to afford a recognised channel of communication between students and the University authorities.
2. The members of the Union shall be:
 - a) all registered students of the University;
 - b) such members of staff of the University as may elect to become Associate Members of the Union;
 - c) such persons as the Union in accordance with its Regulations may from time to time admit or elect as Associate, Life, Honorary or External Members, provided that any registered student shall have the right not to be a member of the Union if he/she so wishes, and shall not be unfairly disadvantaged by reason of having exercised that right. Students wishing not to be members of the Union must indicate this wish in writing to the Registrar and Chief Operating Officer (or such officer as he may designate for the purpose), and this decision will remain effective for the duration of their registered student membership of the University unless they take specific action to resume membership. Students who have opted out may not resume membership of the Union during the session in which they have opted out, but they may take up membership in any subsequent session, provided that they indicate a wish to do so in writing to the Registrar and Chief Operating Officer or his designated officer.
3. Members under 2(b) and 2(c), other than Honorary Members, will be required to pay such subscription as may be required by the Regulations of the Union.
4. The Constitution of the Union shall consist of the provisions of the University's Statutes concerning the Students' Union, this Ordinance, any other Regulations of the University concerning the Union, the Bye-Laws and Regulations of the Union prepared and approved in accordance with section (6) below, and the Articles and Memorandum of Incorporation. This Constitution shall comply with the terms of the Education (No. 2) Act 1986 and the Education Act 1994, and shall be presented to the Council of the University for review at least every five years. Copies of the Constitution shall be made freely available for inspection by any member of the University in the offices of the Union, the office of the Registrar and Chief Operating Officer, the Library of the University, and in such other places as the Executive Committee of the Union may designate.
5. The Union shall designate an officer or an employee who shall have overall responsibility for the implementation of the financial aspects of this Ordinance and of any Regulations of the University concerning the Union. This person shall also have a duty to advise the Union if at any time any action or policy under consideration by the Union appears to be in conflict with any statutory requirements, the terms of this Ordinance, the Regulations of the University, or any other agreement between the Union and the University. The designated person shall be required to inform the President and Vice-Chancellor in writing should the Union decide to proceed contrary to that advice.
6. Regulations shall be prepared by the Union for the furtherance of the objects of the Union which regulations and any alterations or abrogation thereof shall be of effect and binding on all members of the Union immediately upon receiving the approval of the Registrar and Chief Operating Officer, whose decision in each case shall be reported to the Council of the University. The Regulations shall provide inter alia for the election of officers by secret ballot, for the conduct of all elections by democratic process, for the publication of an Annual Report and Accounts, for the appointment of a Union Council, an Executive Committee, a Finance and Management Committee and Standing Committees, for the affiliation of Students' Societies and Athletic Clubs to the Union, for the allocation of resources to affiliated societies and clubs, for the affiliation of the Union to external organisations, and for appropriate procedures governing these activities.

7. Students shall be permitted to participate in elections of the Union by postal ballot under such circumstances and according to such procedures as shall be defined in the Regulations of the Union.
8. The conduct of the elections of officers shall be subject to inspection by a person appointed by the University of the University, who shall be required to satisfy himself on behalf of the University that the elections have been fairly and properly conducted, and without whose certificate any election shall be void.
9. No person shall hold sabbatical office, or paid elected office, in the Union for more than two years in total.
10. The functions of the Executive Committee, subject to the Regulations of the Union, shall be to represent the Union in all matters affecting its interests.
11. The Board of Trustees shall be accountable for the administration of the finances of the Union. The accounts of the Union shall at the end of each financial year be audited by a public accountant in the active practice of his profession, and copies of the accounts, with the signed report of the auditor, shall be presented to the Union Council. The audited accounts shall also be presented to the Council of the University, through the University's Finance Committee, and copies shall be made freely available for inspection by any member of the University in the offices of the Union, the office of the Registrar and Chief Operating Officer, the Library of the University, and in such other places as the Board of Trustees may designate.
12. The Annual Report and Accounts of the Union shall contain:
 - a) a list of any external organisations to which the Union has made donations in the period to which the report relates, and details of those donations.
 - b) a list of any external organisations to which the Union has been affiliated in the period to which the report refers, and details of the subscriptions or fees paid to such organisations in the same period.
13. The budget of the Union for the forthcoming financial year shall be prepared in accordance with the Regulations of the Union, shall be subject to discussion with the Registrar and Chief Operating Officer and other appropriate officers of the University, and shall be presented to the Council of the University, through the University's Finance Committee, for approval.
14. The Union shall make a quarterly report on its income and expenditure against the approved budget to the University's Finance Committee.
15. The Union shall incur no expenditure, and take no other action, which is inconsistent with the law relating to charities.
16. The Board of Trustees shall have the authority to affiliate the Union to outside organisations, subject to legislation, the provisions of Ordinances, and the Regulations of the Union. Any such new affiliation shall be announced by means of a notice stating the name of the organisation, and details of any subscriptions or donations made or proposed. The notice shall be prominently displayed in the Students' Union, and shall be made available for display in the University Library and the office of the Registrar and Chief Operating Officer.
17. The Regulations of the Union shall include procedures for the review of affiliations to external organisations annually. 5% of the members of the Union under 2 (a) above may, on provision of a signed requisition, call for a ballot of all members on the continuation of affiliation to a specified external organisation or organisations, provided that no organisation may be the subject of such a ballot more than once in any Academic Year.
18. The Regulations of the Union shall include procedures for the consideration of any complaints by students (whether members or not) who are dissatisfied in their dealings with the Union. Complainants shall have a right of appeal to an independent person appointed by the Council of the University. Students who, not being members of the Union, claim to have been unfairly disadvantaged as a consequence, may have their complaints considered by the Registrar and Chief Operating Officer, and shall have a right of appeal thereafter to an independent person.

Other Regulations concerning the Students' Union

The Union shall:

- (a) keep proper accounts and accounting records.;

- (b) maintain a sound system of internal financial management and control;
- (c) plan and conduct its financial affairs so as to ensure that its total income is at least sufficient, taking one year with another, to meet its total expenditure and that its financial solvency is maintained;
- (d) obtain the proper written consent of the University to any transaction involving land, buildings or equipment in excess of an amount determined from time to time by the Council of the University;
- (e) obtain the prior written consent of the University to the borrowing of any money for a period in excess of twelve months;
- (f) not give any guarantees or indemnities incurring contingent liabilities other than in the normal course of business;
- (g) maintain such levels of insurance cover as may be deemed appropriate by the University's Director of Estates.

Failure to comply with the Ordinances and Regulations of the University or any statutory requirements may require the repayment in whole or in part of funds paid by the University to the Union, together with interest in respect of any period during which a sum due to the University under this or any other condition remains unpaid.

Procedures for allocating resources to groups or clubs affiliated to the Students' Union shall be included in the Regulations of the Union and shall therefore be freely available in writing to all students. All such procedures are required to be fair.

The Union is a registered charity and a company regulated by the various Companies Acts and Companies House. Advice may be issued from time to time by the Charity Commissioners and by the Law Officers of the Crown. As a charitable institution, the Students' Union may not carry out political activity as deemed by the Charity Commission. It must not advocate policies on subjects and issues which do not bear on the purposes of the Union; nor may it seek to organise public opinion to support or oppose a political party which advocates a particular policy favoured or opposed by the Union. The Union may, however, seek to influence opinion through well-founded reasoned argument on issues directly related to the Union's stated purposes.

Students bring forward complaints under Ordinance 22(18) are entitled to expect that their cases will be dealt with promptly and fairly, and where a complaint is upheld, to be given an effective remedy. Details of the Union's complaints procedure are included in the Regulations of the Union. Students who are not members of the Union and who believe they have been unfairly disadvantaged as a consequence may submit a case in writing to the Registrar and Chief Operating Officer. The Registrar and Chief Operating Officer will formally acknowledge the complaint, will institute an enquiry, and will respond to the complaint with his conclusions within 21 days of receipt of the case.

A student wishing to appeal against the decision arising from the Union's complaints procedures or the decision of the Registrar and Chief Operating Officer should express this desire in writing to the President and Vice-Chancellor within 14 days of receipt of the decision. An independent person shall be appointed by the Chair of the Council of the University, and the appointment shall be reported to the next meeting of the Council. The independent person shall carry out such enquiries as he deems appropriate, and shall normally be expected to submit his conclusions within 21 days of appointment. The independent person's decision shall be final, and shall be delivered to the Chair of Council and to the complainant in writing.

The Education (No 2) Act 1986 makes provisions for the maintenance of freedom of speech in universities. A Code of Practice governing freedom of speech, approved by the University Council, is published by the University in conjunction with the Senate Regulations which contain rules and other important information about being a student at the University.

By agreement between the University and the Union, students who choose to opt out of membership of the Union may use the facilities and services of the Union listed below, and will not be liable to pay any membership subscription or supplementary charge in order to do so:

- a) Catering services
- b) Shopping facilities
- c) Access to Banks and other commercial services operating within the Students' Union
- d) Membership of the Sports Association and affiliated clubs

- e) Membership of other clubs and societies affiliated to the Union, except that non-members may not be elected as officers of such clubs and societies
- f) Welfare advice and accommodation services. (All students additionally have access to welfare services provided by the University).

Non-members shall not have access by right to bars, discotheques, etc., organised by the Union where the terms of the Union's licence do not extend to non-members.

Non-members of the Union may not serve on any University Committee with student membership, where the terms of reference of the committee specify that the positions are to be held by members or officers of the Union.

The University has made no special arrangements for the provision of services or facilities specifically for non-members of the Union, since it is satisfied that the range of services provided by the University and the Union for all students (whether members of the Union or not) are sufficient to ensure that non-members are not unfairly disadvantaged within the meaning of the Education Act 1994.