



Guide for students preparing Student Council Ideas

If you are submitting an idea (motion) to go to Student Council, please read this guide first.

Why should I read this?

There are certain things, which Bristol SU just can't do, legally. This guide:

- explains what Bristol SU can, and cannot, legally support; and
- will help you submit your idea in a way which gives it the best possible chance of being approved.

What happens to an idea I submit?

You submit an idea...

...which goes to **Democratic Standards Committee** for approval...

...they send it to **Student Council** to be voted on, and...

...if it is passed by Student Council, it must finally be approved by the **board of trustees**.

Role of the trustee board

Bristol SU is a charity and the trustees are the people who are responsible for overseeing everything that the charity does. They are the people who are responsible for making sure the students' union is managed properly, in accordance with the law. If things go wrong, they are the people who will be held accountable.

What can a students' union do?

When making decisions, the trustees have to consider whether the matter being discussed is something the students' union can do, legally. One of most important questions they will ask themselves is whether a particular motion being considered is **ultra vires**.

What does 'ultra vires' mean?

Ultra vires means 'outside the powers'. It refers to something which would be outside the power of Bristol SU to do. When considering a motion, the trustees will therefore ask themselves "is this within our powers"



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Where do these powers come from?

Bristol SU is a charity, so must comply with charity law. This means that everything it does:

- must fall within its charitable objects; and
- be for the public benefit.

Bristol SU is also a students' union, so must comply with the Education Act 1994. This means that everything it does must:

- promote the interests of students as students;
- be fair and democratic; and
- reflect the fair allocation of resources among students clubs and societies.

Bristol SU's charitable objects

One of the most important questions to ask when considering whether a motion is "ultra vires" is whether it falls within Bristol SU's charitable "objects" (i.e. the purposes):

The advancement of education of students at the University of Bristol for the public benefit by:

- promoting the interests and welfare of students at the University of Bristol during their course of study and representing, supporting and advising members;
- being the recognised representative channel between students and the University of Bristol and any other external bodies; and
- providing social, cultural, sporting and recreational activities and forums for discussions and debate for the personal development of its members.

The first line is the most important. Everything that Bristol SU does must advance the education of students at the University of Bristol.

Drafting an idea (motion) – questions to consider:

1. Does it advance the education of students at the University of Bristol?
2. Does it further the interests of students as students?
3. Does it reflect the fair allocation of resources between societies?
4. Is it for the public benefit (i.e. would the action benefit enough people)?
5. What would the legal, financial or reputational risks be to Bristol SU if the motion is approved?

Prepared for Bristol SU by Wrigleys Solicitors LLP on 26 September 2016.

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