

**ROBERT GORDON UNIVERSITY**  
**STUDENT ASSOCIATION**

**REGULATIONS**

*Updated February 2018*

**Scottish Charity Number SC016639**

# rgu:union

## STUDENTS' ASSOCIATION REGULATIONS

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## **Regulation 1: Membership**

*Revised November 2013*

### **1. Membership**

1.1 There shall be six classes of members of the Union as follows:

1.1.1 Ordinary Membership ("Ordinary Members");

1.1.2 Associate Membership ("Associate Members");

1.1.3 Life Membership ("Life Members");

1.1.4 Honorary Membership ("Honorary Members");

1.1.5 Reciprocal Membership; and

1.1.6 Temporary Membership.

1.2 Ordinary Members

1.2.1 All full-time and part-time students of the university enrolled on an award-bearing course and the Presidents shall be Ordinary Members of the Union.

1.2.2 Every enrolled student of the university shall be entitled to exercise his/her right to opt out of membership in accordance with the Education Act 1994. In opting out such individuals shall no longer be Ordinary Members of the Union.

1.2.3 Students who exercise this right shall not be unfairly disadvantaged, with regard to the provision of services, facilities or otherwise, by reason of their having opted out of membership.

1.2.4 Ordinary Members shall be the only members eligible to stand for election to any office, and eligible to vote in Elections, Forums and General Meetings.

1.3 Associate Members are not entitled to hold office or be present at, or take part in any General Meetings of the Union. All students of the university who have associate student status shall automatically be Associate Members of the Union. In addition, the following may, on written application to the Executive Committee and payment of an annual subscription at a rate to be determined by the Executive Committee, become Associate Members:

1.3.1 members of staff of the university and Union during the term of their employment;

- 1.3.2 former students of the university who have been an Ordinary Member of the Union for at least one academic session, but have not completed a course leading to a qualification; and
  - 1.3.3 members of the community who join individual societies and sports clubs affiliated to the Union.
- 1.4 Life Members
- 1.4.1 Former students having obtained a qualification from the university and who were Ordinary Members for at least one academic session may make written application to the Executive Committee to become a Life Member of the Union.
  - 1.4.2 Former students, who, under clause 4.3.3 have held an associate membership card for two or more years, may make written application to the Executive Committee to become a Life Member.
  - 1.4.3 Life Members shall pay a one off subscription at a rate to be determined by the Executive Committee.
  - 1.4.4 Life Members are not entitled to hold office or be present at, or take part in any general meetings of the Union.
- 1.5 Honorary Members.
- 1.5.1 The Chancellor, Principal, Deputy Principal and Vice Principals of the university and the Trustees of the Union shall be Honorary Members of the Union ex officio.
  - 1.5.2 The Union may admit to honorary life membership of the Union any person whom it wishes to honour for services to the Union.
- 1.6 Reciprocal Members
- 1.6.1 The Union may enter into reciprocal membership agreements with other like-minded students' associations or unions, which allow entry into each other's premises.
  - 1.6.2 Reciprocal membership agreements must conform to the Licensing (Scotland) Act 2005.
  - 1.6.3 Reciprocal members are not entitled to hold office or be present at, or take part in any General Meetings of the Union.
- 1.7 Temporary Members.
- 1.7.1 People requiring access to premises occupied by the Union property – including, but not limited to trades people and works people – shall be treated as Temporary Members while on such premises.

1.8 Honorary Patron

1.8.1 An Annual General Meeting shall have the power to elect one individual at any one time to the position of Honorary Patron a position that shall be purely ceremonial and shall have a term limit of two years, although any such individual shall have no limits on the number of terms of office they shall hold.

1.9 Ordinary Membership shall cease if an individual should no longer be a matriculated student of the university or, if they are an Ordinary Member by virtue of being one of the Presidents, upon their demission or resignation of office. The Executive Committee shall have the right to withdraw membership from individuals in all other categories of membership.

## **Regulation 2: Trustee Board**

*Revised February 2016*

### **1. The Remit and Powers of the Trustee Board**

1.1 There shall be a Union Trustee Board (the "Board"). The membership of the Board, as provided within the Union's Constitution, consists of:

1.1.1 Sabbatical Officers;

1.1.2 Five Ordinary Members;

a. Three elected;

b. Two appointed;

1.1.3 One University Trustee;

1.1.4 Four External Trustees.

1.2 The External Trustees shall be appointed to represent the broad range of the Association's activities and, wherever possible, at least one of them shall have current expertise and knowledge in the field of sports development, and one in finance.

1.3 The Board shall be responsible for the strategic oversight of the Union and shall be ultimately responsible for all of the affairs and property of the Union and may exercise all the powers of the Union as it thinks fit, save only as otherwise provided by the Union's Constitution and in accordance with the Regulations.

1.4 The Board's powers shall include, but shall not be limited to, responsibility for:

1.4.1 the governance of the Union;

1.4.2 the budget of the Union;

1.4.3 the strategy of the Union.

1.5 No alteration of the Constitution or the Regulations shall invalidate any prior act of the Trustees which would have been valid if that alteration had not been made.

1.6 The Board may override any decision or Policy made by the members in a Referendum or a General Meeting which the Trustees consider (in their absolute discretion):

1.6.1 has or may have adverse financial implications for the Union;

- 1.6.2 is or may be in breach of, contrary to, or otherwise inconsistent with charity or education law or any other legal requirements;
  - 1.6.3 is not or may not be in the best interests of the Union or all or any of its charitable objects; or
  - 1.6.4 will or may otherwise affect the discharge of any or all of the responsibilities referred to in Clause 1.3 of this Regulation.
- 1.7 The continuing Trustees may act notwithstanding any vacancies in their number. However, if and so long as the number of Trustees is less than the number fixed as the quorum in Clause 2.3 of this Regulation, the Trustees may only act to increase the number of Trustees (including by arranging an election) so that there is a quorum.
- 1.8 All acts done by a meeting of Board, or of a committee of the Board, shall be valid, even if later discovered that any Trustee who participated in the vote:
- 1.8.1 was not properly appointed;
  - 1.8.2 was disqualified from holding office;
  - 1.8.3 had vacated office; or
  - 1.8.4 was not entitled to vote.
- 1.9 The Board's remit shall be to:
- 1.9.1 ensure that the Union operates in accordance with its charitable purposes and activities;
  - 1.9.2 ensure that the activities of the Union are conducted in compliance with statutory and regulatory requirements, particularly the requirements placed upon it by the Education Act 1994 (as amended) and the University's associated Code of Practice;
  - 1.9.3 ensure that the views and policies of the Union's democratic bodies and processes are enacted as far as possible;
  - 1.9.4 ensure that strategic plans are in place, and regularly reviewed, to provide long-term direction for all Union services and activities;
  - 1.9.5 annually review the Union's promise and purpose statements;
  - 1.9.6 consider and approve annual departmental plans and budgets;

- 1.9.7 oversee the finances of the Union, approve the annual budget and annual accounts prior to submission to the University;
- 1.9.8 consider a report from the Finance Committee of the Board (see clause 3.3 of this Regulation) at each of its meetings;
- 1.9.9 approve the financial regulations of the Union;
- 1.9.10 oversee all the arrangements relating to the staff employed by the Union;
- 1.9.11 oversee the Union's compliance with health and safety legislation;
- 1.9.12 approve a scheme of delegation of its powers to the Sabbatical Executive Committee, the Standing Forums and any other committee set up from time to time.

## **2. The Meetings of the Board**

- 2.1 The Board shall elect one External Trustee of their number to act as the Chair of the Board. The Vice-Chair shall be elected by the Executive Committee from amongst the Presidents.
- 2.2 The Board shall meet on at least four occasions each academic year. Meetings shall be called by one of the following mechanisms:
  - 2.2.1 the Chair of the Board;
  - 2.2.2 a requisition of 50 per cent plus one of the members of the Board; or
  - 2.2.3 by the Executive Committee.
- 2.3 The quorum for the Board shall be 50% plus one of the current members so long as this number shall include at least one sabbatical, one student (either elected or appointed) and one other (either external or university).
- 2.4 The Trustee Board shall not cease to operate or function simply because of there being, from time to time, vacancies on the Trustee Board. However, if and so long as the number of Trustees is less than the number fixed as the quorum in Clause 2.3 of this Regulation, the Trustees may only act to increase the number of Trustees (including by arranging an election) so that there is a quorum.
- 2.5 The Board shall have the right to require the General Manager of the Union to attend the meetings of the Board.
- 2.6 Whenever a matter is to be discussed at a meeting and a Trustee has a personal interest (being a financial interest or an interest that does



not arise in the ordinary course of being a Member or a Trustee) in respect of that matter, then he or she must:

- 2.6.1 declare his or her interest to the Trustees;
- 2.6.2 remain only for such part of the meeting as in the view of other Trustees is necessary to inform the debate;
- 2.6.3 not be counted in the quorum for that part of the meeting or decision-making process; and withdraw during the vote and have no vote on the matter;
- 2.6.4 If any question arises as to whether a Trustee has a personal interest, the question shall be decided by a majority decision of the other Trustees;
- 2.6.5 In particular, this clause shall apply to any matter that may directly or indirectly relate to the position of a President who is or is to be remunerated as an employee by the Association.

### **3. Delegation of Powers**

- 3.1 The Board may, by power of attorney or otherwise, appoint any person to be the agent of the Union for such purposes and on such condition as they determine.
- 3.2 The Board may delegate any of their powers or functions to any other committee or the implementation of any of their resolutions and day-to-day management of the affairs of the Association to any committee in accordance with the conditions set out in this Clause.
  - 3.2.1 the resolution making that delegation shall specify those who shall serve or be asked to serve on such committee (though the resolution may allow the committee to make co-options up to a specified number);
  - 3.2.2 the composition of any such committee shall be entirely in the discretion of the Board and may comprise such of their number (if any) as the resolution may specify;
  - 3.2.3 the deliberations of any such committee shall be reported regularly to the Board and any resolution passed or decision taken by any such committee shall be reported forthwith to the Board and for that purpose every committee shall appoint a secretary;
  - 3.2.4 all delegations under this clause shall be revocable at any time;
  - 3.2.5 the Board may make such regulations and impose such terms and conditions and give such mandates to any such committee or committees as they may from time to time think fit.

3.3 The Board shall form a Finance Committee which shall meet from time to time as required and shall be chaired by one of the External Trustees appointed by the Board. The Finance Committee shall have the right to require the General Manager of the Union to attend the meetings of the Committee. The Finance Committee shall:

3.3.1 consist of the Vice Chair of the Board, one other external trustee, the Presidents, and one of the university trustees;

3.3.2 monitor the financial activity of the Association to ensure compliance with the budget; and

3.3.3 undertake any other activities which the Board shall from time to time delegate to it, which may include making arrangements for the opening and operation of any Bank Accounts according to such mandate as it shall think fit.

#### **4 Appointment of Trustees to the Board**

4.1 In the first instance the Executive Committee of the Union shall nominate the members of the Board, and until such a time as the Board is appointed then the Executive Committee shall exercise the powers of the Board.

#### **4.2 Student Trustees**

4.2.1 Two Student Trustees shall be nominated and approved by the Board. The appointed student trustees shall be selected on the basis of their interest, ambition, skills, knowledge and experience.

4.2.2 Three Student Trustees shall be elected by means of a cross-campus election undertaken by the process outlined in the Elections Regulations of the Union.

4.2.3 All Student Trustees must be students at the time of their appointment or election (and should normally be intending to continue to be a Student for the duration of his or her term as a Student Trustee).

4.2.4 All Student Trustees shall remain in office for a term of two years commencing in accordance with the student officers. The term of office may be shorter or longer on a transitional basis to coincide with the alteration of the year start or end.

#### **4.3 External Trustees**

4.3.1 External Trustees shall be nominated and approved by the Board.

- 4.3.2 External Trustees shall be selected on the basis of their skills, knowledge and experience and there must be at least one member with a background in sport and one with a background in finance.
- 4.3.3 External Trustees shall be appointed for a three year term of office and may be reappointed for a second three year term of office. They shall not be appointed for any further terms. As far as possible External Trustees terms of office shall not run concurrently.
- 4.4 University Trustee
  - 4.4.1 University Trustee shall be nominated by the university's Board of Governors from amongst the staff of the university with any nominations subject to approval by the Board.
  - 4.4.2 University Trustee shall be nominated on the basis of their skills, knowledge and experience of working with the students' association.
  - 4.4.3 University Trustee shall be appointed for a three year term of office and may be reappointment for a second three year term. They shall not be appointed for any further terms.
- 4.5 The Board shall consider and approve all nominations made for Board positions. All nominations must be made through the submission of a nomination form, by the following members:
  - 4.5.1 The Executive Committee shall be responsible for nominating two appointed Student Trustees for consideration by the Board;
  - 4.5.2 The Trustee Board shall be responsible for nominating individuals for any of the vacant four external trustee roles for consideration by the Board;
  - 4.5.3 The university's Board of Governors shall be responsible for nominating one University Trustee for consideration by the Board.
- 4.6 Once nomination forms have been received, they shall be considered and approved by the Board based on the individual's skills, knowledge and experience.

## **5. Disqualification, Resignation and Removal of Trustees**

- 5.1 The office of a Trustee shall be vacated if:

- 5.1.1 he or she becomes prohibited by law from being a charity trustee;
  - 5.1.2 in the case of a Sabbatical Trustee, he or she ceases to be a Sabbatical Officer or resigns an employee of the Association;
  - 5.1.3 in the case of a Student Trustee, he or she ceases to be a Student;
  - 5.1.4 in the case of a Sabbatical Trustee or a Student Trustee, he or she is removed from membership of the Association in accordance with the Association's code of conduct;
  - 5.1.5 in the case of the University Trustee, he or she is no longer employed as a member of staff at the university;
  - 5.1.6 in the case of all Trustees, he or she is removed by virtue of a motion of no confidence either by Referendum or a General Meeting (see clause 5.2 below);
  - 5.1.8 in the case of a Sabbatical Trustee, he or she is removed by virtue of a motion of no confidence either by Referendum or a General Meeting (see clause 5.3 below);
  - 5.1.7 in the case of an External Trustee or the University Trustee, he or she is removed by virtue of a motion of no confidence by the Board (see clause 5.4 below);
  - 5.1.8 he or she resigns by notice to the Association (but only if at least four Trustees will remain in office when the notice of resignation is to take effect);
  - 5.1.9 the Trustees reasonably believe he or she is suffering from mental or physical disorder and is incapable of acting as a trustee and they resolve that he or she be removed from office;
  - 5.1.10 he or she fails to attend three consecutive meetings of the Trustees and in the opinion of the Trustees there are no mitigating circumstances for that failure and the Trustees therefore resolve that he or she be removed for this reason
  - 5.1.11 he or she dies;
- 5.2 The office of a Student Trustee shall be vacated if a motion of no confidence is either:
- 5.2.1 passed by a 50% + 1 of the Members voting in a Referendum, provided that at least 1300 Members cast a vote in the Referendum. A referendum shall only be triggered by a Secure Petition of no confidence signed by at least 60 members; or

- 5.2.2 passed by two thirds majority in a vote of a General Meeting. Such a motion shall only be triggered by a Secure Petition of no confidence signed by at least 60 Members.
- 5.3 The office of Sabbatical Trustee shall be vacated if a motion of no confidence is either:
- 5.3.1 passed by 50% + 1 of the Members voting in a Referendum, provided that at least 1300 Members cast a vote in the Referendum. A referendum shall only be triggered by a Secure Petition of no confidence signed by at least 60 Members; or
- 5.3.2 A motion of no confidence in the Elected Officer is passed by a two thirds majority in a vote at a General Meeting. Such a motion shall only be triggered by a Secure Petition of no confidence signed by at least 60 Members;
- 5.3.3 Provided always that such removal shall be subject to the Union having first carried out any steps it is required to take under the Sabbatical Officer's contract of employment and/or the applicable disciplinary procedure and otherwise in accordance with good employment practice.
- 5.4 The office of External Trustee or University Trustee shall be vacated if a majority resolution of no confidence is passed by the Trustees. For the avoidance of doubt, the Trustee concerned and any Trustee who has a conflict of interest in relation to the matter shall not vote on this resolution and the quorum shall be adjusted accordingly in accordance with clause 2.3

## **6. Replacement of Trustees**

- 6.1 If a Sabbatical/ Student Trustee resigns, is disqualified or removed from office at any time prior to their term of office ends, the vacancy that results shall be filled in accordance with the appropriate procedure specified at clause 4.

## **7. Majority decisions without Trustees' meeting**

- 7.1 The Trustees may, in the circumstances outlined in this Clause, make a simple majority decision without holding a Trustees' meeting, if:
- 7.1.1 A Trustee has become aware of a matter on which the Trustees need to take a decision;
- 7.1.2 That Trustee has taken all reasonable steps to make all the other Trustees aware of the matter and the decision;
- 7.1.3 The Trustees have had a reasonable opportunity to communicate their views on the matter and the decision to each other; and

- 7.1.4 A simple majority of the Trustees vote in favour of a particular decision on that matter.
- 7.1.5 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 Trustees' meeting duly convened and held.
- 7.2 Trustees participating in the taking of a majority decision otherwise than at a Trustees' meeting in accordance with this Clause may:
  - 7.2.1 be in different places, and may participate at different times; and
  - 7.2.3 communicate with each other by any means.
- 7.3 No decision shall be taken by the Trustees in accordance with this Clause unless a quorum participates in the decision-making process. The quorum for Trustees' decision-making in accordance with this Clause shall be the same as the quorum for Trustees' meetings as set out in Clause 2.3.
- 7.4 The chair or such other Trustee as shall be appointed by the Trustees shall be the chair of the process of decision-making in accordance with this Clause. The process shall include:
  - 7.4.1 Circulation of the proposed decision with an indication of the time period for discussion and the date by which Trustees are asked to cast their votes;
  - 7.4.2 The nomination of a person to whom all Trustees' votes must be communicated;
  - 7.4.3 If a majority of the Trustees votes in favour of the decision, the nominated person shall communicate the decision to all the Trustees and the date of the decision shall be the date of the communication from the nominated person confirming formal approval.
  - 7.4.4 The nominated person must prepare a minute of the decision.
- 7.5 In the case of an equality of votes in any decision-making process in accordance with this Clause, the Chair shall be entitled to a casting vote in addition to any other vote he or she may have but this does not apply if, in accordance with the regulations, the Chair is not to be counted as participating in the decision-making process for quorum, voting or agreement purposes.

## **Regulation 3: Standing Forums**

*Revised February 2018*

- 1.1 The Union shall have standing forums which are responsible for the main areas of the Union's activities. Forums will shape the direction which the Union takes. The standing forums shall be:
  - 1.1.1 Executive Committee;
  - 1.1.2 Sabbatical Executive Committee;
  - 1.1.3 Student Voice;
  - 1.1.4 Societies Forum;
  - 1.1.5 Sports Forum.

### **2. Executive Committee**

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- 2.1 The Executive Committee shall be the core representative body of students at Robert Gordon University and shall shape the development and management of the Union. The remit of the Executive Committee shall be to:
  - 2.1.1 be responsible for the implementation of all Union policy and decisions as mandated by Standing Forums and General Meetings as agreed by Trustee Board;
  - 2.1.2 be responsible for ensuring the views of RGU students are effectively represented at Robert Gordon University and within other affiliated bodies;
  - 2.1.3 be accountable for its decisions and for its implementation of policy and decisions to the Trustee Board and student body;
  - 2.1.4 elect from the Sabbatical Presidents a Vice Chair of the Trustee Board, and a Chair of Student Voice.
- 2.2 The Executive Committee shall consist of the Sabbatical Presidents and the Elected Vice Presidents of the Union.
- 2.3 The Executive Committee should meet at least six times per year and shall a quorum of at least one Sabbatical President and at least three Elected Vice Presidents.

- 2.4 The Chair of the Executive Committee shall be one of the Sabbatical Presidents, either by electing one member as the Chair for the year, or in rotation of the Sabbatical Presidents at each meeting.

### **3. Sabbatical Executive Committee**

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- 3.1 The Sabbatical Executive Committee shall be responsible for ensuring the day-to-day management of the Union and shall report its activities to the Trustee Board. The remit of the Sabbatical Executive Committee shall be to:
- 3.1.1 have oversight of the projects, campaigns and initiatives undertaken by staff and officers;
  - 3.1.2 make decisions on matters relating to the operations of the Union, including taking action on the Strategic and Operational Plans;
  - 3.1.3 delegate the implementation of operational activities including, but not limited to, staffing, budgeting and commercial activities, to the General Manager of the Union.
  - 3.1.4 receive updates from the General Manager on activities undertaken in managing the Union, and regularly reviewing the management accounts in sufficient detail to explain the financial position of the Union;
  - 3.1.5 be responsible for the budgets which the Trustee Board shall delegate to the Sabbatical Executive Committee;
  - 3.1.6 co-ordinate any joint working or actions where more than one of the Standing Forums has a remit to undertake activity, and has the power, where required, either to take decisions on behalf of the Union or to decide which of the Standing Forums should be empowered to take such decisions;
  - 3.1.7 propose resolutions to conflicts arising between the work and activities of the Standing Forums;
- 3.2 The Sabbatical Executive Committee shall consist of the Sabbatical Presidents and the General Manager of the Union.



- 3.3 The Sabbatical Executive Committee shall normally meet at least one a fortnight during term time, or once a month throughout the year.
- 3.4 The Chair of the Sabbatical Executive Committee shall be one of the Sabbatical Presidents in rotating order.

#### 4. **Student Voice**

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- 4.1 Student Voice shall exist to gather student opinion, and act as the primary representative forum for the student body at RGU. The forum shall shape the direction and policy of RGU:Union, and hold the Executive Committee accountable to students. The remit of Student Voice shall be to:
  - 4.1.1 be an open forum for all members to participate in sharing their views and ideas;
  - 4.1.2 discuss matters raised by students in the following areas:
    - a. learning, teaching and assessment;
    - b. facilities and services of the University;
    - c. experiences of diverse student groups;
    - d. experiences of students living in Aberdeen;
    - e. activities, campaigns and projects of the Union;
    - f. all other areas of the student experience.
  - 4.1.3 receive updates on the work of elected Presidents and Vice Presidents;
  - 4.1.4 hold the elected Presidents and Vice Presidents accountable;
  - 4.1.5 consider and vote on ideas and policy submitted by students;
  - 4.1.6 consider reports from Societies Forum and Sports Forum;
  - 4.1.7 approve and review the Student Partnership Agreement;
  - 4.1.8 provide comment and feedback on the direction of RGU:Union.

- 4.2 Student Voice shall consist of:
- 4.2.1 Chair (elected from among the Sabbatical Presidents by the Executive Committee);
  - 4.2.2 Vice Chair (elected from among the members of Student Voice);
  - 4.2.3 Sabbatical Presidents;
  - 4.2.4 Part Time Vice Presidents;
  - 4.2.5 School Officers;
  - 4.2.6 Equality Champions;
  - 4.2.7 Society Presidents;
  - 4.2.8
  - 4.2.9 Sports Club Presidents;
  - 4.2.10 Student Group Chairs;
  - 4.2.11 All Ordinary Members of RGU:Union.
- 4.3 Student Voice shall meet four times in each academic year, with one meeting acting as the Annual General Meeting of RGU:Union;
- 4.4 The Chair of Student Voice shall be elected from among the Sabbatical Presidents by the Executive Committee at their first meeting of the year. In the incident that a Student Voice meeting occurs before an Executive Committee is held, or no nominations or clear winner can be found, then the President (Communication and Democracy) shall stand as Chair by default;
- 4.5 The Vice-Chair of Student Voice shall be elected from among the members of Student Voice at their first meeting of the year. In the incident that no nominations are received for Vice Chair, then a Vice President of RGU:Union shall be elected or appointed by the Executive Committee, or President (Communication and Democracy);
- 4.6 The Chair and Vice Chair shall be elected for a single academic year, but may serve for two years in each role;

- 4.7 The Chair and Vice Chair shall be responsible for deciding the agenda for meetings, managing debates to ensure they are fair and respectful, and upholding the remit of the meeting;
- 4.8 All students shall have the opportunity to submit ideas and policies to be discussed and debated at Student Voice;
- 4.9 Student Voice shall capture student feedback and mandate policy, which shall then be delegated to the Executive Committee of RGU:Union to review the feasibility of ideas, undertake required action, and provide updates to the student body;
- 4.10 The opportunity to participate and the discussions and decisions of 'Student Voice' should be accessible and transparent.

## 5. Societies Forum

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- 5.1 The Societies Forum shall be responsible representing societies and student activities and ensuring that the Union is fairly and appropriately supporting and developing extra-curricular activities. The remit of the Societies' Forum shall be to:
  - 5.1.1 elect members of a Societies and Activities Team;
  - 5.1.2 receive reports from the President (Communications and Democracy), Vice President (Societies) and other members of the Societies and Activities Team;
  - 5.1.3 agree, and recommend amendments as appropriate, to a set of Student Group Regulations, which the affiliated societies and groups will at all times be required to follow;
  - 5.1.4 discuss matters relating to student participation in societies and consider participation by different groups of students;
  - 5.1.5 discuss all matters relating to societies and to provide feedback to the Union on their administration; and
  - 5.1.6 oversee the distribution by the President (Communications and Democracy) of any funds.
- 5.2 The Societies Forum shall consist of:
  - 5.2.1 President (Communication and Democracy);

- 5.2.2 Vice President (Societies);
- 5.2.3 President (or their nominee) from each affiliated society or student group.
- 5.3 The Societies Forum shall normally meet at least twice a semester.
- 5.4 The Chair of the Societies Forum shall be the President (Communication and Democracy) and the Vice President (Societies) shall act as the Vice Chair.
- 5.5 The Sabbatical Presidents, Vice Presidents, General Manager, and relevant Union staff are entitled to attend meetings of the Societies Forum.
- 5.6 Societies and Activities Team
  - 5.6.1 The Societies and Activities Team will consist of the President (Communications and Democracy), Vice President (Societies) and no more than thirteen other members. Each of these members will be elected into specific roles at the first meeting of the Societies Forum each year.
  - 5.6.2 The specific roles of Societies and Activities Team and the criteria for them will be agreed annually by the Societies Forum.
  - 5.6.3 The Societies and Activities Team should meet at least twice a semester during term time;
  - 5.6.4 They should undertake specific projects and organise such events as agreed by the Societies Forum or delegated to them by the President (Communications and Democracy).

## 6. **Sports Forum**

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- 6.1 The Sports Forum shall be responsible for representing sports clubs and promoting physical activity, and supporting the effective running and development of sporting activities. The remit of the Sports Forum shall be to:

- 6.1.1 elect members of the Sport and Physical Activity Team (SPAT) and monitor their activities;
  - 6.1.2 receive reports from the President (Sport and Physical Activity), Vice President (Sports) and other SPAT members;
  - 6.1.3 agree, and recommend amendments as appropriate, to a set of Student Group Regulations, which the affiliated sports clubs will at all times be required to follow;
  - 6.1.4 discuss matters relating to student participation in sport and consider participation by different groups of students;
  - 6.1.5 discuss all matters relating to sport, physical activity and student fitness, providing feedback where necessary to RGU:SPORT;
  - 6.1.6 oversee the distribution by the President (Sport and Physical Activity) of any distributable funds in terms.
- 6.2 The Sports Forum will consist of:
- 6.2.1 President (Sport and Physical Activity);
  - 6.2.2 Vice President (Sport and Physical Activity)
  - 6.2.3 President (or their nominee) from each affiliated sports club.
- 6.3 The Sports' Forum shall normally meet at least twice a semester;
- 6.4 The Chair of the Sports' Forum shall be the President (Sport and Physical Activity) Forum and the Vice President (Sport) shall act as the Vice Chair.
- 6.5 The Sabbatical Presidents, Vice Presidents, General Manager, and relevant RGU SPORT and Union staff are entitled to attend meetings of the Sports Forum.
- 6.6 Sport and Physical Activity Team
- 6.6.1 The Sports and Physical Activity Team ("SPAT") will consist of the President (Sport and Physical Activity), Vice President (Sport) and no more than thirteen other members. Each of these members will be elected into specific roles at the first meeting of the Sports Forum each year.

- 6.6.2 The specific roles of SPAT and the criteria for them will be agreed annually by the Sports Forum.
- 6.6.3 The Sport and Physical Activity Team should meet at least three times a semester during term time. They should undertake specific projects and organise such events as agreed by the Sports Forum or delegated to them by the President (Sport and Physical Activity).

## **Regulation 4: Major Office Bearers and Remits of Elected Officers**

*Revised February 2017*

### **1. Major Officer Bearers of the Union**

- 1.1 There shall be 3 Sabbatical Officers, one of which is President Sports and Physical Activity.
- 1.2 There will be 11 Elected Officers
  - 1.2.1 President (Communications and Democracy);
  - 1.2.2 President (Education and Welfare);
  - 1.2.3 President (Sport and Physical Activity);
  - 1.2.4 RAG Chair;
  - 1.2.5 Vice President (Community);
  - 1.2.6 Vice President (Environment and Ethics);
  - 1.2.7 Vice President (International);
  - 1.2.8 Vice President (Societies);
  - 1.2.9 Vice President (Sports);
  - 1.2.10 Vice President (Student Affairs);
  - 1.2.11 Vice President (Wellbeing and Equal Opportunities); and
  - 1.2.11 Vice President (Entertainment & Events).
- 1.3 Each of the major office bearers of the Union shall be elected in accordance with the Elections Regulations. Each shall hold office for a period of 12 months ("a period"). This period shall run from 1 August until 31 July of each year.

- 1.4 The Presidents shall take a year out of their studies and shall be employed and remunerated by the Union. The Presidents shall be eligible to serve in any of the Presidents' roles for no more than two periods. Individuals will be able to run for a student sabbatical role if graduating that year.
- 1.5 Collectively and individually, the Presidents shall have the following common remit to:
  - 1.5.1 uphold the aims and objects of the Union;
  - 1.5.2 act as trustees of the Union;
  - 1.5.3 be responsible for the implementation of the Union's strategy;
  - 1.5.4 represent students both collectively and individually to the university, wider community and national organisations;
  - 1.5.5 be responsible for upholding policy and for the development of new policy around relevant issues;
  - 1.5.6 act as the primary spokesperson on matters affecting their remits;
  - 1.5.7 facilitate student co-curricula activity and advising individual or groups of students on such activity;
  - 1.5.8 seek student opinion recognising the different student groups within the university on relevant matters;
  - 1.5.9 be active participants in the partnership that exists between the Union and the university in enhancing the student experience;
  - 1.5.10 deliver, where appropriate, through the Union activities that will enhance the student experience;
  - 1.5.11 inform students of the Union's activities;
  - 1.5.12 effectively include different groups of students within the Union's activities and decision making processes; and
  - 1.5.13 behave in accordance with any Code of Conduct for Student Officers that the Board may from time to time approve and publish.
- 1.6 All Executive members will be expected to work collaboratively to:
  - 1.6.1 Work alongside the University to implement and promote the student partnership agreement.

- 1.6.2 Encourage a culture of equality, diversity and inclusion across all Union activities and campaigns.
- 1.6.3 Establish at least one environmental/sustainability project, campaign or initiative during the committee's term in office.
- 1.6.4 Liaise with NUS Scotland and NUS UK with regards to updating and implantation of Union policy.
- 1.6.5 Produce and work to achieve manifesto objectives which are aligned with the Union's strategic direction.

**2. The President (Communications & Democracy)** is the primary spokesperson for the Union. They are responsible for ensuring the Union is acting in the best interests of its membership. The President (Communications & Democracy) is the primary link between the Executive Committee and the student membership.

2.1 The President (Communications & Democracy) shall:

- 2.1.1 Ensure the work of the officers fulfils the democratic duties expected of an elected representative.
- 2.1.2 Oversee the representation of student views and interests to the University.
- 2.1.3 Oversee communications between the Union and its membership.
- 2.1.4 Take editorial responsibility for publications by student-led media groups.
- 2.1.5 Liaise with the Union senior management to ensure effective planning of Union services and activities.
- 2.1.6 Oversee the Unions relations with the local community, attending appropriate meetings and reporting outcomes to the Executive Committee.
- 2.1.7 Oversee the Union's relations with the media, locally and nationally.
- 2.1.8 Promote the democratic structure of the union.
- 2.1.9 Be responsible for overseeing activities and representation on matters in relation to student accommodation within the University and student housing within the community.



- 2.1.10 Be the primary co-ordinator of campaigns which aim to make change for students at the university, both locally and nationally.
- 2.1.11 Be responsible for overseeing the implementation of decisions of the Executive Committee and the Annual General Meeting.
- 2.1.12 Organise and chair 2 Student Voice meetings each semester.
- 2.1.13 Attend relevant committee meetings including Annual General Meeting.
- 2.1.14 Attend and participate in meetings of the Trustee Board.

**3. The President (Education & Welfare)** is primarily responsible for safeguarding the academic interests and personal welfare of students. They are responsible for ensuring that the Union is acting in a way which promotes the academic interests and welfare of students to the University.

3.1 The President (Education & Welfare) shall:

- 3.1.1 Represent student views and interests on Education and Welfare matters in the University, locally and nationally.
- 3.1.2 Be responsible for overseeing campaigns in relation to student funding, hardship and employment issues.
- 3.1.3 Be responsible for leading and promoting student-run welfare support services.
- 3.1.4 Organise awareness campaigns and activities including mental health, sexual health, and personal safety, whilst supporting relevant student-led campaigns and activities.
- 3.1.5 Oversee the Union's welfare and advice services, reporting on these activities to the Executive Committee.
- 3.1.6 Oversee the representation of student views and interests on Education and Welfare, including but not limited to, academic development and reform, student advice, personal finance matters, disability, sexuality and related matters, to the University on relevant University Committees.
- 3.1.7 Liaise with Union senior management on the provision of advice and support services to students.

- 3.1.8 Be responsible for the development of academic and welfare services in line with changing student needs.
- 3.1.9 Input into Union and University work on student mental health.
- 3.1.10 Be responsible for engaging with Class Representatives and School Officers and reporting matters of concern to the Executive Committee.
- 3.1.11 Attend relevant committee meetings including Annual General Meeting.
- 3.1.12 Attend and participate in meetings of the Trustee Board.

**4. The President (Sports & Physical Activity)** is responsible for encouraging student participation in sporting and physical activity. They are responsible for overseeing and developing the sports teams and encouraging the growth and development of new teams. They should encourage all students to participate in all forms of physical activity, sporting or otherwise.

4.1 The President (Sports and Physical Activity) shall:

- 4.1.1 Promote and encourage physical activity to the student body and develop policies accordingly.
- 4.1.2 Act as a representative for students with any sport related concerns by liaising with the appropriate University bodies.
- 4.1.3 Chair the Sports Forum.
- 4.1.4 Prepare and oversee the budgets for sports clubs in consultation with the Sports Forum and the Head of Sport.
- 4.1.5 Actively promote equal opportunities for participation in both competitive and non-competitive sports and sporting activities.
- 4.1.6 Support and assist clubs with club development, fundraising and their competitive and training programme.
- 4.1.7 Represent Robert Gordon University at a regional and national level including Scottish Student Sport (SSS) and British University and College Sport (BUCS).
- 4.1.8 Promote general physical activity in the University and report all student views to the Head of Sport and RGU:Sport staff.

- 4.1.9 Liaise with the Head of Sport to discuss the strategic direction of the sports clubs and RGU:Sport.
- 4.1.10 Work in partnership with RGU:Sport to select and support the Scholars athletes.
- 4.1.11 Ensure that Sports Club Committees receive the correct support and training to run their club, including an annual induction programme.
- 4.1.12 Co-ordinate the work of the Sport and Physical Activity Team, SPAT.
- 4.1.13 Input into Union and University work on student mental health.
- 4.1.14 Attend relevant committee meetings including Annual General Meeting.
- 4.1.15 Attend and participate in meetings of the Trustee Board.

**5. The Vice President (Student Affairs)** is required to represent the student body on University-level committees. This is done in consultation with the School Officers, class representatives and the President (Education & Welfare).

5.1 The Vice President (Student Affairs) shall:

- 5.1.1 Represent the views of students at appropriate university committees.
- 5.1.2 Participate in the activities of the Student Voice and act as its Deputy Chair.
- 5.1.3 Ensure that appropriate awareness campaigns relating to education are run on campus.
- 5.1.4 Be aware of the academic structure of the University and the structure of Higher Education nationally.
- 5.1.5 Support the President (Education & Welfare) with the coordination of the Class Representative system.
- 5.1.6 Promote the National Student Survey (NSS) and liaise with the University in examining feedback.

**6. The Vice President (Entertainment & Events)** is responsible for assisting students who wish to arrange events within the Union and the University.

- 6.1 The Vice President (Entertainment & Events) shall:
  - 6.1.1 Work alongside the President (Communications & Democracy), the Design & Marketing Manager and the Executive Committee to organise Freshers' and Re-Freshers' week.
  - 6.1.2 Liaise with officers, student clubs and societies as well as non-involved students to ensure there is a wide variety of appropriate entertainments and events for students.

**7. The Vice President (Environment & Ethics)** is required to ensure that the Student Union is at all times acting in an environmentally friendly and ethical manner.

- 7.1 The Vice President (Environment & Ethics) shall:
  - 7.1.1 Be responsible for presenting the views of students with regards to environmental and ethical issues to the University, the Executive Committee and appropriate external bodies.
  - 7.1.2 Organise and support students with an interest in environmental and ethical issues to discuss these issues and feedback discussions to the Executive Committee.
  - 7.1.3 Ensure that awareness of campaigns and relevant topics relating to environmental and ethical issues are of a high priority and promoted throughout RGU:Union.
  - 7.1.4 Encourage students interested in environmental and ethical issues to establish common interest societies to allow these students to engage with one another and build a community within RGU.
  - 7.1.5 Ensure that the Student Union is at all times acting in an environmentally friendly and ethical manner.

**8. The Vice President (Wellbeing & Equal Opportunities)** is required to ensure that minority group students are represented within the Union and externally.

- 8.1 The Vice President (Wellbeing & Equal Opportunities) shall:
  - 8.1.1 Ensure that awareness of campaigns and relevant topics affecting student welfare is of high priority and promoted throughout the University.

- 8.1.2 Organise and support minority group students to discuss issues affecting these groups and feedback discussions to the Executive Committee.
- 8.1.3 Encourage minority group students to establish common interest societies to foster engagement with one another and build a community within the University.
- 8.1.4 Promote and support student welfare initiatives.

**9. The Vice President (International)** is the primary representative voice for all international students at RGU (EU and non-EU)

9.1 The Vice President (International) shall:

- 9.1.1 Be responsible for presenting the views of international students to the Executive Committee, the University and appropriate external bodies.
- 9.1.2 Ensure that any campaigns or topics affecting international students at the University are well promoted and supported.
- 9.1.3 Liaise with the international student societies affiliated to the Union to help promote their events and activities.
- 9.1.4 Encourage international students to participate in the Union and Union activities and help promote a positive image of the Union to international students.
- 9.1.5 Liaise with ICRGU to promote Union activities and opportunities to their students.
- 9.1.6 Convene and chair the International Student Sub-Committee.

**10. The Vice President (Societies)** is the primary Executive Committee contact for Societies and is responsible for ensuring Societies are engaged in the workings of the Union and the University.

10.1 The Vice President (Societies) shall:

- 10.1.1 Work alongside the General Manager and RGU:Union administrative staff to ensure that societies are run in accordance with the Constitution and appropriate regulations.
- 10.1.2 Help promote and develop societies, with the aim of encouraging a high level of quality participation, as measured by the Societies Quality Mark.

- 10.1.3 Act as a point of communication and information for societies, referring them to the appropriate member of staff when required.
- 10.1.4 Report to the Executive Committee on societies-related matters.
- 10.1.5 Be a member of the Student Achievement Awards Committee in accordance with the regulations.
- 10.1.6 Participate in all relevant Union Forums, particularly the Societies Forum.

**11. The Vice President (Sports)** is the primary Sports and Physical Activity Team (SPAT) representative for the Executive Committee.

11.1 The Vice President (Sports) shall:

- 11.1.1 Work alongside the President (Sports and Physical Activity) and the Head of Sport to assist the management of sports clubs and their development.
- 11.1.2 Assist the President (Sport and Physical Activity) to appoint the Sport and Physical Activity Team.
- 11.1.3 Coordinate the work of SPAT to support them in fulfilling their roles.
- 11.1.4 Appoint the Sports Awards Ball Committee.
- 11.1.5 Work with the President (Sport and Physical Activity) and SPAT to organise events including competitions, physical activity and fundraising.
- 11.1.6 Act as Vice-Chair of the Sports Forum.

**12. The Vice President (Community)** is the primary representative for the Executive Committee to deal with issues affecting the local community and working with local bodies to achieve these aims.

12.1 The Vice President (Community) shall:

- 12.1.1 Support the implementation of the Union's Your Community strategic priority.
- 12.1.2 Co-ordinate the Union's relationship with inter-institutional student bodies in the local area (e.g. The Aberdeen Students' Forum).

- 12.1.3 Help drive campaigns that support students living in the local community.
- 12.1.4 Encourage student participation in local community activities.
- 12.1.5 Work with Res:Life and other relevant groups to help create a student community on and off campus.
- 12.1.6 Take the lead on campaigns which effect the local community and the student body.

**13 The RAG Chair** is primarily responsible for coordinating all fundraising activities on behalf of the Union.

13.1 The RAG Chair shall:

- 13.1.1 Work alongside the Student Union Administrator and the Student Development and Volunteer Coordinator to ensure the appropriate use of the RAG Budget and report back to the Executive Committee on these matters.
- 13.1.2 Act as a primary point of communication for charities, students who wish to fundraise and all fundraising activities and report to the Executive Committee on these matters.
- 13.1.3 Liaise with the national Student Fundraising Union (NaSFA) to ensure good communication with other RAG groups.
- 13.1.4 Co-ordinate all fundraising activities of the Student Union, including the organisation of events and collections for a variety of charities.
- 13.1.5 Work alongside the Student Development and Volunteer Coordinator to promote volunteering activities.
- 13.1.6 Chair weekly/fortnightly meetings for RAG.
- 13.1.7 Appoint RAG Team and co-ordinate the work of the RAG Team to ensure their roles are fulfilled throughout the year.
- 13.1.8 Work alongside the Student Union Finance Officer to ensure all monies are gathered, counted, verified and cheques are sent to appropriate charities.
- 13.1.9 Ensure appropriate publication of all RAG Activities, within the RGU:Union, University and the press.

## **Regulation 5: Election Regulations**

*Revised November 2013*

### **1 General Provisions**

- 1.1 The elections of the President and Vice-Presidents (together being the "Sabbatical Officers") and any other elected officers of the Union ("Elections") shall be carried out in accordance with these regulations (the "Regulations").
- 1.2 The Returning Officer and his nominee(s) (see clause 2.2 of the Regulation) shall implement the Election process.
- 1.3 The Elections shall be by secret ballot of all Ordinary Members of the Union.
- 1.4 In addition to the Regulations, the Union shall be obligated to comply with:
  - 1.4.1 the University regulations and policies (including but not limited to IT, Health and Safety, bullying and harassment);
  - 1.4.2 the Union's Constitution, Regulations and policies; and
  - 1.4.3 the Laws of Scotland.

### **2. The Returning Officer**

- 2.1 A returning officer for the Elections ("Returning Officer") shall be appointed by the Board and shall not be a member of the Union, or a member of staff of the Association.
- 2.2 The Returning Officer may appoint nominees from amongst the Union's staff to act on his behalf in the day-to-day supervision of the Elections.
- 2.3 The Returning Officer's nominee(s) shall, in acting on behalf of the Returning Officer, carry out the following functions:
  - 2.3.1 oversee the procedure for the acceptance of nominations and the determination and publication of valid nominations;
  - 2.3.2 fix the date of the Elections which will be then ratified by the Board, the publication of the notices giving information about the date of the Elections and the arrangements for the Elections;
  - 2.3.3 supervise and conduct the count; and
  - 2.3.4 oversee the announcement of the result.



**3. Nominations**

- 3.1 Each Ordinary Member shall be eligible to stand as a candidate for an Election.
- 3.2 Ordinary Members may stand for a maximum of two years for any one officer position.
- 3.3 A candidate may only stand for election for one post within the Student Union election.
- 3.4 The Returning Officer, or one of his designated nominees acting on his behalf, will post a notice on the Union's website at least ten days of University term-time before the date on which nominations open stating the;
  - 3.4.1 period for nominations,
  - 3.4.2 posts for which nominations can be made,
  - 3.4.3 places from which nomination forms can be obtained and
  - 3.4.4 places to which completed nomination forms must be returned.
- 3.5 Candidates are encouraged but not required to submit a manifesto alongside their completed nomination form. All manifestos received will be collated and published by the Union and will be available on the website.
- 3.6 On closing of the nominations, the Returning Officer's nominee(s) will inspect all nominations and manifestos and verify that they comply with the Constitution and the Regulations.
- 3.7 The Returning Officer's nominee(s) will draw up a list of candidates after the close of the nominations and will post a notice on the Union website as soon as is reasonably practicable stating the date of the Election and the arrangements for voting.
- 3.8 Where appropriate the Returning Officer may allow electronic voting to take place in tandem with, or instead of, manual voting procedures.
- 3.9 The Returning Officer and his nominee(s), as soon as reasonably practicable following the publishing of the notice in terms of Clause 3.6 of this Regulation, arrange a meeting at which they shall brief the candidates on the Election process and procedure. All candidates will be afforded an opportunity to ask questions relating to the Election at the end of the briefing.

## **4 Campaigning**

- 4.1 As soon as is reasonably practicable following the close of the nominations, a list of valid nominations and manifestos will be published and distributed on the Union's website.
- 4.2 The campaigning period shall commence at the end of the candidates' briefing at a time announced by the Returning Officer and shall end at the close of voting.
- 4.3 Any coverage of the Elections by the Union by whatever means or media shall be fair and balanced providing equal exposure to all candidates, as far as reasonably practicable.
- 4.4 Each candidate may receive a small budget from the Union for canvassing materials and no other monies shall be spent on canvassing by the candidate. Finances shall be confirmed at the candidates' briefing and shall be set by the Board.
- 4.5 No offensive or derogatory election material shall be produced during the campaign by any candidate.
- 4.6 The Returning Officer and his nominee(s) reserve the right to remove any election material which in their reasonable opinion is inappropriate.
- 4.7 "Hustings" shall be held at a designated time following the candidates' briefing and shall be chaired by the Returning Officer or one of his nominees.
- 4.8 Each candidate shall be encouraged to attend "Hustings".

## **5. Election**

- 5.1 The Elections shall be held no later than the second Thursday in April of each academic year.
- 5.2 In the event that following the proper conclusion of the Elections, at least one post remains vacant; it shall be permissible to hold further elections with a view to appointing candidates to assume such vacant posts. The decision as to whether or not to hold such further elections shall be at the sole discretion of the Returning Officer.
- 5.3 In such cases, any further election(s) must take place by the third Thursday in November of the next academic session, although they may take place in late in the same semester. The same procedure for nominations and campaigning shall apply as set out in Clauses 3 and 4 of these regulations except for the timing restrictions which shall be decided at the sole discretion of the Returning Officer.

## **6. Voting**

- 6.1 The responsibility for ensuring that voting is conducted in accordance with the provisions of this Clause shall rest solely with the Returning Officer.
- 6.2 Voting shall take place at the appropriate voting stations or electronically at times to be determined by the Returning Officer.
- 6.3 The location and arrangements of voting stations and the list of candidates shall be publicised on the Union's website as soon as is reasonably practicable.
- 6.4 Ordinary Members of the Association may vote upon the production of a valid University matriculation card or via valid electronic access.
- 6.5 Votes shall be cast in sealed ballot boxes, or by electronic means where appropriate. All paper voting slips issued shall be placed in the sealed ballot box at the time of voting whether used or not.
- 6.6 Ballot papers shall bear the name of each candidate, the position being contested and a suitable space for indicating the voting preference of the voter.
- 6.7 Voting shall be carried out by one of two means:
  - 6.7.1 Placing an "X" opposite the name of the voter's preferred candidate; or
  - 6.7.2 Placing all, or some, of the candidates in the voter's numerical preference; as appropriate in and as directed by the circumstances.
- 6.8 Where a number of vacancies exist on one ballot paper, each voter may only vote for the number of vacancies which exist. Ballot papers shall bear a brief description of the voting procedure.
- 6.9 There shall be an option on the ballot paper entitled "Re-Open Nominations" ("RON").
  - 6.9.1 RON, for the purposes of the count, shall be treated as a candidate, though it will not be allowed a publicity budget as allowed to the other candidates in the Election in terms of Clause 4.4 of this Regulation.
  - 6.9.2 If RON wins the Election, then the office shall be declared vacant as if no one had been nominated.
  - 6.9.3 In the event of a re-run of the Election RON shall appear as an option on the ballot paper.
- 6.10 In all elections, reasonable adjustments in the spirit of the Equality Act 2010 shall be made to ensure no voter shall be disenfranchised.

- 6.11 Candidates and their supporters should not be in the immediate vicinity of a voter when they are in the act of casting their vote.

## **7. Administration**

- 7.1 The Returning Officer and his nominee(s) shall administer the count.
- 7.2 Candidates are not allowed to be present at the count, but may appoint a scrutiner on their behalf.
- 7.3 Where appropriate, in the circumstances of any particular Election, the Returning Officer and his nominee(s) shall be entitled to appoint polling officers and counters.
- 7.4 Where the election uses paper ballots, on opening the ballot boxes, the Returning Officer will instruct all appointed counters to examine the voting papers.
- 7.5 Where the election uses paper ballots, voting papers will be declared spoiled by the Returning Officer if they consider that:
- 7.5.1 the paper has clearly been defaced/vandalised; or
  - 7.5.2 there is no clear indication of preference for any candidate; or
  - 7.5.3 the paper has not been stamped by the polling officer; or
  - 7.5.4 the paper is not authentic.
- 7.6 A quota will be calculated as follows:
- 7.6.1 the quota will be determined by dividing the total number of valid votes, having taken into account Clause 7.5, by the number of positions available (plus one)
  - 7.6.2 quotas that appear with decimal places shall be rounded up or down to a maximum of two decimal points where appropriate.
- 7.7 If the candidate reaches the quota on the first count then they will be deemed to be elected to that post.
- 7.8 If no candidate has yet reached the quota, the votes shall be redistributed in accordance with Electoral Reform Society Scotland's and NUS Scotland's guidance.
- 7.9 In the event that the count results in there being less than ten votes of a difference, there shall be an automatic recount of any paper ballots.

- 7.10 In the event of a tie at the exhaustion of all transferable votes the candidate with the highest number of first preferences shall be deemed the winner. If these are tied a coin toss shall decide the Election outcome.
- 7.11 Where a singular position is being elected Electoral Reform Society Scotland's and NUS Scotland's rules on Alternative Transferable Voting shall be followed. This may mean that votes for the candidates with the lowest number of votes could be redistributed to remaining candidates.
- 7.12 Where multiple positions are being elected Electoral Reform Society Scotland's and NUS Scotland's rules on Single Transferable Voting shall be followed. This may mean that votes for the candidates with the lowest number of votes could be redistributed to remaining candidates, it may also mean that the surplus of successful candidates could be redistributed to remaining candidates.
- 7.13 The Returning Officer, or his nominee, shall be responsible for announcing and publicising the results of the Election both by way of the Association website and by any other reasonable means or media he shall deem appropriate.

## **8. Candidates**

- 8.1 Candidates already in office shall be given the same privileges and restrictions as the other candidates in the Election.
- 8.2 Candidates may only make use of resources attainable by all candidates, at the sole discretion of the Returning Officer.

## **9. Complaints and Appeals**

- 9.1 The procedure for the consideration of complaints relating to elections shall be as follows:
- 9.1.1 no one involved in a candidate's campaign shall be involved in the appeals procedure;
- 9.1.2 formal complaints must be submitted in writing with any supporting evidence to the Returning Officer.
- 9.1.3 the Returning Officer reserves the right to investigate any unsound activity and make any rulings which are fair and reasonable in all the circumstances.
- 9.1.4 the Returning Officer shall investigate any formal complaint within the terms of Clause 9.1.2 of this Regulation and decide what action shall be taken, including but not limited to the

disqualification of any candidate concerned, or the annulment of the relevant election.

- 9.2 Disqualified candidates may appeal the decision of the Returning Officer in writing to the university under the procedure outlined in the university's published Code of Practice.
- 9.3 Options open to the Appeals Panel include but are not limited to;
  - 9.3.1 upholding or dismissing the appeal; or
  - 9.3.2 request a re-running of the election.

## **Regulation 6: Complaints Regulations**

*Revised November 2013*

### **1. Complaints procedure**

- 1.1 This complaints procedure will be available to all individuals or groups of individuals ('the complainant'), whether members of the Association or not, who:
  - 1.1.1 express dissatisfaction about the standard of a service, action or lack of action by or on behalf of the Union, as experienced in the physical and/or virtual environment; or
  - 1.1.2 claim to be unfairly disadvantaged by reason of their having opted not to be a member of the Union.
- 1.2 The purpose of the procedure is to enable such complaints to be dealt with promptly and fairly.

### **2. Procedure**

- 2.1 Any complainant may make a complaint in person, by e-mail, phone, writing or social media platform to a member of staff at the Union or a member of the Executive Committee. The staff member of the Union or member of the Executive Committee that receives a complaint will seek to resolve the matter and respond to the complainant within five working days.
- 2.2 If any complaint is unhappy with the initial response they receive or if the complaint concerns a series matter the complainant should address their complaint to the President (Communications & Democracy), specifying the nature complaint and their desired redress.
- 2.3 If the President (Communications & Democracy) is the subject of the complaint, the complaint should be addressed to one of the other Presidents ("the recipient") who shall have the same functions in relation to the complaint as the President (Communications & Democracy) would otherwise have had, and the President (Communications & Democracy) shall take no part in the handling of the complaint.
- 2.4 If one of the other Presidents is the subject of the complaint then they shall take no part in the Sabbatical Executive Board meetings which discuss the matter.
- 2.5 The recipient shall be obliged to raise the matter for discussion at a meeting of the Sabbatical Executive Board, who will appoint an appropriate individual to undertake any enquiries necessary to investigate the complaint and following this, shall respond to it in writing. The response by the recipient to the complaint shall be made

within twenty working days of receipt of the letter of complaint. Any response send to the complaint shall have been approved by the Sabbatical Executive Board.

- 2.6 Should the recipient's response prove unsatisfactory, the complainant shall be entitled to seek that the recipient refers the matter to the University and it will be dealt with in a manner prescribed in the university's Code of Practice.



## **Regulation 7: Discipline Regulations**

*Revised November 2016 – Draft - Unapproved*

### **1. Discipline**

- 1.1 In accordance with the objects of the Union, as narrated within the Constitution, members are expected to conduct themselves in a manner befitting the dignity of the Union.
- 1.2 The Trustee Board and Executive Committee shall have the power to apply these Discipline Regulations to;
  - 1.2.1 Members of the Union;
  - 1.2.2 Major Office Bearers of the Union;
  - 1.2.3 Trustees of the Union;
  - 1.2.4 Staff of the Union;
  - 1.2.5 Any person on Union premises.
- 1.3 For the purposes of these Discipline Regulations, Sabbatical Presidents shall be disciplined under the same procedures as Trustees of the Union.
- 1.4 Allegations of misconduct should be raised with a President of the Union, Trustee Board, General Manager or through the Complaints Regulations. Allegations shall be raised with the Sabbatical Executive Committee, who shall decide whether there is sufficient initial evidence for a Discipline Committee to be formed.

### **2. Misconduct**

- 2.1 The following shall constitute acts of misconduct:
  - 2.1.1 Breaches of stated instruction or Union regulations;
  - 2.1.2 Actions that bring or could bring the reputation of the Union or its members into disrepute;
  - 2.1.3 Harassment, violence or discrimination of members or staff of the Union;
  - 2.1.4 Damage to or misappropriation of Union property or funds;
  - 2.1.5 Interference with legitimate activities of other members or processes or procedures of the Union; or
  - 2.1.6 Action which endangers the safety of others.

- 2.2 The above list is not exclusive and is illustrative only of the types of matters justifying the application of disciplinary procedures.

### 3. The Discipline Committee

- 3.1 There shall be the Robert Gordon University Student Union Discipline Committee (the "Discipline Committee") to implement the discipline regulations.
- 3.2 The Discipline Committee shall have jurisdiction over all members of the Union and all persons within all premises of the Union and shall deal with all allegations of misconduct made against Union members, major office bearers, trustees and staff.
- 3.3 The Discipline Committee shall be formed by the Sabbatical Executive Committee based on the required composition, possible conflicts of interest and availability.
- 3.4 The composition of the Discipline Committee when considering allegations against "Members of the Union" and "Any Person on Union Premises" shall be:
- 3.4.1 one of the Presidents, who shall not be the President (Communication and Democracy);
- 3.4.2 two members of the Executive Committee, neither of whom shall be one of the Presidents.
- 3.5 The composition of the Discipline Committee when considering allegations against "Major Office Bearers of the Union", excluding Sabbatical Presidents, shall be:
- 3.5.1 one of the Presidents, who shall not be the President (Communication and Democracy);
- 3.5.2 two members of the Executive Committee, neither of whom shall be one of the Presidents.
- 3.6 The composition of the Discipline Committee when considering allegations against "Trustees of the Union" including Sabbatical Presidents, shall be:
- 3.6.1 one of the External Trustees or University Trustee;
- 3.6.2 two Student Trustees.
- 3.7 The composition and procedure for the Discipline Committee when considering allegations against "Staff of the Union", excluding Sabbatical Presidents, shall be as stated in the Staff Handbook and relevant contracts of employment.

- 3.8 The Discipline Committee shall have a quorum of three.
- 3.9 The Discipline Committee shall have the right to request the attendance of General Manager or administrative staff to support the running of the meeting.
- 3.10 All individuals called to serve on the Discipline Committee shall have a responsibility to acknowledge any relationship or conflict of interest they have with the accused prior to the meetings.
- 3.11 No individual called to serve on the Discipline Committee shall be able to be involved if they have any involvement in the case of discipline. The Committee shall at all time remain independent and impartial, and where conflict is raised, a replacement member shall be nominated.

#### **4. Meetings of the Discipline Committee**

- 4.1 The Discipline Committee shall hold meetings as and when disciplinary matters are referred to it by the Trustee Board, members of the Executive Committee or the General Manager. Its functions shall be to decide, on the evidence before it, whether the member or person has committed misconduct.
- 4.2 The Discipline Committee shall:
  - 4.2.1 ensure the member or person receives full written notice of the alleged misconduct within seven working days of referral of the matter to it;
  - 4.2.2 call a meeting within fourteen working days of referral of the matter to it;
  - 4.2.3 give at least seven working days written notice of a meeting and the cases being heard at the meeting to all those affected;
  - 4.2.4 ensure the member or person is fully advised of his or her right to attend the meeting of the Discipline Committee in person, be accompanied, if they wish, at that meeting by a person of his or her choosing and be given the opportunity to address that meeting and call witnesses;
  - 4.2.5 the Discipline Committee shall be entitled to call witnesses and undertake investigations;
  - 4.2.6 the decision of the Discipline Committee shall be communicated to the member or person within seven working days of the meeting at which that member's case is heard, along with the right to appeal. If this is not possible, the reasons as to why will be explained to the member or person along with a timescale as to when they can expect a decision;

- 4.2.7 the Discipline Committee shall be entitled to be accompanied by HR representatives, or administrative staff to support the process.
- 4.3 The procedure for meetings of the Discipline Committee shall be:
  - 4.3.1 Members of the committee shall have the opportunity to host a pre-meeting where a Chair for the meeting shall be established, and the evidence can be considered;
  - 4.3.2 The accused individual and their accompanying person shall be invited into the meeting and the Chair will read out the grounds of the misconduct;
  - 4.3.3 The accused individual shall then have the opportunity to accept or reject the grounds of misconduct;
  - 4.3.4 The Discipline Committee shall then detail the case of misconduct, present any evidence, statements or witnesses to support the allegations.
  - 4.3.5 The accused individual shall then have the opportunity to present any evidence, statements or witnesses to disprove the allegations. They shall also be able to outline any mitigating circumstances.
  - 4.3.6 Once both sides have presented their case and raised any questions, the accused individual and their accompanying person shall leave the meeting and the Committee will consider all the evidence and decide on an outcome.
- 4.4 Should a person fail to attend the scheduled Discipline Committee meeting then a further date shall be scheduled. Failure to attend at a second scheduled meeting shall proceed without the member or person's attendance.
- 4.5 At the Discipline Committee's discretion, it may allow members to present their case in writing in the event of a satisfactory reason being given for their non-attendance.
- 4.6 The accused individual may consult and ask questions to their accompanying individual, but only if established from the beginning would the accompanying individual be allowed to speak on the behalf of the accused, otherwise they should only provide support and guidance.

## **5. Powers of Discipline Committee**

- 5.1 Should a member or person be found to have committed misconduct, the Discipline Committee shall be entitled to impose one or more of the following penalties:

- 5.1.1 a reprimand or written warning;
  - 5.1.2 charges to cover the cost of any damage or loss to the Union as a consequence of the misconduct;
  - 5.1.3 a fine not exceeding the amount the Trustee Board considers appropriate;
  - 5.1.4 suspension from positions within the Union for a prescribed period of time;
  - 5.1.5 dismissal from positions within the Union;
  - 5.1.6 suspension from membership for a prescribed period of time;
  - 5.1.7 termination of membership of the Union;
  - 5.1.8 permanent or temporary exclusion from the Union premises.
- 5.2 Failure by the member to adhere to the penalty may permit the Discipline Committee to issue a further penalty.
- 5.3 Reprimands and Written Warnings
- 5.3.1 Verbal warnings shall be issued by the Discipline Committee or delegate, and may be recorded on membership records;
  - 5.3.2 First written warnings shall be issued if there is repeated misconduct, or more serious offenses committed during a set period of time. The Discipline Committee shall issue the warning letter, and it may be recorded on membership records;
  - 5.3.3 Final written warnings shall be issued if conduct does not improve, or behaviour is serious enough to warrant only one warning.
- 5.4 Suspension
- 5.4.1 The Union may suspend a member from a position or from membership for a prescribed period of time. For those who are employed by the Union, the Discipline Committee may decide whether or not the individual shall be entitled to continue to be remunerated while suspended.
  - 5.4.2 While suspended, individuals shall not be entitled to access or participate in any Union services or activities without the express permission of the Discipline Committee. They shall not be allowed to attend meetings on the behalf of the Union or vote in any democratic processes of the Union.

5.4.3 In exceptional circumstances, where allegations are considered to be of a serious nature, the Discipline Committee may be suspended, with pay in the case of employees, pending the outcome of an investigation by the Discipline Committee. They must attend meeting when requested, given reasonable notice of the meetings.

## 5.5 Dismissal

5.5.1 Where conduct remains unsatisfactory, or acts of gross misconduct are committed, the Discipline Committee may act to dismiss members from positions or employment from the Union, or terminate their membership with the organisation.

5.5.2 The Union shall undertake all legal responsibilities to comply with regulations and protect employee rights while taking disciplinary action.

## 6. Appeal

6.1 Any member or person against whom an allegation is established shall have the right of appeal against the decision of the Discipline Committee in relation to the decision reached, the penalty or both.

6.2 Appeal on any disciplinary matter must be made in writing to the President (Communications and Democracy) within ten days of the original decision. The written submission must state clearly the points on which the appeal is grounded.

6.3 The appeal must be heard within fourteen working days of the President's receipt of a written submission.

6.4 The appeal shall be heard by the Robert Gordon University Appeals Committee (the "Appeals Committee") which shall comprise:

6.4.1 the President (Communications & Democracy);

6.4.2 two of the Student Trustees; and

6.4.3 the University Trustee, or their nominee.

6.5 None of the members of the Appeals Committee shall be a member of the Discipline Committee which dealt with the original case.

6.6 In the event of a conflict of interest of any member of the Appeal Committee, the Executive Board shall nominate an Executive Board replacement.

6.7 The quorum of the Appeals Committee shall be four.

- 6.8 The Appeals Committee shall receive a note of the previous meeting and any evidence relevant to the grounds for appeal, and shall follow a similar procedure to the Discipline Committee.
- 6.9 The Appeals Committee may:
- 6.9.1 Uphold the decision of the Discipline Committee; or
  - 6.9.2 Uphold and modify the penalty; or
  - 6.9.3 Conclude that a breach of discipline has not been committed and cancel the penalty.
- 6.10 The decision of the Appeals Committee shall be communicated within seven working days of the meeting at which that member's case is heard.
- 6.11 In the event that the Appellant is unsuccessful, they shall have the right to refer the matter to the Principal and Vice Chancellor of the University, who on the behalf of the Board of Governors, shall appoint an independent person to undertake an investigation as to the Union's compliance with complaints, discipline and appeals regulations.
- 6.12 The decision of the independent person shall be reported within twenty working days, and that decision shall be final and not open to further appeal.

## **7. General**

- 7.1 Subject to regulation 7.2, no expelled member, no member who has resigned, and who has not subsequently been re-instated as a member, and no member during a period of suspension may be introduced to Union premises as a guest or in any other capacity.
- 7.2 For the avoidance of doubt, members who have exercised their right to opt out of membership in accordance with the Education Act 1994 are not subject to regulation 7.1, solely because they have exercised their right to opt out.
- 7.3 The General Manager of the Union may suspend any person from Union premises pending the outcome of a Disciplinary Committee hearing.
- 7.4 The Discipline Regulations shall be applicable to any function held by the Union or the buildings of a Union with which the Union has a reciprocal agreement, or while a member is representing the Union, or while using property belonging to, loaned to, or hired by the Union whether inside or outside of Union premises.

## **Regulation 8: Annual General Meetings and Referendums**

*Revised November 2013*

1. The General Meetings are provided for within the Constitution which states the powers, membership and quorum of the General Meeting.
- 1.1 The order of business for General Meetings shall be:
  - 1.1.1 the Chair will open the meeting;
  - 1.1.2 apologies for absence;
  - 1.1.3 constitutional matters, if any, for recommendation to the Board;
  - 1.1.4 minutes of the previous General Meeting and any matter arising;
  - 1.1.5 minutes of the previous Board Meetings, for information, and any matter arising;
  - 1.1.6 reports from the Presidents and Vice Presidents and related questions;
  - 1.1.7 items for discussion;
  - 1.1.8 the financial statements relating to the previous academic session;
  - 1.1.9 approval of a list of the external organisations to which it is currently affiliated. The list will contain the details of subscriptions, similar fees paid or donations made to such organisations in the past year;
  - 1.1.10 submission of a list of external organisations to which the Union has made donations, providing details of any such donations; and
  - 1.1.11 any other competent business.
- 1.2 A General Meeting shall be called either by the Sabbatical Executive Committee or on request to the President (Communications and Democracy) by 30 Ordinary Members of the Union stating the nature of the business to be discussed and/or any special resolution to be put before the meeting.
- 1.3 At least 14 days' notice of the General Meeting shall be given, as far as is possible, by posting advertisements specifying the date and time of the General Meeting to each matriculated student and on the Union website. The accidental omission to give notice to, or the non-receipt



of notice by, any person entitled to receive notice shall not invalidate proceedings at any General Meeting.

- 1.4 No business shall be transacted at a General Meeting or Annual General Meeting unless there is a quorum of 60 Ordinary Members. If such a quorum is not present within half an hour of the time appointed for the meeting, or if during the meeting a quorum ceases to be present, the meeting shall be adjourned to an alternative place, day and time within ten days named by the Sabbatical Executive Committee in its original notice of the General Meeting. At the reconvened meeting the same requirements for attaining a quorum shall operate as pertained to the originally constituted meeting. If a quorum is not reached at the reconvened meeting all matters shall be remitted to a quorate meeting of the Executive Committee unless the matter for decision relates to clause 15.1 (Amendment and Review of the Constitution and Regulations) or clause 17 (Dissolution).
- 1.5 The general meeting shall be convened by an elected officer chosen from executive board at the beginning of the year.
- 1.6 Any resolution put to the vote shall be decided on a show of hands or by electronic voting. Each Ordinary Member of the Union shall have one vote and in the case of an equality of votes the chair shall have the casting vote. Any abstentions shall be considered as a spoilt or invalid vote and shall not be counted as part of the results.
- 1.7 Any item to be placed on the agenda of a meeting, including a motion, shall have the support of the Sabbatical Executive Committee or not less than 30 Ordinary Members of the Union and must be placed in the hands of the President (Communication & Democracy) not less than seven days prior to the date of the meeting.
- 1.8 The proceedings at any meeting or the passing of a written resolution or the making of any decision shall not be invalidated by reason of any informality or irregularity or by reason of any business being considered which is not specified in the notice.

## **2. Referenda**

- 2.1 The Constitution provides for the Union to have the power to hold Referendums called by mechanisms specified within the Constitution.
- 2.2 Should 30 Ordinary Members of the Union make a request to the Executive Committee to hold a referendum on the question of continued affiliation to any particular organisation then the Executive Committee shall be obliged to make arrangements to hold such a referendum.

- 2.3 The referendum shall be decided by secret ballot and can be conducted by paper ballot or electronically, according to the following:
  - 2.3.1 The Student Union returning Officer shall be responsible for overseeing the process.
  - 2.3.2 The vote will be a 'yes' or 'no' preference. Abstentions shall be considered as a spoilt ballot.
  - 2.3.3 The quota will be 50% plus one of the votes cast.
- 2.4 Once submitted to referendum, questions cannot be changed and can only be withdrawn by the member who submitted it or the Returning Officer.
- 2.5 Provisions must be made for members to debate the questions before the beginning of voting. This may take the form of a physical meeting or be hosted online.
- 2.6 Campaigning for or against individual ideas must be conducted in accordance with the Union's published Election Regulations then in force for campaigning. Therefore, campaigning may only commence once the Returning Officer has completed a campaign briefing.
- 2.7 Referendum voting will last for two working days.
- 2.8 A count shall not commence any earlier than 24 hours after closing of voting.

## Regulation 9: Sale of Excisable Liquor

*Revised November 2013*

### 1. Sale of Excisable Liquor

- a. None of the Major Officer Bearers, Trustees and no person employed by the Union is to have any personal interest in the sale of alcohol on the Union's premises or in the profits arising from such sale.
- b. Other than when an occasional licence has effect, no person is to be supplied with alcohol on the Union's premises unless that person is:
  - i. a member of the Union;
  - ii. a guest who is on the Union's premises at the invitation of a member and is accompanied by that member; or
  - iii. a member of another association or union which enjoys reciprocal membership arrangements with the Union and where that other student Union or union falls with the description specified in paragraph 2(1) of The Licensing (Clubs) (Scotland) Regulations 2007; and only upon production of a valid student card when requested to do so.
- c. Guests may be introduced to the Union's premises subject to being signed in by a member who shall enter into the guest book kept for the purpose:
  - i. the date in question;
  - ii. the name and address of the guest; and
  - iii. the name and membership number of the member accompanying the guest.
- d. In relation to guests:
  - i. Members may introduce up to two guests at any one time in any one day and must accompany those guests while they remain on the premises. Guests shall not remain on the premises when the member who introduced them leaves.
  - ii. Reciprocal members may introduce one guest although the Executive reserves the right to withdraw this privilege.
  - iii. No guest shall be supplied with alcohol in the Union premises unless in the company of the member who introduced that guest.
  - iv. Members are responsible for the conduct of their guests while on the Union's premises and will themselves be subject to disciplinary action in the event of a guest being in breach of the regulations governing conduct within the Union premises.
  - v. Persons under the age of 16 shall not be introduced as guests.
- e. No alcohol will be sold or supplied to any member or any guest of a member who is under the age of 18. Members and guests shall provide photographic evidence of identity (including proof of age) whenever requested within the Union's premises.

- f. Members shall conduct themselves within the rules governing conduct on the premises and will comply at all times, insofar as it is incumbent on them to do so, with the Licensing (Scotland) Act 2005 and the terms of any premises licence from time to time held by the Union under the Licensing (Scotland) Act 2005.
- g. No alcohol other than that sold on the premises is permitted to be consumed on the premises and members and guests are prohibited from bringing alcohol into the premises.
- h. The permitted hours for the sale of alcohol in the premises will be those determined by the Management Committee but, in any event, within the hours permitted under any premises licence issued under the Licensing (Scotland) Act 2005.
- i. The Union and its Members shall adhere to the Drugs Policy promoted by Grampian Police.

## **Regulation 10: Financial Regulations**

*Revised November 2017*

### **1. The Purpose of the Regulations.**

The Financial Regulations have been devised to assist in the furtherance of the Students Union Objectives.

1.1. The Purpose of the Financial Regulations is to clarify procedures relating to the management of Students Union finances for the benefit and protection of the Union, its members, Officers and staff engendering a climate of confidence and understanding in the day to day conduct of financial matters and shall cover all matters of financial control relating to Union business.

1.2. These regulations ensure that the Students Union conducts its business in a manner that is compliant with University requirement and is in line with OSCR regulations. The Student Union must ensure compliance under the terms of the Education Act 2004 (as amended) and follow best practice as set out within the University Financial Regulations.

1.3. The Financial Regulations gain their authority from the Student Union's Constitution.

1.4. The Financial Regulations shall provide for adequate segregation of duties, review, authorisation, audit trail, documentation and monitoring and reporting arrangements.

### **2. Status of the Students Union**

#### **2.1 Extract from the University Financial Regulations 25.4**

##### **25.4 Student Association**

*"The Student Association is a separate legal entity from the university but is recognised to fulfil a valuable role in relation to the university's students.*

*The Board of Governors, as part of its normal budget setting arrangements, shall determine the level of grant to be paid annually to the student association. In so doing the Board will require that specific conditions of grant are met by the Association.*

*The Student Association is responsible for maintaining its own bank account and financial records and preparing its own annual financial statements.*

*In accordance with an agreement between the university and the Student Association, the university's internal auditor shall have access to records, assets and personnel within the Student Association in the same way as other areas of the institution."*

2.2 The Students Union is an unincorporated Union and is a registered Scottish Charity under OSCR, number SCO 16639. Consequently the Union is not liable for Corporation Tax. The Union is also registered as a club under the Licensing (Scotland) Act 2005.

The Students Union is registered for VAT purposes, Number: 267748803.

2.3. Registered Office;  
University Street  
Garthdee Campus  
Aberdeen  
AB10 7GE

Auditors;  
KPMG LLP  
191 West George Street  
Glasgow G2 2LJ

Solicitors;  
Balfour & Manson Solicitors  
54-66 Federick Street  
Edinburgh  
EH2 1LS

Burness Paull LLP  
Solicitors  
Union Plaza  
1 Union Wynd  
Aberdeen  
AB10 1SL

Bankers;  
Clydesdale Bank plc  
George Street Branch  
62 Union Street  
Aberdeen  
AB10 1WD

### **3. Governing Bodies**

#### 3.1. Student Union Trustee Board;

The Student Union Trustee Board is governed by the constitution of the Union. The Trustee Board has established a finance committee to manage and monitor day to day matters pertaining to the finance of the Student Union.

### 3.2. External Bodies with Relevant Interest;

The University expects that the Students Union should conduct its business in accordance with the requirements of the Board of Governors as issued and amended from time to time. The Board of Governors has the right to receive and review the Annual Audited Accounts of the Union.

Under the terms of the Education Act 2004 (as amended) obligations are in place on the University Board of Governors pertaining to matters of finance and statutory requirements. It is acknowledged that the Board of Governors shall from time to time be obligated to delegate the monitoring of the Student Union Finances.

## **4. Responsibilities of Officers and Union Staff**

All Officers and staff with responsibilities under the Financial Regulations are required to familiarise themselves with the Regulations.

Non-compliance by elected officers could lead to disciplinary action as set out in the Student Union Disciplinary regulations, and in some instances result in those officers being collectively or individually liable for the costs of non-compliance. In certain circumstances of non-compliance the University may also be involved in disciplinary action.

Non-compliance by members of staff under Terms & Conditions of Employment could lead to disciplinary action up to and including issues constituting Gross Misconduct, which if proven would lead to dismissal from post. In certain circumstances of non-compliance the University may also be involved in disciplinary action.

The training needs of Student Union personnel shall be assessed on a regular basis with procedures in place with regard to absence and successions planning that are in line with the University's standard procedures.

## **5. Amendment of the Financial Regulations**

The Financial regulations shall be amended by any quorate meeting of the Trustees, although the Sabbatical Executive Committee or the Executive Committee shall have the right to propose changes to these regulations.

No amendment of the Finance regulations shall be made which would impede or interfere with the effective running of the Union as a charity.

## **6. Financial Year**

The Financial Year is from 1<sup>st</sup> August to 31<sup>st</sup> July each year.

The Student Union's financial timetable must be complied with to ensure the efficiency of the operational accounting function and to facilitate the preparation of both monthly management accounts and the yearend financial statements.

## 7. Sources of Funding

The Students Union is funded from;

- Disbursement from the Robert Gordon University.
- Surpluses from trading operations.
- Subscriptions, sponsorship/advertising and donations.

Any formal conditions attached to the Student Union funding by the University must be in a manner that is compliant with OSCR statutory requirements, the Education Act 2004 (as amended) University's financial regulations.

## 8. Audit

The Students Union financial statements will be subject to an annual audit by a firm of auditors appointed by the Student Union Trustee Board.

The audited accounts will be approved by the Trustee Board and signed by the Chair and Vice Chair of the Trustee Board.

The audited accounts will be presented to the Annual General Meeting of the Students Union.

## 9. Strategic Planning and Budgets

The Student Union will work towards achieving planned objectives which shall be set out in the Strategic Plan (incorporating the Annual Budgets).

9.1. Review and Preparation of a Business plan and Financial Projections of the Strategic plan;

The General Manager will facilitate the completion of the annual review of the Strategic Plan for presentation to the Trustee Board each year in consultation with the Executive, the Sabbatical Management Committee and Standing Forums, Department, Managers and Co-ordinators. The plan will contain the Student Union annual budget proposals for the following financial year.

9.2. Approved budgets for each area within the Student Union should be incorporated into the monthly management accounts in order that actual versus budget reports can be produced and circulated before each meeting. The budgets should be set at a sufficient level to allow the performance of all areas to be monitored and reported monthly by managers. An appropriate report template should be used to provide the reporting information in a user friendly format.

9.3. The Budgets;

Budgets shall be prepared by the General Manager and the Finance and Administration Officer and presented to the Executive board and Trustee Board annually to be approved.

Budgets are prepared using the management accounts format.



## 10. Bank Accounts

The Student Union operates two bank accounts in relation to Union business matters: The Current Account and the Client Account (used to administer funds deposited on behalf of clubs and societies).

There are two credit card accounts operating which are issued to the General Manager and the Head of Sport.

### 10.1. Electronic Banking;

The Union may administer certain aspects of its financial transactions through the Clydesdale Bank Online banking service.

All receipts and payments must be made through the above accounts, and electronic banking systems.

### 10.2. Clubs and Societies;

Clubs and Societies are not permitted to open bank accounts in the name of any club or society formed under the constitution. All Clubs and Societies transactions will be carried out on their behalf by the Union.

Where a club or society is found to be operating contrary to 10.2., they will be suspended and their budgets and accounts frozen until such time as the Executive are satisfied that they are in full compliance.

The Union will allocate funds to all clubs & societies who comply with society guidelines.

### 10.3. Cheque Signatories//BACS Authorisation;

All cheques must be signed by two authorised signatories, one of whom must be the General Manager, Head of Sport, University Trustee or nominated External Trustee. All cheques and BACS of value greater than £2500 must be signed by two authorised signatories, one of whom must be the University Trustee or nominated External Trustee.

#### CHEQUE SIGNATORIES & BACS AUTHORISATION LIMITS

Less than or equal to £2500 two signatories – one of whom must be the General Manager, Head of Sport or Trustee

Over £2500 two signatories from list - one must be a Trustee

Cheque signatory list -	University Trustee
	Nominated External Trustee
	President
	General Manager
	Head of Sport

### 10.4. Direct Debits and Standing Orders;

Direct debit mandates and instructions for Standing Orders must be authorised in line with the terms of the bank mandate.

10.5. Bank Reconciliation;

The Finance and Administration Officer shall ensure that the banking is reconciled monthly. This will be reviewed along with the credit card statement and will be signed off monthly by the General Manager.

**11. Banking Procedures**

Detailed banking procedures are attached as Appendix 1. The cash in transit limits for the transport of cash to the bank are set out by the Union's insurers and have been notified to persons authorised to bank Union funds. The limits must be strictly adhered to as should the number of persons required as escorts.

**12. Petty Cash**

A Petty Cash facility, relevant only to the Student Union but not including RGU Sport is administered by the Finance and Administration Officer and General Manager. Please see Appendix 2 for procedure.

**13. Floats**

Float requirements will be administered by the Finance and Administration Officer. Float Requests should be submitted on the Float Request Form (Appendix 3) and will be approved by the General Manager.

13.1. Collecting Floats from the Finance Office;

When collecting floats from the Finance Office the float must be checked and signed for in the presence of the issuing officer.

13.2. Departmental Administration of Floats;

Floats must be maintained at the exact amount of the signed for departmental float. Shortages or overages must not be carried in floats nor must vouchers, IOUs or cheques.

13.2.2 The Finance and Administration Officer will carry out at least two random float checks per semester.

**14. Income and Encashment Procedures**

All trading income whether cash, cheque or debit/credit card transaction must be recorded on a Daily Till Reconciliation Sheet (Appendix 4) which must be duly dated for the day the income was received, and handed to the Finance & Administration Officer daily along with cash & cheques.

**15. Invoicing**

Requests to raise an external invoice must be forwarded to the Finance Officer & Accounts Assistant for processing and all invoices will be issued by in the name of the Student Union.

15.1

The Financial Officer will be responsible for issuing customer statements, monitoring payments to invoices and monitoring aged debtors. Standard terms are 30 days but may be changed to 14 days or pay now if required.

15.2 Aged Debt;

30 Days

Invoices unpaid after 30 days will be added to the aged debtors list and a reminder will be issued to customers.

60 Days

After 60 days a second reminder will be sent to the customer stating that if payment is not received within 7 working days then debt will be passed to a Debt Recovery agent.

After 90 Days

After 90 days the invoice will be transferred to the bad debts list and the Finance & Administration Officer on the authorisation of the General Manager will without further notice to the customer, raise an action with a debt recovery agent to recover monies due.

## **16. Managing Expenditure and Surpluses**

Certain Employees, Sabbaticals and Officers are empowered to authorise expenditure, for this reason it is essential that such persons follow the approved Purchase Order Procedure seeking, where required, the approval to spend.

All expenditure requires the prior approval of the General Manager/Head of Sport unless already approved by the budget process. Any unbudgeted expenditure in the excess of £2500 will require the approval of the University Trustee or nominated External Trustee.

Managing Surpluses;

The Union does not operate a 'use it or lose it' method of budget allocation however it is imperative that funds are conserved. It may transpire that there is no sound reason to incur expenditure even though a budget allocation has been made. Wasteful expenditure should not be incurred as it will not prejudice future budget submissions if a previous allocation is unspent and is requested in subsequent years. Each budget submission needs to be justified on a year by year basis.

16.1 Capital Items;

Capital items shall be ordered using a Union Purchase Order form and within budgetary values/affordability.

## 17. Purchasing Policy

The purchasing procedures must be known and observed by all involved and shall include:

- Compliance with the Student Union detailed purchase ordering procedures.
- Formal documentation completed and maintained and signed where appropriate.
- Appropriate evidence of authorisation where required.
- Delegated levels of authority.
- Quotation and tendering requirements.
- Segregation of Duties.
- Goods receipt and inspection.
- Matching of purchase orders and delivery notes to invoices and price lists.
- Review of outstanding orders.
- Approval of suppliers.
- Code of Ethics.
- All central purchases shall be entered on sequentially pre-numbered standard order forms and signed by both the requisitioner and the authoriser.

### 17.1 Non-stock and Capital item purchases;

It is imperative that buyers seek out the best deals when negotiating with suppliers taking into account:

- List price.
- Off invoice discounts.
- Like for like quality.
- Supply times.
- Delivery costs (if any).
- Promotional Support.
- Service Support.
- Student Union policy
- Ethical and Environmental Policies.

Staff must not accept any incentives from suppliers that may influence their decision as to whether a supplier's tender is accepted. Such actions may result in disciplinary action up to and including dismissal in the case of Gross Misconduct

### 17.2 University and PECOS/Scottish Executive E-Procurement;

When buying from the above suppliers it is imperative that buyers pay attention to the best deal conditions listed above.

### 17.3 Local and National Suppliers;

It is imperative that buyers pay attention to the best deal conditions listed above.

### 17.4 Promotional Goods, Loyalty Points, Gifts, and Favours;

#### 17.4.1. Promotional Goods;

Promotional goods are the property of the Students Union and should be treated as such.

#### 17.4.2. Loyalty Points;

Loyalty points are the property of the Students Union and should be treated as such.

#### 17.4.3. Gifts;

It is common for existing and/or potential suppliers to offer lunch or small gifts staff may accept such offers from existing suppliers with the prior permission of the General Manager. Gifts should not exceed a value of £100. All Trustees, Union Staff and Elected must abide by the University Anti-Bribery Act Policy.

#### 17.4.4. Favours;

Staff must not accept personal favours from suppliers.

17.5 Buyers may be required to justify their decisions to the Trustee Board therefore they must retain all documentation relating to negotiations with suppliers.

#### 17.6 Tenders and Quotations

Budget holders must comply with the Student Union tendering procedures which are applicable as follows;

##### 17.6.1 Under £2500

The General Manager/Head of Sport shall have the discretion to decide whether or not to obtain quotations, but value for money must always be obtained.

##### 17.6.2 from £2500 to £10,000;

The General Manager and the Head of Sport shall arrange, in consultation with the budget holder or his/her representative, for a written enquiry to be prepared and a minimum of three written quotations to be obtained.

##### 17.6.3 Over £10,000;

The General Manager and Head of Sport shall arrange a formal tendering process to be followed, which must result in at least three tenders being received.

#### 17.7 Post-Tender Negotiations;

Post-tender negotiations (i.e. after receipt of formal tenders but before signing of contracts) with a view to improving price, delivery or other tender terms can be entered into, provided;

- It would not put others who have tendered at a disadvantage.
- It would not affect their confidence and trust in the Union's tendering process.

In each case, a statement of justification should be approved by the General Manager/Head of Sport prior to the event, showing:

- Background to the procurement.
- Reasons for proposing post-tender negotiations.
- Demonstration of the improved value for money.

If it can be demonstrated to the Board of Trustees that the service or supplies required were of such a specialised nature that it would not be possible to obtain three tenders or quotations, then the Board has the discretion to accept a reduced number of tenders or quotations.

## 17.8 Contracts;

A formal written contract will be required for the purchase or sale of goods, services or property where any of the following circumstances apply:

- Any contract valued at £2500 or greater, either in terms of the amount to be paid or the likely costs of terminating the contract.
- The failure to ensure performance may have a significant impact on Students Union business or reputation.
- The relationship is likely to have duration of more than one year.

Due to the level of complexity involved it is vital to protect the Students Union if a dispute arises.

## **18. Goods Receiving**

All goods shall be received at designated receipt and distribution points. They shall be checked for quantity and/or weight and inspected for quality and specification. A delivery note shall be obtained from the supplier at the time of delivery and signed and dated by the person receiving the goods.

All delivery notes for goods received shall be passed to the Finance Dept. If the goods are deemed to be unsatisfactory or the full order is not received, the delivery note shall be marked accordingly and the supplier notified immediately.

## **19. Payments**

The finance department will, on receipt of an invoice from the supplier, obtain confirmation from the appropriate area that the goods match the purchase order quantities, prices and delivery note quantities. Payment will then be made to the supplier on the due date taking into account the settlement terms agreed with the supplier.

All expenditure will be paid for by cheque issued from the Finance Office or by Direct Debit, Standing Order, or BACS (with the exception of that approved under the rules for petty cash.)

19.1 For efficiency and the avoidance of unnecessary interruption to the work of the Finance & Administration Officer cheques will be issued once per week. Cheques will be ready from noon on Friday.

19.2 Suppliers payments will be paid against invoices only.

19.3 Requests for other payments or expenses must be received before 2pm on Thursdays.

19.4 Cheques for collection must be by prior arrangement at an agreed time.

19.5 All cheques, direct debit mandates and instructions for standing orders and must be signed in accordance with the bank mandates.

## **20. Stock**

Shop supervisors are responsible for establishing adequate arrangements for the custody and control of stock and stores. Stocktakes must be carried out monthly.

## **21. Review of Accounting Entries Procedure**

Accounting records, transactions and entries on the Sage system shall be fully reviewed for accuracy and completeness by the Finance and Administration Officer on a monthly basis.

The following procedures must be performed on a monthly basis for which the relevant documentation must be maintained:

- Bank and control account reconciliation
- Journal Entries
- Suspense Accounts
- Month End/Period close procedures and checklist

## **22. Union Pricing Policy**

Price levels chosen by the Union for the sale of its goods and services will be as decided, from time to time, by the General Manager

## **23. Assets**

The Assets of the Union shall include the assets of all Union committees, clubs, societies, and other bodies established under the name of The Robert Gordon University Students Union.

The General Manager and Head of Sport is responsible for the care, custody and security of the buildings, stock, stores, furniture, cash, etc. under their control.

**23.1 Fixed Asset Register;**

The Finance and Administration Officer will compile an asset register listing the value of all capital items purchased by the Union valued at £1,000 or more.

Lifespan: 3 years to 5 years depending on the nature of the assets.

**23.2 Depreciation;**

Capital items on the Asset register will be depreciated over their expected useful life.

**23.3 Asset verification;**

Once a year from the asset register, verification of the existence and location of each asset must be completed.

**23.4 Write Offs;**

No item listed on the Asset Register will be written off without the prior approval from the Trustee board.

**23.5 Disposal;**

No item listed on the Asset Register will be disposed of without the prior approval of the Trustee Board.

**24. Security**

Keys to safes or other similar containers are to be carried on the person of those responsible at all times. The loss of such keys must be reported to the General Manager immediately.

**25. Insurance**

The General Manager and Head of Sport will maintain insurances for the Unions covering all statutory requirements and ensuring that there is adequate cover for the replacement as new of fixtures and fittings, capital items and for loss of trading, loss of the liquor license.

**25.1. Review of Insurance Requirements;**

The General Manager and Head of Sport shall review the Union insurance requirements on an annual basis and report thereon to the Trustee Board.

**25.2. Tendering;**

The General Manager will put Union insurance out to tender every three years.

**26. Subscriptions and Donations**

The Students Union may subscribe to membership of organisations with similar aims and objectives or organisations that carry out work which is in whole or part similar to that of the Union.

Approval for such subscriptions must be obtained from the Trustee Board.

**27. Shareholdings and Investments**



The Student Union will seek the approval of the Trustee Board and Board of Governors of the University before entering into any shareholding or investment agreements.

## **28. Intellectual Property Rights**

The Students Union retains the right to any Intellectual Property Rights deriving from the work of staff during the performance of their paid duties.

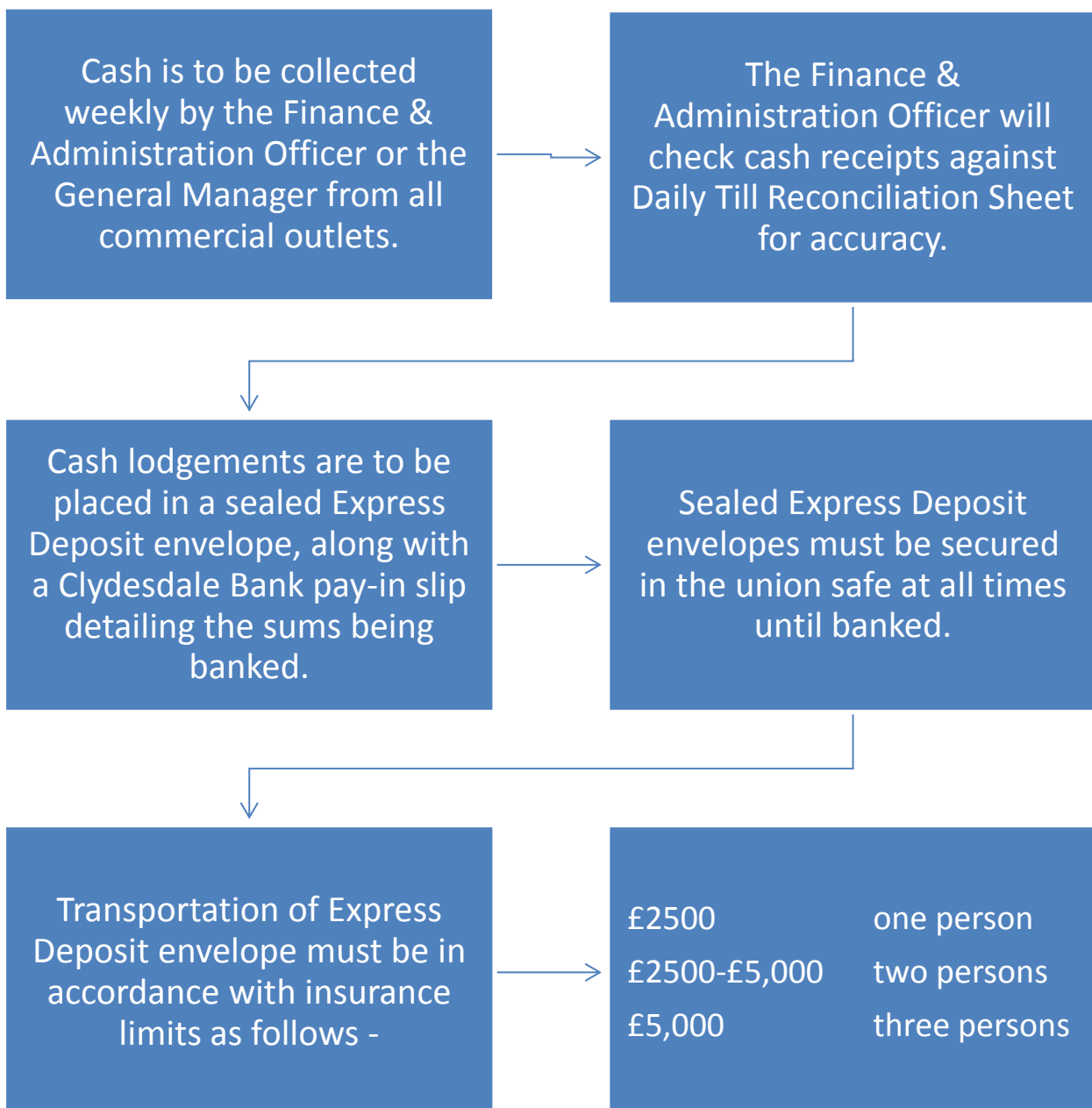
## Appendix: Financial Procedures

*Revised December 2015*

### Banking Procedures

The Students Union deposits cash/cheques at the Clydesdale Bank via the branch Business Banking Section using Express Deposit envelopes.

**It is essential that preparation of cash for banking is carried out in a secure area. When deposit envelopes are being carried around the building members of staff transporting the envelopes must ensure that they are accompanied at all times.**



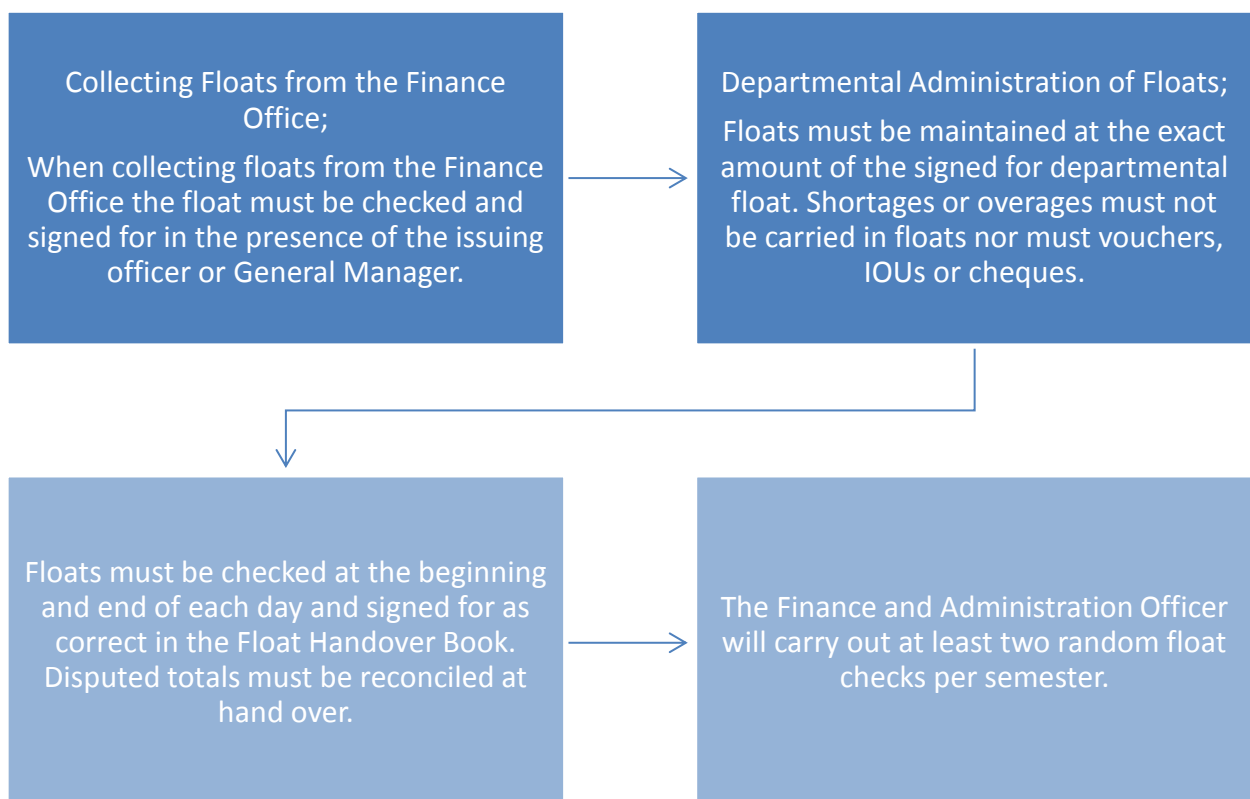
### Petty Cash Procedures

A Petty Cash facility is administered by the Finance and Administration Officer and General Manager.



## Floats Procedures

Float requirements will be administered by the Finance and Administration Officer. Float Requests should be submitted on the Float Request Form and will be approved by the General Manager.

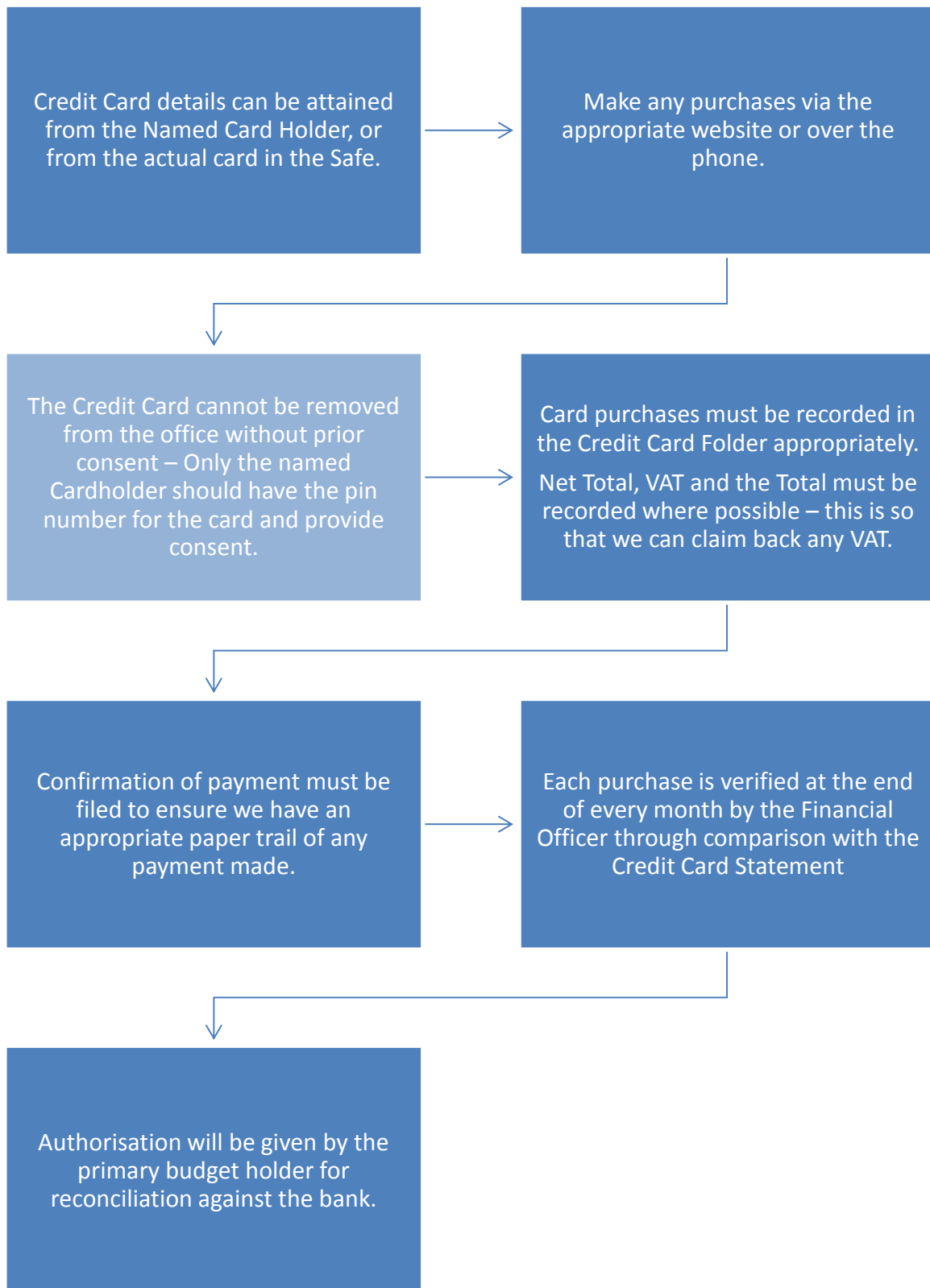


### Income & Encashment Procedures

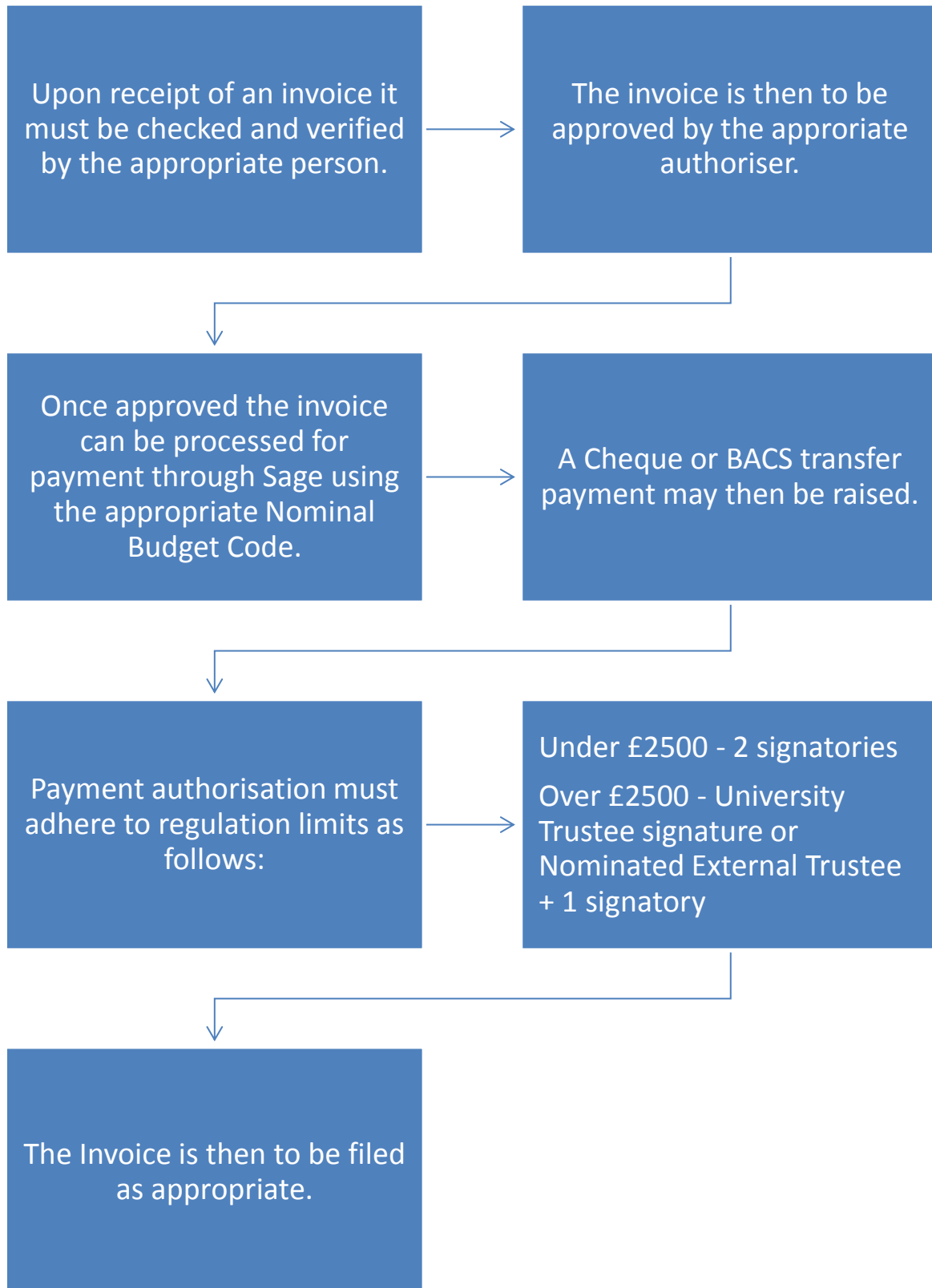
Each time a till is cashed up for any reason the Daily Till Reconciliation Sheet must be completed in full as follows:



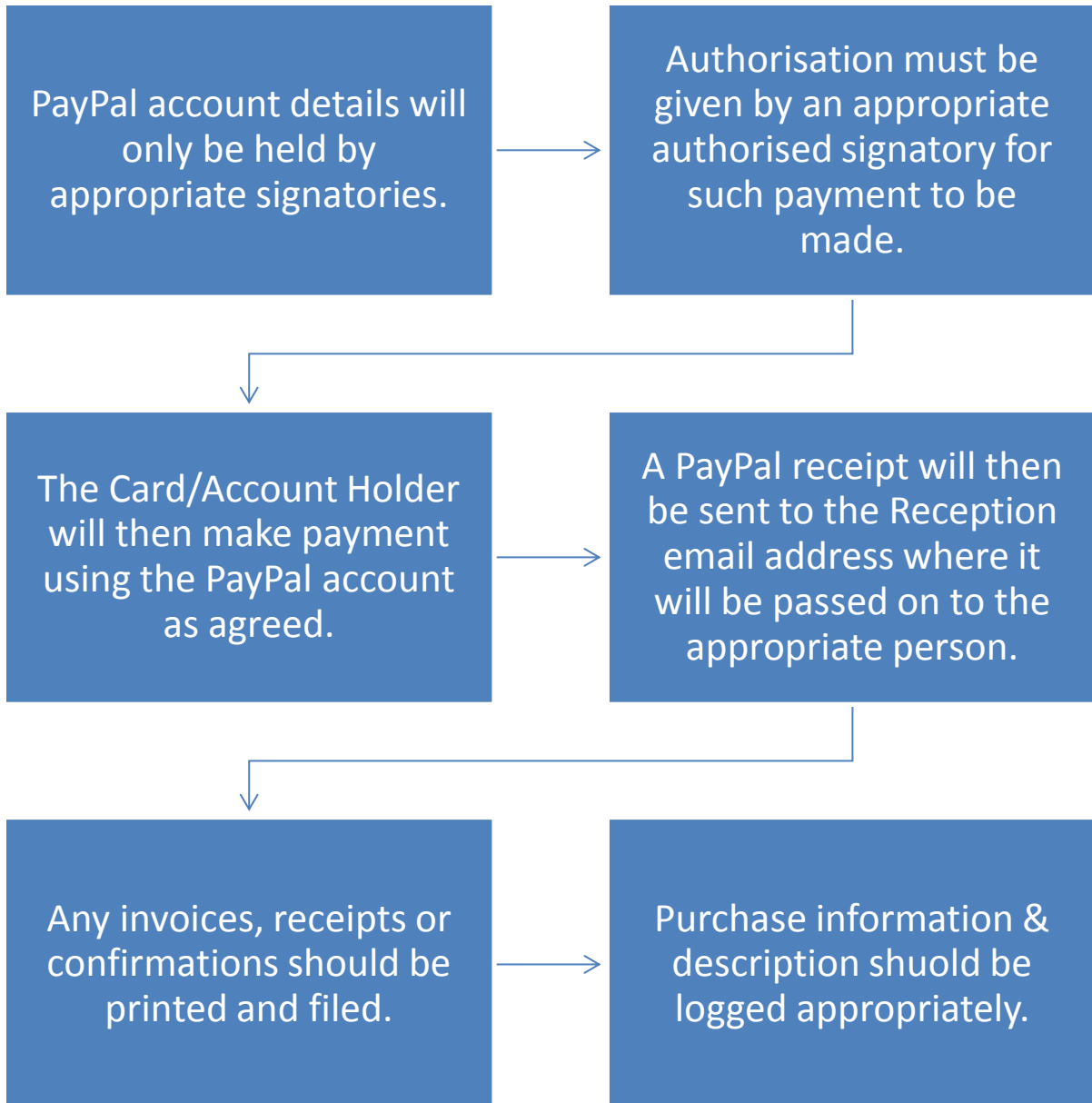
## Purchasing – Credit Card Purchases



## Purchasing – Invoice Payments



## Purchasing – PayPal Payments





## Expenditure Claims – Students

