



## **University of Cumbria Students' Union Code of Practice**

### **Introduction**

The Code of Practice confirms how the University takes appropriate steps as are reasonably practicable to ensure that the University of Cumbria Students' Union (UCSU) operates in a fair and democratic manner and is accountable for its finances.

### **Purpose**

The Code of Practice confirms that the University's relationship with, and expectations of, UCSU operates in accordance with the requirements of Section 22 of the Education Act 1994. It is designed to provide clarity to staff, students and other stakeholders of the operation of UCSU from the perspective of the University.

### **Scope**

The Code of Practice applies to the activities and governance of UCSU, whilst recognising its status as a registered charity and a body independent of the University. The structure of the Code of Practice explicitly responds to the requirements of Section 22 of the Education Act 1994 namely:

1. Constitution
2. Membership
3. Elections
4. Finance
5. Affiliations
6. Freedom of Speech
7. Complaints

### **Policy**

#### **1. Status of the Students' Union**

The University of Cumbria Students' Union is recognised by the University Board as an association of students of the University as defined in the University's Articles of Association. As prescribed in the Articles of Association the Students' Union conducts and manages its own affairs and funds in accordance with a constitution approved by the University Board and is required to present audited accounts annually to the appropriate sub-committee of the University Board.

#### **2. Constitution of the Students' Union**

The University of Cumbria Students' Union has a written constitution agreed by its Trustee Board and approved by the University Board. The constitution is subject to review by the University Board at intervals not exceeding five years. Interim adjustments are also subject to the approval of the University Board.

### **3. Membership of the Students' Union**

- 3.1 All enrolled students of the University of Cumbria will become full members of the University of Cumbria Students' Union unless they exercise their right to opt out of membership of the Union. The University and Students' Union will annually review academic partnership provision of the University to identify student cohorts that may require the Trustee Board to define as being members of the University of Cumbria Students' Union.
- 3.2 Students wishing to relinquish their right to membership may do so at any point during their course by writing to the Students' Union. A student may regain their membership by further writing to the Union and their rights will be reinstated. If the application for reinstatement falls within twenty term-time working days of the commencement of elections the member may not have their membership rights reinstated until the election has been concluded.
- 3.3 Students who have chosen to opt out of membership of the Students' Union shall not be permitted to:
  - i. Vote in Students' Union elections, ballots or referenda;
  - ii. Stand for office in any Students' Union elections, ballots or referenda;
  - iii. Hold office in any Union club or society
- 3.4 Students who have chosen to opt out of membership shall be entitled to:
  - i. Use all other services and facilities provided by the Students' Union;
  - ii. Join any Students' Union club, society or group and participate in their activities.
- 3.5 The Chair of Trustee Board of the Students' Union will prepare an annual report for the University Board of the University within the academic year which states the number of students who have decided to opt out of membership of the Students' Union for that academic year.
- 3.6 The University has not made any special arrangements for the provision of services to those who have chosen to opt out of Students' Union membership as it is satisfied that the facilities available to such students through the University and Students' Union are such as to ensure that such students are not unfairly disadvantaged with regard to the provision of services or otherwise as required by section 22(2) C of the 1994 Act.

### **4. Students' Union Election Procedures**

- 4.1 The constitution of the Students' Union provides that the appointment of Union officers shall be by election in a secret ballot in which all members are fairly and properly consulted. It provides for the nomination of an independent Returning Officer who is responsible for ensuring that such elections are fairly and properly conducted in accordance with the provisions of the constitution. The independent Returning Officer shall prepare a report for the University Board that confirms that elections have been fairly and properly conducted.
- 4.2 No person shall hold sabbatical union office, or paid elected office for more than two years in total.

## **5. Finances of the Students' Union**

5.1 The Students' Union is responsible for ensuring that it:

- i. Keeps accounts and accounting records in accordance with normal professional accounting principles;
- ii. Maintains a sound system of internal financial management and control within Financial Regulations subject to periodic audit as deemed appropriate by the University;
- iii. Plans and conducts its financial affairs so as to ensure that its total income is at least sufficient to meet its total expenditure and that its financial solvency is maintained;
- iv. Obtains the prior written consent of the University's Vice Chancellor or nominee to any single transaction in excess of 10% of block grant, involving land, buildings or equipment;
- v. Obtains the prior written consent of the University's Vice Chancellor or nominee to the borrowing of any money or any hiring or leasing arrangements for a period in excess of 12 months where the cost to the Union per year would exceed 5% of block grant;
- vi. Does not give any guarantees or indemnities incurring contingent liabilities other than in the normal course of business;
- vii. Maintains adequate insurance cover for the Union's owned assets, sporting activities, public and employer's liabilities, all third party risks and any other appropriate risks.

## **6. Approval of Budgets**

6.1 The Students' Union is required to:

- i. Prepare budgets for the following financial year as requested by the University Directors;
- ii. To obtain the approval of the Union Trustee Board and Annual General Meeting to such budgets.

## **7. Monitoring of Expenditure**

7.1 The Students' Union is required to:

- i. Prepare audited accounts in accordance with generally accepted accounting principles within five months of the end of the financial year;
- ii. Obtain the approval of the Union Trustee Board and Annual General Meeting to such accounts, make them available to all members and to submit them to the University within six months of the end of the financial year;
- iii. Provide periodic reports of income and expenditure against budget for consideration of the Trustee Board and the University at such

times and for such periods as the University may from time to time determine, and make them available to all members;

- iv. Include, within its annual accounts and financial reports, a list of external organisations to which it has made donations in the periods to which such accounts or reports relate and details of such donations;
- v. Make available the books and accounting records of the Union to the University for inspection upon request.
- vi. Present audited accounts annually to the appropriate sub-committee of the University Board.

## **8. Allocation of Resources for Clubs and Societies**

- 8.1 A fair procedure for allocating resources to the Union's clubs and societies is set out in writing and a copy of the procedure is available at the offices of the Union or via [students.union@cumbria.ac.uk](mailto:students.union@cumbria.ac.uk).
- 8.2 The Students' Union budget shall include an allocation for grants to the Union's recognised Clubs and Societies and these funds will be disbursed following applications from recognised groups and in accordance with the written procedure.

## **9. Affiliation to External Organisations**

- 9.1 The Students' Union will publish promptly, by way of minutes to meetings, of the Union Annual General Meeting, any decision it has made to affiliate to an external organisation, stating the name of the organisation and details of the subscription, fees or donations.
- 9.2 The Union will review all external affiliations to external organisations at least once a year. A request may be made by not fewer than 100 members of the Students Union, by way of petition to the Chair of the Trustee Board, for the question of affiliation to any particular external organisation to be decided upon by a secret ballot in which all members are entitled to vote.
- 9.3 If the Chair of the Trustee Board receives such a petition they shall notify the Returning Officer who will conduct a referendum in accordance with the Constitution.

## **10. Complaints Procedure**

- 10.1 Any registered student having cause to complain about their dealings with the Students' Union, in that they have been unfairly treated or in relation to any claim of unfair advantage in respect of non-members shall have their complaint dealt with as follows:
  - i. By the internal complaints procedure set out by the Students' Union. Details of the complaints procedure are available to all students on the [Union website](#), through the offices of the Union and from the University Secretary.
  - ii. If the student is still dissatisfied once the Union's procedures have been exhausted the matter may be referred to the Vice Chancellor or their nominee who shall refer the complaint to an independent

person nominated by the University Board who will investigate and report.

- iii. The Chair of the Trustee Board will prepare an annual report to the University Board that details the operation of the complaints procedure and the number and type of complaints that have been received in the current year.

10.2 Complaints will be dealt with promptly and fairly, in alignment with the Students' Union complaints procedure and when a complaint is upheld there will be an effective remedy.

## **11. Charity Law**

The Students' Union is subject to the law relating to educational charities. While students may collect funds privately for the support of any lawful cause, the Union may not support political or other causes that are unrelated to its members' interests as students.

## **12. Freedom of Speech**

The Students' Union and its members are bound by the provisions of the Education (No.2) Act 1986 which provide for the maintenance of free speech in universities and colleges. The UoC Freedom of Speech Code of Practice and External Speakers Policy and Procedures are endorsed by UCSU, which agrees to actively represent and promote its principles and values whilst also being subject to its own Code of Practice as established by the National Union of Students.

## **13. Accountability of Union Officers**

13.1 The Chair of the Trustee Board is accountable to the Vice Chancellor, and through them to the University Board, for the observance of the Students' Union Constitution and for compliance by the Students' Union with all its statutory obligations.

13.2 The Chief Executive is accountable to the Chair of the Trustee Board and through them to the Students' Union Trustee Board, for the overall management of the Union and for compliance by the Students' Union with all its statutory obligations.

## **14. Publication of this Code of Practice**

14.1 This Code of Practice will be published annually within the information provided to students as part of the induction/registration process.

14.2 This Code of Practice has been approved by the Board of Directors of the University of Cumbria in accordance with the Education Act 1994. From time to time, amendments may be proposed by either the University or the Students' Union. Amendments may be made with the agreement of both the Students' Union Trustee Board and the University Board.

## **15. Roles and Responsibilities**

- 15.1 The University Board is responsible for:
- Reviewing and approving the Code of Practice
  - Ensuring that the Code of Practice and its implications are promoted to the student body, at least on an annual basis

- Receiving for discussion related reports from UCSU via the Student Director
- Receiving UCSU accounts on an annual basis for information

15.2 The UCSU Board of Trustees are responsible for:

- Reviewing and approving the Code of Practice
- Ensuring UCSU compliance with the Code of Practice, overseeing elements delivered through Constitutionally Delegated Responsibility (to CEO) via Trustee Board reports
- Oversight and approval of UCSU reports relating to UoC/UCSU Partnership Group activity including MOU and annual collaborative projects

15.3 The UoC/UCSU Partnership Group is responsible for:

- Ongoing oversight of the implementation of the Code of Practice
- Identifying and progressing collaborative projects
- Reviewing the associated MoU on an annual basis

## 16 Related Policies and Procedures

- Student Charter
- Freedom of Speech Code of Practice and External Speakers Policy and Procedures
- Student Voice Policy
- UCSU Constitution

## 17 Publication, Implementation & Review

This Code of Practice will be stored on the UoC Policy Hub and published online via Student Hub/My Cumbria. Implementation and monitoring of the Code of Practice will be through the UoC/UCSU Partnership Group, which meets three times per academic year. The Code of Practice will be reviewed every three years, or sooner if requested by the UCSU Board of Trustees or the University Board. UCSU Constitution, Bye Laws and other public documents are published on [www.ucsu.me](http://www.ucsu.me)

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