

Constitutional Regulations



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Regulation 1: General Regulations.

This regulation governs conduct of general Union affairs including, but not limited to, General Meetings, , Board of Trustees and its standing committees, committees and groups relating to the governance of Union Societies and other committees and groups undertaking Union business.

1 University Days

The term, "University Days" as used in these regulations shall refer to clear days within the University's academic calendar and shall not be applied to University closed days, holidays or public holidays

2 Removal from Office

- 1** Officers of the union, as listed in regulation 3, may be removed from office by the passing of a vote of no confidence by the Executive Committee
- 2** Motions of no confidence must be debated and voted on in accordance with the rules outlined in the regulation and shall require a two-thirds majority in order to pass. The chair shall ensure that the officer to whom the motion refers is given the opportunity to speak in opposition to the motion
- 3** Motions of no confidence in an officer must be submitted by 1% of the members of the Union, to include a proposer and seconder
- 4** Motions of no confidence must state the reason/s why the officer should be removed from office, to include:
 - 1** Neglect of duties of the post as detailed in the job description

- c) campaigning: to campaign on issues affecting Members; and development: "to enhance the personal development of Students.
- d) allocating: responsibilities amongst the student officers in line with the by-laws

These regulations detail the makeup of executive committee, its procedures and powers and should be read in conjunction with the relevant actions of the constitution and other regulations.

1 Membership

- 1 The Executive shall be open to all Union members and trustees, who shall have full speaking rights.
- 2 Voting members of The Executive shall be:
 - a) The Sabbatical Officers (officer trustees),
 - b) The following elected representatives
 - c) One representative elected from each of the University's Schools ("School Representatives")
 - d) The Executive will be chaired by the president and shall elect a deputy chair at its first meeting
- 3 The following shall also be entitled to attend the Executive:
 - a) The Director, or nominee who shall hold full speaking rights (and who's presence shall be governed by the staff student protocol agreement)
 - b) A member of Union staff, appointed by the Director, to act as clerk to the Council.

2 Notice of meetings

- a) It shall be the responsibility of the President to convene meetings of executive

b) There shall be no less than six (6) meetings per year, to be held during University term-time

c) Furthermore, notice of each meeting shall be given to all voting members, and published on the Union's website, no less than (10) University days prior to the meeting taking place.

3 Quorum

1 Quorum for executive shall be:

a) 50 per cent of Executive voting members (rounded up)

4 Agenda

1 The agenda shall be determined by the chair of the committee following consultation with fellow committee members

2 The Agenda shall be available three (3) University days prior to the meeting.

5 Chair

1 Executive shall be chaired by the President

2 Executive shall elect, at its first meeting of the year, a deputy chair

3 The deputy chair shall act as chair in the absence of the Chair or in the event that the chair is removed by vote of no confidence

6 Attendance

1 Voting members of executive shall cease to hold their position in the Union if they:

a) Fail to attend two (2) consecutive Executive meetings without apology

2 Non-sabbatical members shall not have meetings held out of University term time taken into account for the purpose of the attendance rules above.

Regulation 3: Officers of the Union

This regulation lists the elected officers of the Union. It shall be used by the democracy and involvement committee when planning elections and should be read in conjunction with the relevant sections of the constitution and regulations

1. Full time (Sabbatical) Officers (also known as Officer Trustees):
 - a. President
 - b. Vice President Business & Law
 - c. Vice President Art, Design, Media & Performance
 - d. Vice President Science, Technology, Health & Education
2. Part Time Officers (and members of the Executive Committee):
 - a. Black Students' Assembly Convenor
 - b. International Students' Community Convenor
 - c. Disabled Students' Assembly Convenor
 - d. Lesbian, Gay, Bisexual and Transgender (LGBT) Assembly Convenor
 - e. Women's Assembly Convenor
 - f. One School Chair from Each of the University's Schools
 - g. The elected members of the democracy and involvement committee

3.1 Role of the Full Time Officers:

The Sabbatical Team oversee and direct the day to day running of Middlesex University Students' Union and ensure that students are represented at every level to the University, locally and nationally.

3.2 Duties as a Trustee Board Member:

- a) To ensure that the Union complies with its governing document, charity law, company law and any other relevant legislation or regulations.
- b) To ensure that the Union pursues its charitable objects as defined in the Constitution.

- c) To ensure the Union uses its resources exclusively in pursuance of its objects: the charity must not spend money on activities which are not included in its own objects, no matter how worthwhile or charitable those activities are.
- d) To contribute actively to the board of trustees' role in giving firm strategic direction to the Union, setting overall policy, defining goals and setting targets and evaluating performance against agreed targets.
- e) To safeguard the good name and values of the Union.
- f) To ensure the effective and efficient administration of the Union.
- g) To ensure the financial stability of the Union.
- h) To protect and manage the property of the charity and to ensure the proper investment of the charity's funds.
- i) To appoint the chief executive and monitor his/her performance.
- j) To be responsible for any transfer to a Company Limited by Guarantee or to a Charitable Incorporated Organisation.

3.3 Duties as a Sabbatical Officer

- a) Carry out all duties and responsibilities in accordance with all the Union's constitution bye-laws and policies.
- b) Always behave in a manner that maintains the good reputation of the Union and the office to which they have been elected.
- c) Strive to represent fairly the opinions and issues of their constituencies and Middlesex students as a whole.
- d) Represent the Union and its members' interests in a professional manner, both internally and externally.
- e) Carry out any other duties as may be assigned to them from time to time by Executive committee, General Meeting, Course Rep Conference or Referendum which are reasonably consistent with that Officer's position.
- f) Act as responsible Trustees of the Union.

- g) Work towards an effective handover period and to produce a handover pack

3.4 President:

Accountable to: Exec, General Meeting, Referendum, Trustee board, liberation assemblies, student communities.

Meetings Chaired: Trustee Board, Executive Committee

Term of Office: Twelve (12) Months; Commencing July

3.4.1 Purpose of the Role:

Ultimately responsible for the leadership and direction of Middlesex University Students' Union, through her/his role as chair of the trustee board and is responsible for overseeing communication between the union and its members, as well as maintaining an overview of all union activities.

3.4.2 Key Duties and Responsibilities:

- a) Figurehead of the organisation
- b) Taking a student lead on representation & strategy
- c) Full-time officer team leader
- d) Overseeing internal and external communications
- e) Ensuring the student voice is heard with regard to campus developments
- f) Key point of contact for the National Union of Students
- g) First Point of Contact for the University with regard to all cross campus issues
- h) Chair of Trustee Board

3.5 "Vice President Business & Law", "Vice president Art, Design, Media & Performance", "Vice President Science, Technology, Health & Education"

Accountable to: Exec, General Meeting, Referendum, Trustee board, liberation assemblies, student communities and Course Rep Conferences.

Meetings Chaired: Relevant school zones

Term of Office: Twelve (12) Months; Commencing July

3.5.1 Purpose of the Role:

Each Vice President will be responsible for two schools and therefore the students within those schools, in order for a member to stand for a Vice Presidential Role he/she must be designated by the university as studying within one of the two schools. Each Vice President represents the students of Middlesex in their education needs and progression, supporting academic representatives and acting for improvement with regard to learning and teaching, and will be responsible for co-ordinating support to students on issues affecting their personal and academic welfare, in particular within their assigned schools.

3.5.2 Assignment of functions

Each Vice President once elected will have functional responsibilities assigned to them as a result of discussion at the first meeting of the executive. The following responsibilities are assigned following discussion and a vote between executive members:

- a) Societies – promoting and developing student society involvement
- b) Sports – promoting and developing student sports.
- c) Volunteering – promoting and developing volunteering opportunities at Middlesex
- d) RAG – supporting the charitable aims of RAG.
- e) Welfare & support – supervising university and union non-academic support services.
- f) Communications & Media – promoting and developing student media and MUSU communications strategy.
- g) Citizenship & engagement – monitoring the governance structures of MUSU and their relevance to engagement with the university for student members.

- h) Community & housing – supervising and monitoring the Middlesex university community and housing issues.
- i) Careers, employability & entrepreneurship – ensuring services for student careers and entrepreneurship function appropriately.
- j) Funding & finance – supervising and focussing on issues affecting student funding & finance.

3.5.3 Key Duties and Responsibilities:

- a) Proactively championing the learner voice throughout the University's academic structures.
- b) Co-ordinate the Union's representation of students of their ***assigned schools*** to Middlesex University through meetings, one to one advice, lobbying and campaigning.
- c) Helping to co-ordinate the work of the course representatives of their ***assigned schools***.
- d) Overseeing the entire academic experience; ensuring that the learning spaces and necessary resources are available for all areas of the student body in equity and equality.
- e) Represent students of their *assigned schools* on University Committees.
- f) Co-ordinate with the sabbatical team, Union representatives and student members to campaign, lobby and negotiate on issues of local, national and international concern to Middlesex University students.

Regulation 4: The Democracy and Involvement Committee

The Democracy and Involvement Committee is established by the constitution, its primary duties shall be, but not limited to

1. Ensuring that the Student Union is reaching out to all areas of the student population
2. Approving referendum requests from the executive
3. Agreeing and publishing the democratic calendar

4. Preparing election rules and regulations
5. Making recommendations to the returning officer on how to increase democratic involvement
6. Acting as the appeals Committee for disciplinaries
7. To report back on its work at the Annual General Meeting

Voting membership of the Democracy and Involvement Committee shall include:

8. The four liberation assembly convenors, to be elected at the first meeting of each liberation assembly
9. Five open places to be elected cross campus at the same time as the full time officer elections

A member of the Executive Committee may not be a member of the Democracy and Involvement Committee

The Democracy and Involvement Committee shall elect from its number a chair and a vice chair

Except during closed business observers are welcome, including members of the Executive Committee.

The quorum of the Democracy and Involvement Committee shall be 50% of its membership

Regulation 4: Standing Committees

The Union's Standing committees are established under Articles 59 and 60 of the Constitution: Delegation to Committees. This regulation sets out the terms of reference for these committees, in accordance with Article 60:

"The Trustees shall establish the following committees (which is a non-exhaustive list) in accordance with their powers under Article 59:

60.2 Appointments Committee; and

60.3 Finance and Risk Committee."

1 Delegation of Board responsibilities to Standing Committees

- a) Standing committees are established by the Board of Trustees, in accordance with articles 59 and 60 of the Union's Constitution
- b) The Board shall delegate specific responsibilities to each committee, including but not limited to those detailed in their terms of reference.

2 Appointments Committee

- a) The Union's Board of Trustees shall delegate responsibility for the appointment of External Trustees to an Appointments Committee
- b) **Membership:**
 - i) President
 - ii) The Director
 - iii) One (1) Officer Trustee, elected by the Board of Trustees
 - iv) One (1) Student (part time officer OR elected student) Trustee, elected by the Board of Trustees
 - v) One (1) nominee of the University's Board of Governors
- c) **Terms of Reference:**
 - i) The Appointments Committee shall meet as and when required, i.e. when a vacancy arises.
 - ii) The President shall chair the meetings and shall ensure that appointments are forwarded to the next meeting of the executive for approval (appointments of External Trustees require a 75% majority of the executive to be approved)

- iii) The Appointments Committee shall, on instruction from the Board, carry out such activities as are required to recruit, select and appoint appropriate external trustees. This may include, but is not limited to, placing advertisements in mainstream and specialist publications, using the Union's website to advertise vacancies and conducting interviews of prospective trustees
- iv) The Appointments Committee shall present a report detailing the person/s nominated for an external trustee position, the number of total applicants for the vacancy and the committee's view as to why they have recommended the individual for the position.
- v) The Appointments Committee shall, on instruction from the Board of Trustees, coordinate the process of recruiting the Director.

3 Finance and Risk Committee

- a) The Union's Board of Trustees shall establish a Finance and Risk Committee
- b) The Board shall delegate to this committee its responsibilities for ensuring that the Union complies with relevant legislation and regulations; acts in accordance with the Union's mission, vision and values; that the Union remains solvent and in sound financial health; and for analysing and managing the Union's overall risk profile
- c) **Membership**
The Finance and Risk Committee shall comprise the following members:
- i) The President
 - ii) The Deputy Chair of the Board of Trustees
 - iii) A member appointed by the University's Deputy Vice Chancellor (Finance & External Relations)

- iv) The Director (in attendance), or nominee
- v) The Finance and Personnel Coordinator (or equivalent) (in attendance)
- vi) One Sabbatical Officer trustee (elected from within the Board of Trustees)
- vii) One External Trustee (Other than the deputy chair, elected from within the Board of Trustees)
- viii) One student or part-time officer trustee (elected from within the Board of Trustees)
- ix) The clerk to the Board of Trustees or another staff member duly appointed by the Director (in attendance as clerk to the committee)

d) **Responsibilities**

The committee shall be delegated such responsibilities as necessary for the Board of Trustees to ensure the effective financial and risk management of the Union, to include:

- i) Reviewing the Union's corporate risk profile and any new or specific risks that affect the Union as well as recommending strategies necessary to mitigate these risks, and to present these to the full Board of Trustees on a regular basis
- ii) The annual review of risk management strategies within the union, based on audit reports and the Union's annual report
- iii) To coordinate and monitor all existing audit systems and to make recommendations to the Board of Trustees of changes to audit process and systems, including the appointment of external auditors where necessary
- iv) To receive and approve the Union's annual budget, to include capital expenditure, prior to approval by the Board of Trustees
- v) To receive the Union's quarterly management accounts prior to presentation to Board of trustees and to address any

significant variances to budget, making
 recommendations to the Board where necessary

vi) To receive regular reports from the Director on any substantial (i.e. over £25k) capital projects

vii) To make any other specific decisions as delegated from time to time by the Board of Trustees

e) **Meetings**

i) The Finance and Risk Committee shall meet no less than two (2) times per year

ii) Meetings shall be called by the Director on behalf of the President

iii) The deputy chair of the Board of Trustees shall assume the role of committee chair. If the chair is vacated or in their absence, the chair shall fall to the President until such a time as the committee can elect a new chair from its trustee membership

iv) All documents necessary for a meeting shall be circulated no less than ten (10) University days prior to the meeting date

v) The Director shall be responsible, through the appointed clerk, for ensuring that all papers are properly collated and circulated and that minutes are accurately recorded and collated.

Regulation 5: Course Representative conferences

General

The role of the course representative conferences shall be to decide MUSU policies which relate to education issues, and to provide a platform for the student union plan to be heard, questioned and debated.

Meetings

The course rep conference shall meet at least four times a year, it will be chaired by the president and the drawing up of the agenda shall be the responsibility of the executive.

Membership

Every single course representative shall have the right to attend the course representative conference, the Democracy and Involvement Committee shall ensure that this is a representative sample of student opinion. Voting members shall be limited to those course representatives democratically elected as set out by the Democracy and Involvement Committee.

Authority

Course representative conference shall have the power to set all academic policy, the process for submitting policy shall be decided by the democracy and involvement committee, who shall publish the process prior to the start of the academic year.

Regulation 6: Course Representative Zone Meetings

General

Each university school will be mirrored by a student union school zone, these zones shall be a place for policies which specifically relate to a school to be discussed and voted on. The Democracy and Involvement committee shall then decide whether each policy should also be submitted into the course representative conference based on whether it is a campus wide issue or not.

Meetings

The course rep zone conferences shall meet as often as the zone wishes, and shall be convened by the school rep. The running of the meetings and decision making processes shall be determined by the democracy and involvement committee prior to the start of each academic term.

Membership

Each course rep shall have the right to attend the school zone to which they belong. Each course rep shall have full voting rights provided they have been democratically elected in line with the rulings of the democracy and involvement committee.

Authority

Course representative zone conferences shall have the power to decide policies which relate to their own school, they will also hold question and answer sessions with the zone convenor to ensure that the views of students are being fed into the executive.

Regulation 7: Student Communities

General

Communities shall be defined as groups, forums or meetings where members regularly come together to exchange views and participate in activity which will stimulate members' interest and inform the Executive Committee in areas of common concern.

Communities will be guided by the Community Chair who will informally join the Executive Committee from time to time.

Communities' role shall include but shall not be limited to:

Promoting the views and interests; and organise activities of common concern for members of the Union Community

Making proposals and recommendations to the Student Executive on specific issues.

Directing the Union's policy and campaign activity within their remit.

The executive shall seek to form the following communities:

- International Students,
- Post Graduate Students,
- Mature Students,
- Part Time Students,
- Students Who Play Sport,
- Students Involved in Societies
- Student Who Volunteer.

The executive shall also have the power to form new communities where they see a student demand, however retains the right to refuse requests for new communities to be created.

Meetings

The meetings shall occur as often as the community decides, any full member of the Union shall be entitled to be a member of a Union Community and speak or vote at a Union Community meeting or debate at the discretion of the Chair. The community shall elect a chair and deputy chair at the first meeting of each academic year.

Membership

Any full member of the Union shall be entitled to be a member of a Student Community and speak or vote at a Student Community meeting or debate at the discretion of the Chair.

Each Student Community shall be supported by an Officer Trustee.

Authority

To promote the views, interests and organise activities of common concern for members of the Students' community.

To make policy for the Students' Community and to recommend Union wide policy to either a referendum or the academic course rep conference.

To promote and oversee the running of any activities or campaigns organised by the Students' Community.

To produce detailed proposals for campaigns and activities including budgets where appropriate.

To always seek to recruit volunteers to participate in campaigns and activities.

To liaise with other organisations or university departments who represent the interests of its members.

To consider market research or student feedback in relation to the student experience to inform the future developments and campaign issues.

Where applicable the community shall decide rules and regulation which govern its constituent parts, for example society ratification processes

Regulation 8: Liberation Assemblies

General

Assemblies shall be defined as groups, forums or meetings where self defining members regularly come together to exchange views and participate in activity which will stimulate member's interest and inform the Executive Committee in areas of common concern.

Assemblies will be guided by the Assembly Chair who will informally join the Executive Committee from time to time.

Assemblies' role shall include but shall not be limited to:

Promoting the views interests and organise activities of common concern for members of the Union Assembly.

Making proposals and recommendations to the Student Executive on specific issues.

Directing the Union's policy and campaign activity within their remit.

The executive shall ensure the formation of the following assemblies:

- a) Black Students
- b) Lesbian Gay Bi-sexual and Transgender (LGBT)
- c) Women
- d) Disabled Students

Meetings

The meetings shall occur as often as the Assembly decides, any full member of the Union shall be entitled to be a member of a Union Network and speak or vote at a Union Network meeting or debate at the discretion of the Chair. The

Assembly shall elect a chair and deputy chair at the first meeting of each academic year. The Chair shall also serve as the Assembly representative to the Democracy and Involvement Committee.

Membership

Any full member of the Union who self defines shall be entitled to be a member of a Student Assembly and speak or vote at a Student Assemble meeting or debate at the discretion of the Chair.

Each Student Community shall decide whether it wishes to be supported by an Officer Trustee.

Authority

To promote the views, interests and organize activities of common concern for members of the Students' Assembly.

To make policy for the Students' Assembly and to recommend Union wide policy to the either a referendum or the academic course rep conference.

To promote and oversee the running of any activities or campaigns organised by the Students' Assembly.

To produce detailed proposals for campaigns and activities including budgets where appropriate.

To always seek to recruit volunteers to participate in campaigns and activities.

To liaise with other organisations or university departments who represent the interests of its members.

To consider market research or student feedback in relation to the student experience to inform the future developments and campaign issues.

Regulation 9: Referendums

General

A referendum shall be a vote in which every member of the union as defined in regulation 12 shall be able to vote on a yes or no question.

Enacting a Referendum

Referendums may be called by either a simple majority of the executive committee or by 1% of students submitting a secure petition.

The persons or body proposing the referendum must propose the question for referendum, the Democracy and Involvement committee may make a change to the constitution in order to make the question:

Balanced and not leading towards one response or

Comply with the requirements of the Middlesex University Student Union

Authority

A referendum has the power to set policies which are not related to academic study, to challenge affiliations, or to amend or revoke the constitution

A referendum to pass or amend policy shall be valid provided a simple majority has voted in favour and 2.5% students have voted

A referendum to amend or revoke the constitution or to requires a 75% majority of and for 2.5% of students to have voted

Ensuring the referendum is legitimately carried out, and is democratic shall be the responsibility of the Democracy and Involvement Committee who shall publish rules and schedules which ensure that both sides have a platform and that information is presented clearly. The Democracy and Involvement Committee shall also ensure that voting complies with the rules established by the democracy and involvement committee and shall ensure the result is publicised.

Regulation 10: Elections Regulations.

1 General Principles

- a) The Union is a democratic organisation and, as such, the conduct of elections is of paramount importance.
- b) These regulations exist in order to assist the Union to:
 - i) Conduct all elections fairly
 - ii) Promote equality of opportunity in elections by ensuring that all members are able to take part in the democratic processes of their Union
 - iii) Ensure that all breaches of election regulations are dealt with swiftly and efficiently
 - iv) Run the electoral processes in a spirit of friendliness and cooperation

2 Elections to which these regulations apply

- a) These regulations, together with the relevant sections of the constitution and other regulations, shall apply to all Union elections including those for:
 - i) Sabbatical and Student Trustees
 - ii) Part Time Officers
 - iii) Delegates to National Union of Students (NUS) and other democratic conferences
 - iv) All other vacant positions within listed within the constitution and bye laws

In the event of positions arising that are not listed above, Democracy and Involvement Committee shall decide whether these regulations should apply, in the interests of the principles listed in this regulation (1:2:1-4)

3 Returning Officer

a) There shall be a Returning Officer who shall be responsible, for the smooth running of elections and the upholding of these regulations.

b) The Returning Officer should be a reputable person, external to the Union and independent of any election candidate. For reasons of impartiality the Returning Officer should not be a former or current student of Middlesex University, a current or former staff member of Middlesex University Student Union or a former or current staff member of Middlesex University.

c) The Executive shall nominate a Returning Officer by majority vote, which the university shall have the right to approve or reject.

The Executive shall also request that the University nominates a member of staff to serve as the deputy returning officer. The principle role of the deputy returning officer shall be to rule on appeals. Once the University has nominated a Deputy Returning Officer this will be ratified by the Executive.

d) Returning Officers shall serve for two (2) years and shall serve for no more than two (2) consecutive terms.

4 Elections Procedure

a) Alongside the Democracy and Involvement Committee the Returning Officer shall produce an elections timetable at the start of each academic year, to include all foreseeable elections (including by-elections and scheduled referenda). Elections shall be open to all members (with allowances made for constituencies) and shall be held by physical ballot on all campuses, or by an electronic means that is agreeable to Elections Committee and the Board of Trustees in terms of security, data integrity, accountability and accessibility.

- b) The elections timetable shall be circulated via all member databases that the Union holds (e.g. course representative and society databases) and, where practicable, via global email or other communication to all students. It shall also be displayed on the Union's website. For each election the Democracy and Involvement Committee shall work with the Returning Officer to produce a schedule which includes notification periods, voting times and publication of results.

5 Candidates

Candidates must be members of the union

Candidates shall be nominated by five (5) Union Members

Candidates shall not stand for more than one executive committee position

Candidates shall be elected across campus, however vice president candidates will be students of at least one of the schools named in their desired post, e.g. Vice President Business & Law will have studied within the Business or Law schools.

Candidates for sabbatical positions must, at the time of nomination, certify that they will have completed their course of study prior to the start of their term of office, or that they shall interrupt their studies for the duration of their term of office. An "interruption of studies" form shall be provided by the Returning Officer.

No candidate shall stand for a sabbatical position if they have previously served for two (2) years as a major office holder (as defined by the 1994 education act)

The Democracy and Involvement Committee and the Returning Officer shall produce a candidate nomination pack which will contain all of the information they deem necessary.

Polling

Polling dates, voting methods, count details, election rules and regulations will be drafted by the Democracy and Involvement Committee and finalised by the Returning Officer

Voting Methods

Single-vacancy ballots shall use the Alternative Vote system as recommended by the Electoral Reform Society

Multiple-vacancy ballots shall use the Single Transferable vote system as recommended by the Electoral Reform Society

RON (Re-Open Nominations) shall appear on the ballot for all elections

Complaints

The Returning Officer shall receive all complaints relating to breaches of the regulations; or rules published by themselves and the Democracy and Involvement Committee or the use of any unacceptable practice. Alongside publishing the democratic calendar the Returning Officer will publish the complaints procedure, including, the process by which a complaint may be made and responded to, deadlines for appeals and the process which will be followed in the event of a complaint being received.

Regulation 11: Transitional Arrangements

The purpose of these regulations is to govern the transition of the Union's governance from the previous constitution ("Middlesex University Students Union- Constitution" last amended April 2010 hereafter referred to as "the previous constitution", "the previous standing orders" and "the previous appendices" variously). It shall cease to exist, unless amended, at the end of the 2012/2013 academic year.

1 Transitional Arrangements Committee

- a) A Transitional Arrangements Committee shall be formally established in order to oversee the transition from the previous constitution to this constitution and regulations
- b) The President shall convene the Transitional Arrangements Committee.
- c) Membership of the committee shall be determined by the committee itself, who may co-opt members as necessary in order to carry out its aims, but shall consist of at least:
 - i. The President (chair)
 - ii. The Director, or the directors nominee
 - iii. Two (2) members of the Trustee Board (under the previous constitution), selected by the President and approved by the Executive Committee

The Director may appoint a member of Union staff to act as clerk to this committee.
- d) The committee shall assume responsibility for the transition according to this regulation and shall carry out its work in the interests of continuity and democracy, ensuring that decisions of a political nature are made by the relevant democratic organs of the Union and that decisions made by the Transitional Arrangements Committee are purely administrative.
- e) Periodically, the Transitional Arrangements Committee should report its progress and decisions made to the Trustee Board.

2 Transitional Principles

a) On adoption of this Constitution and its attachments (Regulations, Appendices), any previous Constitution previously adopted by Middlesex University Students' Union, as well as its regulatory appendices and standing orders, shall no longer apply or be seen to apply to the governance of the Union.

b) Any decisions made under the previous Constitution, schedules or standing orders shall be binding and these governing documents should be kept on file for reference

Regulation 12: Membership

The purpose of this regulation is to define the membership of the Union.

1 Types of Membership

- a) There will exist two types of union membership:
- i) Full members
 - ii) Honorary Life members

2 Full Membership

- a) Full membership gives
- i) Full access to MUSU facilities and resources
 - ii) Voting Rights
 - iii) Right to stand for election

3 Membership status of the different groups of students

a) Joint students - Students on a Joint collaborative Programme who attend a University London campus for part or all of their studies (as outlined in the Financial Annexe), shall, during such time, automatically become members of the Middlesex University Students' Union (MUSU). Students on Joint

collaborative Programmes who do not attend a University London campus for their studies are not entitled to join MUSU, and provision for such students to join a students' union or equivalent organisation within their institution, if applicable, shall be the responsibility of the Partner Institution.

b) Franchised students - Students on a franchised collaborative Programme who attend/transfer to a University London campus for all or part of their studies (as outlined in the Financial Annexe), shall, during such time, automatically become members of MUSU. Students on Franchised collaborative Programmes who do

not attend a University London campus for their studies are not entitled to join Middlesex University Students' Union (MUSU), and provision for such students during this time to join a students' union or equivalent organisation within their institution, if applicable, shall be the responsibility of the Partner Institution.

c) Validated & Validated/Funded students - Students on Validated and Validated/Funded collaborative Programmes are not entitled to join Middlesex University Students' Union (MUSU), and provision for such students to join a students' union or equivalent organisation within their institution, if applicable, shall be the responsibility of the Partner Institution.

Regulation 13: Accountability

The purpose of this regulation is to ensure that members of the Union have access to information on how the Union is run on a daily basis, and to create specific obligations on officers of the Union to report on the work which they undertake.

1 General Accountability

a) The Executive Committee shall, on request, make available to the members all documents the Union produces or has control of except:

- i. Documents relating to contact between the Union's advice services and individual students;
- ii. Documents relating to ongoing negotiations with external organisations, where disclosure or inspection of such documents would in the opinion of the Executive Committee damage such negotiations;
- iii. Documents relating to disciplinary proceedings undertaken against the Union's staff;
- iv. Documents relating to complaints against the Union, its members, or staff;
- v. Documents required to be kept confidential because of legal or moral obligations;
- vi. Documents which would, in the opinion of the Trustee Board, subject the union to a material risk of legal action being taken against it.
- vii. Documents which would, in the opinion of the Trustee Board, reduce its ability to fulfil its duties as outlined in the constitution

b) The Executive Committee may disclose any such documents in its discretion, unless the Trustee Board decides otherwise. The Trustee Board may, in keeping with the exceptions set out above, keep a list of the types of documents which may not be disclosed by the Executive Committee without the Trustee Board's express prior permission.

c) The meaning of "documents" shall be given a wide reading. Where part of a document may be redacted in order to take it outside of the exceptions outlined above, this must be done.

2 Accountability to the Executive Committee

The Executive Committee shall establish its own procedure for ensuring it fulfils its responsibility to hold officers to account

3 Accountability to General Meetings

a) Each Officer Trustee and Part-Time Officer must submit a report to each General Meeting detailing the work they have undertaken since the last General Meeting or that they are in the process of undertaking.

b) If an Officer Trustee or Part-Time Officer does not comply with the requirement to submit reports in the required form to a General Meeting they must give reasons to the General Meeting explaining their failure to comply. The General Meeting shall then decide whether the failure to comply was acceptable or unacceptable.

c) The Director may submit a report in writing to each General Meeting detailing operational and strategic matters, and including any risks and financial matters that require consideration by the General Meeting.

d) Reports to General Meetings shall be submitted to the Clerk to the General Meeting by the latest time set for the submission of normal motions for the consideration of that meeting.

4 Accountability to the Trustee Board

a) The Trustee Board shall establish its own procedure for the submission of reports relating to the financial affairs of the Union from Officer Trustees and the Director and any other staff.

The Trustee Board shall create and publish the Student Union Equal Opportunities Policy.

The Trustee Board shall create and publish the Student Union Complaints procedure

Appendix 1: Acceptable Behaviour

1. Scope

a) This document exists in order to provide guidance as to acceptable behaviour and practices for Union members and officers, and should be used in the investigation of complaints. It is not exhaustive and should be read in conjunction with Union policy, the Constitution, Regulations and the Union's Equal Opportunities Policy.

b) As well as for the resolution of formal complaints, these guidelines should be used to enable effective self-regulation of the union's committees, democratic bodies, societies and other groups.

2 Equal Opportunities

a) Failure to uphold the Equal Opportunities Policy shall be deemed unacceptable at all times.

b) Members acting in an official capacity on behalf of the Union shall be responsible for ensuring that the Equal Opportunities policy is promoted and adhered to and shall report any breaches in the manner outlined in the Equal Opportunities Policy document.

c) Acceptable behaviour regarding equal opportunities shall extend to all Union members and officers representing the union externally, in speech and in writing.

d) Specific unacceptable behaviour shall include the use of racist, homophobic, sexist or otherwise offensive language or behaviour and shall be dealt with promptly.

e) The Union shall endeavour to uphold equality of opportunity in all spheres of its influence and its officers and members shall ensure that offensive language or behaviour is not tolerated.

3 Union Meetings

a) Union members and officers are expected to contribute to the relevance and effectiveness of all Union meetings of which they are a part. This includes:

i) Attending meetings whenever possible in a punctual manner.

Members should give apologies wherever possible if they are unable to attend a meeting

ii) Adhering to the regulations and protocols of the meeting at all times. This includes obeying the chair's instructions and allowing others the chance to speak.

iii) Avoiding the use of defamatory, insulting or derogatory language at all times. Meetings should be used to discuss Union business and any personal disagreements should be kept outside of the meeting.

4 University and External Relations

a) At all times when representing the Union externally or taking part in meetings with the University or an external body, members should ensure that their actions and behaviour promotes a positive image of the Union. This should include:

i) Ensuring that all meetings are attended punctually and that the member is sufficiently prepared to take a positive role in the meeting on behalf of Union members, Members attending such meetings can expect support from Union officers and staff in order to adequately prepare.

ii) Ensuring that the Union's policies and procedures are upheld at all times when dealing with external bodies or the University. Where an individual's opinion differs from adopted policy this should be made clear and the individual should be prepared to defend the policy. The President should be made aware of any potentially controversial speaking engagements and may ask for these to be performed in a purely personal capacity.

5 Communications

a) When acting in an official capacity within the Union, for example as an officer, members are expected to communicate effectively and professionally at all times.

b) Officers are expected to be available to student members' communication whenever possible, and to put effective measures in place for when they are unavailable (for example, detailed answer phone messages containing alternative contact persons' details).

c) Written communications (including emails) should be dealt with promptly, referring the matter to an appropriate officer or staff member if possible.

d) The executive committee shall agree, at the beginning of each year, a set of service standards and timescales for communications that should be adhered to at all times. Where this has not been completed, it is reasonable to expect written communications to be responded to within three (3) University days in the case of full-time officers, and seven (7) University days in the case of part-time officers.

Appendix 2: No Platform Policy

This Union believes:

1. That racism and fascism are still rife in all aspects of society and that they should be confronted wherever they are found.
2. That students and students unions have a long proud record of achievement in the fight against racism and fascism.
3. That in line with the union's equal opportunities policy, the union should be at the forefront of campaigns to combat prejudice on the form of ethnic origin or religious belief, i.e racism, fascism

4. That a no platform policy is a key element in the fight against racism on campus.
5. That the no-platform policy compliments Equal Opportunities policies, The Race Relations Act and the Public Order Act.
6. This Union States that no platform policies safeguard its members from being subjected to listen to the lies, bigotry and hatred of racists and fascists.
7. That no platform policies safeguard members from being subjected to violence on the grounds of any protected characteristic.
8. That no platform should include incitement to racial hatred, incitement to sexual violence, incitement to islamaphobia, incitement to Anti-Semitism and incitement to homophobia
9. That the union should not be providing a platform to hate speakers such as those who promote sexual violence against women; islamaphobia; homophobia; or anti-semitism

This Union resolves:

1. That enforcing the no platform policy shall be the responsibility of the Trustee Board
2. For a permanent standing task force of the trustee board to be created, which will be composed of 1 Officer Trustee, 1 External Trustee and 1 University staff member nominated quadrennially by the university executive (to be filled on an ad hoc bases should it become vacant)
3. Not to allow any individual who is known to hold racist or fascist views from entering union premises.
4. Not to allow any individual who is known to hold racist or fascist views, to speak at a union event.
5. Not to allow any individual who is known to hold racist or fascist views from distributing any written or recorded material in the union which expresses those views.

6. That no elected officer of the union will speak on a platform with an individual who is known to hold racist or fascist views
7. That this committee shall meet once every two years, to discuss which organisations shall be deemed in breach of this policy, in line with the criteria outlined above
8. That this committee shall meet when a particular; speaker, event or piece of material is referred to it by an full member of the union, and shall decide whether said speaker event or material should be viewed as in breach of this policy
9. That these resolutions shall be known as the union's no platform policy.
10. To widely publicise this policy, not only to its members but also to the institution.
11. To incorporate the no platform policy into all of the Union's policies and procedures and to use accordingly.
12. That if members are found to be intentionally in breach of the no-platform policy this will be dealt with through the code of conduct.

Appendix 3: Code of Conduct

Introduction

1. This Code sets out the procedures to be followed in the case of disciplinary action against an individual member of Middlesex University Student Union ("the member")
2. Disciplinary issues arise when problems of conduct are raised and MUSU seeks to address them through the agreed procedures.
3. For the purpose of this procedure, members are defined as in the Core Constitution:
4. This procedure also applies to non members acting in volunteer roles in MUSU.

5. This does not include any MUSU staff members that are subject to disciplinary procedures agreed between the staff representatives and MUSU.

6. The code concerns the disciplinary rules and procedures that operate within MUSU. MUSU believes that rules and procedures are necessary for promoting orderly relations as well as fairness and consistency in the treatment of individuals.

7. It is important that Members know what standards of conduct and performance is expected of them. As a result full details of this policy/procedure will be given to MUSU members in appropriate settings.

Scope

8. Disciplinary action may be taken in respect of any breach of discipline:

8.1. on MUSU premises;

8.2. while the member is using MUSU facilities or at an MUSU event (this includes events held through MUSU such as society or media events); or

8.3. while a member is representing or acting on behalf of MUSU at any event of whatever kind and wherever held.

8.4. in relation to actions or incidents *between* two (2) or more representatives of MUSU in any or none of the settings above, or in relation to actions or incidents *between* MUSU representatives and staff or stakeholders.

Meaning

9. In this code a breach of discipline means (but is not limited to):

9.1. threatening or harassing any other person, whether physically or verbally;

- 9.2. assaulting any other person;
- 9.3. damaging any property, whether deliberately or negligently;
- 9.4. acting in contravention of the MUSU Equal Opportunities Policies;
- 9.5. acting without due regard for the safety of others;
- 9.6. acting with dishonesty or with intent to defraud;
- 9.7. infringement of equal opportunities, safe space, safeguarding, no platform or staff protocol policy;

Panel and Supervising Trustee

10. The Trustee Board shall annually appoint an external trustee to supervise this procedure. They shall annually report to the Trustee Board on the operation of this code.
11. It shall also appoint a pool of people from which to form a panel at disciplinary hearings, which will always consist of:
 - a) A student officer from another students' union
 - b) A staff member from another students' union
12. Measures will be put into place to ensure a diverse membership of this committee.

Complaints

13. In normal circumstances complaints and grievances will be made to the Supervising trustee c/o the Membership Services Manager at MUSU. Members and elected officers should refer to the Membership Services Manager who will advise on this code.
14. Where an issue arises at a non democratic MUSU event, a special procedure shall apply:

- 14.1. In advance of each event, MUSU will nominate a Complaints Manager who will be responsible for managing complaints received at or about the event. This will usually be the lead staff member
- 14.2. For all non residential events with fewer than twenty-five (25) delegates, one individual will be responsible for managing complaints (the Complaints Manager).
- 14.3. For all non residential events with over twenty-five (25) delegates, the Complaints Manager will be advised by at least one (1) other designated individual (Designated Advisor).
- 14.4. For all residential events, the Complaints Manager will be advised by a Designated Advisor, who will be an MUSU full time officer (the lead MUSU member) where MUSU officer(s) are in attendance.
- 14.5. For residential events, delegates will be notified at the start of the event, either in writing or verbally, of the identity of the Complaints Manager and any Designated Advisor.
- 14.6. At the event, delegates wishing to make a complaint at the event should do so to the Complaints Manager. Should a complaint be made to a member of staff or officer other than the Complaints Manager, that staff member/elected officer will explain the process and introduce the complainant to the Complaints Manager.
- 14.7. The Complaints Manager will take a short statement from the complainant detailing the nature of the complaint and all relevant circumstances, which the complainant will be asked to sign and date. Unless they can be resolved informally at the event to the satisfaction of all parties, all complaints received in writing will be investigated once the event has finished.

14.8. The Complaints Manager, along with the Designated Advisor, will decide whether any action can or should be taken immediately at the event. At residential events where the Designated Advisor is an MUSU full time officer, in the unlikely event that, after discussion, the Complaints Manager and Designated Advisor do not agree on the course of action to be taken, the view of the Designated Advisor (lead MUSU member) will prevail.

14.9. If the Complaints Manager decides that immediate action cannot or should not be taken at the event, the complainant and the person(s) to whom the complaint relates (the respondent(s) will be notified of this outcome and of the procedure for investigation following the event (see "Investigation of complaints" below).

14.10. If the Complaints Manager decides that there is a potential risk, for example to delegates, the safe or effective running of the event, or the reputation of MUSU, the Complaints Manager will immediately take such action as s/he deems appropriate to reduce that risk at the event. This could include (without limitation):

14.10.1. Informal measures, such as verbal warnings about behaviour and requests for apologies from delegates;

14.10.2. formal warnings about behaviour;

14.10.3. in serious cases, removal of individuals from all or part of the event.

14.11. Such action, including removal of a delegate, will be without prejudice to the outcome of any subsequent investigation. Removal will be immediate but will take into account circumstances such as the location of the event and personal travel safety for the individual involved in leaving.

14.12. Whilst the Complaints Manager will consider requests from complainants that their identities should not be revealed to respondents, respondents will normally be informed of the identity of complainants unless there is a compelling reason to maintain anonymity. Statements of complaint, statements in response, and any other written statements, will normally be provided to the opposite party.

14.13. Where an incident involves a staff member, or if a staff member wishes to make a complaint, the staff protocol procedure must be used.

14.14. Unless they can be dealt with at the event to the satisfaction of all parties, all written complaints about behaviour at a non democratic event will be investigated using the standard procedure. Where the complaint is received during the event, it will be investigated once the event has finished. Complaints made after an event should be received by the Complaints Manager within five (5) working days of the end of the event and will be passed to the Democratic Services Coordinator. If the complainant wishes to add to a statement given to the Complaints Manager at an event, they should do so within the same period. The complainant should provide copies of any other documents on which s/he wishes to rely.

14.15. In the event that a complaint is made or concern raised about any designated advisor or complaints manager, other officers or staff shall assume equivalent roles as appropriate.

Complaints/Raising Issues/Investigations

15. When:

- a disciplinary matter arises, or
- a complaint is made, or

- a matter is referred to the Panel;

the Supervising trustee shall first determine whether this policy is appropriate for the issue(s) being raised. In making the judgement the Supervising trustee will be careful to ensure that matters of misconduct are handled through this procedure, but that matters of political performance are rightly referred to the appropriate accountability procedures.

16. If this procedure is used, the Supervising trustee will appoint an impartial third party to investigate the matter. The investigation is to establish the facts and where appropriate obtain statements from any available witnesses. Having carried out an investigation, the investigator will make a report to the Supervising trustee. The Supervising trustee will then decide whether to drop the matter, arrange informal coaching, advice or counselling, or to arrange for the matter to be dealt with under the disciplinary procedure.

17. At the start of the investigation, the complainant and respondent will receive a letter of formal notification detailing the complaint being investigated and the name and contact details of the person dealing with the investigation. If appropriate the respondent's home students' union will be informed that the investigation is taking place, and of the nature of the complaint.

18. Respondents are encouraged to submit a written statement in response to the complaint. The deadline for doing so is seven (7) working days after the date of formal notification of the investigation. The statement should attach copies of any other documents on which the respondent wishes to rely.

19. Should the respondent not respond to communications or refuse to engage with the investigation process, s/he will be deemed to have nothing to add to the investigation.

20. The investigator will consider statements and any other documents received from the complainant and respondent as soon as practicable. MUSU

aims to confirm the outcome of its investigation to the complainant, the respondent, and other interested parties including the respondent's home union within fourteen (14) working days of the date of the formal notification of the investigation, subject to having been able to contact all relevant parties within this time. If it is not practicable to comply with these deadlines, for example due to relevant parties being on holiday, they may be extended by discretion, normally up to a maximum of seven (7) further working days, set.

21. It should be recognised that being the subject of a complaint can be a difficult time for an individual, and so MUSU will undertake the investigation with appropriate discretion, care and consideration. If appropriate, communications with a respondent's home students' union will be addressed to the senior staff member or a representative of the trustee board. MUSU will endeavour to ensure all steps in the process remain fair and in line with equal opportunities policy and procedures.

22. No MUSU officer or representative should comment publicly on any incident that is being dealt with under this procedure. Failure to observe this requirement will result in disciplinary action being taken under this code.

Informal Procedures

23. Minor cases of misconduct and poor performance are best dealt with informally. It may be necessary to issue an informal warning, but the Supervising trustee will ensure that these areas are discussed with the objective of helping the member to make appropriate improvements. At this stage the member will be made fully aware of what steps need to be taken to address the conduct issue. They will also be told when this will be reviewed and over what period.

24. Members will be informed of what action will be taken if they fail to improve either their performance or conduct (see below). Informal warnings and/or counselling are not part of the formal disciplinary procedure and members should be made aware of this.

Stages of Disciplinary Action

25. The Supervising trustee will decide whether a matter should be dealt with informally or formally under the disciplinary procedure. Disciplinary panels and appeal panels will be made up of different people for fairness.

26. There are different types of action that can be taken that vary in their severity. The disciplinary hearing will decide the severity of the misconduct and the appropriate action.

27. These are:

27.1. Formal Verbal warning

27.2. Written warning

27.3. Termination or suspension of all membership entitlements or some act of partial suspension, which in the case of employed elected officers could result in contract termination

Disciplinary Hearings

28. Before a decision is reached or any disciplinary action taken there will be a disciplinary hearing at which the member will have an opportunity to state their case and answer the allegations that have been made. The appointed investigator will present their findings at the disciplinary hearing.

29. The Panel will hear the case. The member will be notified of a disciplinary hearing in advance and will be provided copies of statements given by any witnesses or other written evidence to be used. Hearings will be arranged as far as possible at a mutually convenient time and place and the member will have the right to be accompanied by a colleague or representative of their choice.

30. During a disciplinary hearing, the case against the member will be presented in detail by the appointed investigator. If the member challenges the substance of the witness statements then witnesses may be called to the hearing,

where the member or their representative will have the opportunity to ask them questions.

31. Where disciplinary action is necessary the member will be informed of the decision. This will be in writing and will state:

31.1. Detail of the misconduct that has resulted in the disciplinary action

31.2. The level of disciplinary action

31.3. Any recommendations/action required to prevent future disciplinary action

31.4. The consequence of failure

31.5. Details of the appeal mechanism

31.6. If appropriate the length of time the warning will last before it is disregarded.

Formal Verbal Warning

32. This will occur in cases of minor infringements and can be given by a member of the Panel. A note of the warning will be kept on file for six (6) months, but then disregarded for disciplinary purposes. The warning will be given in the presence of the panel and the member will be entitled to have a colleague or representative present when the warning is given.

Formal Written Warning

33. This will occur when the infringement is more serious or is a failure to improve behaviour during the currency of the previous warning and can be given by the Panel. A copy of the written warning will be kept on file for twelve (12) months, but then disregarded for disciplinary purposes.

Suspension of benefits or other sanction

34. If a member's conduct still fails to improve the final stage may be:
 - 34.1. Partial Disciplinary suspension of membership entitlements
 - 34.2. Temporary Disciplinary suspension of some or all membership entitlements. Where a person, in a paid role, is suspended pending a hearing or whilst an investigation is carried out they will continue to be paid by the organisation.
 - 34.3. Disciplinary termination of all membership entitlements
35. The decision to suspend or terminate entitlements (as listed above) is taken by the Panel. The member will be informed as soon as is reasonably practicable, of the following:
 - 35.1. The decision and the reasons for the termination or suspension of entitlements,
 - 35.2. the date on which the agreement between MUSU and the member will terminate,
 - 35.3. information on the right of appeal including how to make the appeal and to whom.
36. The decision to suspend or terminate entitlements shall be confirmed in writing.
37. At any of the above stages the panel may resolve to:
 - 37.1. recommend that the member should undergo training,
 - 37.2. exclusion from some or all future MUSU events.

Summary Termination of Entitlements

38. In rare circumstances a member's entitlements may be summarily terminated if it is established that after investigation and hearing that there

has been an act of gross misconduct, major breach of duty or conduct that brings the organisation into disrepute.

39. Acts that may constitute gross misconduct are:
- 39.1. Theft, fraud and deliberate falsification of records.
 - 39.2. Physical violence or threats
 - 39.3. Deliberate damage to organisational or personal property
 - 39.4. Serious incapability whilst representing MUSU brought about through alcohol or illegal drugs
 - 39.5. Misuse of organisations property or name
 - 39.6. Bringing the organisation into serious disrepute
 - 39.7. Serious infringement of health and safety rules
 - 39.8. Serious bullying or harassment
 - 39.9. Sexual misconduct
 - 39.10. Serious infringement of equal opportunities, safe space, no platform, safeguarding or staff protocol policy

40. Because the ability to hold elected office in MUSU is dependent upon membership status and one of the rights and privileges of membership, termination of all entitlements would represent a termination of that holding of office. In the case of employed elected officers, this would therefore represent a termination of contract.

Suspension

41. In certain circumstances for example cases involving gross misconduct, where relationships have broken down or where it is considered there are risks to property or the MUSU's responsibilities to other parties,

consideration should be given to a period of suspension of membership rights with or without entitlements whilst an unhindered investigation is conducted.

42. Such a suspension should only be imposed after careful consideration and should be reviewed regularly to ensure that it is not unnecessarily protracted. Excluding a member from participation in MUSU activities is not in itself a form of disciplinary action whilst the investigation is progressing. The member will be entitled to seek advice, for example legal advice, the cost of which will be met by the member

43. Because the ability to hold elected office in MUSU is dependent upon membership status and one of the rights and privileges of membership, suspension of entitlements would represent a suspension of that holding of office.

Appeals

44. A member will notify the Panel of their intention to appeal against disciplinary action within six (6) working days of receipt of the confirmation letter. The appeal should be made in writing stating the grounds upon which the appeal is to be made and be received by the Panel within a further ten (10) working days.

45. An appeal hearing will normally be held within ten working days of receipt of the letter of appeal. An appeal will be heard by a panel (see below), who have previously had no involvement in the case. The panel shall be made of the following:

- 45.1. An Officer Trustee
- 45.2. An External Trustee
- 45.3. A staff member of the institution

46. A member will have the right to be accompanied by a colleague or a representative of their choice. The member will be notified of the results of the appeal in writing within five (5) working days of the hearing.

47. Members should note that an appeal is designed to remedy any defects in the disciplinary process rather than repeat the investigation of the disciplinary process. Therefore grounds for appeal are:

47.1. Unfairness of judgement

47.2. The severity of the penalty

47.3. New evidence coming to light

47.4. Procedural irregularities

47.5. Extenuating circumstances

47.6. Bias of disciplining officer

47.7. Unfairness of the interview

48. Possible outcomes of an appeal:

48.1. The appeal is upheld and the disciplinary sanction reduced or removed

48.2. The appeal is upheld and there is a request for a re-investigation or rehearing

48.3. The appeal is denied and the original decision is upheld

Recording Discipline

49. Accurate records will be kept detailing:

49.1. any breach of disciplinary rules or unsatisfactory performance,

- 49.2. the Member defence or mitigation,
- 49.3. the action taken and the reasons for it,
- 49.4. whether an appeal was lodged, its outcome and any subsequent developments.

50. These records are to be kept confidential and retained in line with the above disciplinary procedure and the Data Protection Act 1998. Copies of any meeting records will normally be given to the individual concerned (in certain circumstances information shall be withheld for example to protect a witness)