

## Code of Practice relating to the Oxford University Students' Union

1. Section 22(3) of the Education Act 1994 (the '**Act**') requires Council, as the executive governing body of the University of Oxford (the '**University**'), to publish a code of practice specifying how certain requirements of the Act which relate to the Oxford University Students' Union ('**Oxford SU**') are carried into effect and providing details of arrangements made to secure their observance.
2. The Act includes a general duty for Council to take steps to secure that Oxford SU operates in a fair and democratic manner and is accountable for its finances. This duty is set out in [Statute XIII, Part A](#) and monitored by Council through its Education Committee's Joint Subcommittee with Student Members ('**JSCECSM**'), as specified in Part 33.4 of [Council Regulation 15 of 2002](#).
3. Section 22(2) of the Act requires steps to be taken to secure the observance of various specific requirements. The following table sets out each requirement, together with details of their implementation by the University, and, where appropriate, shows how JSCECSM is tasked with monitoring the fulfilment of those requirements on behalf of Council:

Requirement under the Act		Implementation by the University	
		Document	Description
<b>Constitution</b>			
a	<i>the union should have a written constitution</i>	<a href="#">Oxford SU Articles of Association</a>	Oxford SU Articles of Association were last reviewed during the 2014/15 academic year, and were approved on behalf of Council on 16 October 2015.
b	<i>the provisions of the constitution should be subject to the approval of the governing body and to review by that body at intervals of not more than five years</i>	Articles 5.1 and 5.2, Articles of Association	Any amendments to the Articles are submitted to JSCECSM and require approval by Council before coming into effect. The next review of Oxford SU's constitution is scheduled for the 2019/20 academic year.
<b>Membership</b>			
c	<i>a student should have the right: (i) not to be a member of the union, or (ii) in the case of a representative body which is not an association, to signify that he does not wish to be represented by it, and students who exercise that right should not be unfairly disadvantaged, with regard to the provision of services or otherwise, by reason of their having done so</i>	Article 7.1(b), Articles of Association  Articles 14.1, 15.1 and 50.2, Articles of Association	Students may cancel their membership of Oxford SU at any time via 'My Student Record' on <a href="#">Student Self-Service</a> . Members of Oxford SU (' <b>Student Members</b> ') are defined as all students who have not exercised their right to opt out of Oxford SU membership.  As part of its charitable objects, Oxford SU provides services and facilities for ' <b>students</b> ', defined in the Articles of Association as students of the University, whether or not they are Student Members of Oxford SU.  Students who have opted out of membership are not entitled to vote at Oxford SU meetings or in elections to office of Sabbatical Trustees or Student Trustees.
<b>Elections and office holders</b>			
d	<i>Appointment to major union offices should be by election in a secret ballot in which</i>	Article 14.1, Articles of Association	The University determines that the Sabbatical Trustee posts which are: (i) entitled to attend Council meetings; and (ii) elected by secret ballot in which all Student Members are entitled

	<i>all members are entitled to vote.</i>	<a href="#">Section 4-10, Council Regulation 13 of 2002</a>	to vote, constitute 'major union offices' for the purposes of the Act.  The posts which are entitled to attend Council are: (i) Oxford SU President; (ii) Oxford SU Vice-President (Access and Academic Affairs); and (iii) Oxford SU Vice-President (Graduates). These posts are all elected by secret ballot in which all Student Members are entitled to vote.
e	<i>the governing body should satisfy themselves that the elections are fairly and properly conducted.</i>	Article 38.1(a) – (c) of the Articles of Association  Bye-Law 3.6(b)  Regulations, 13-19  <a href="#">Part 33.4, Council Regulation 15 of 2002</a>	Under the Articles of Association, Oxford SU's Board of Trustees is obliged to ensure that Oxford SU operates in a fair and democratic manner, and allows the University to take steps to ensure that elections are fairly and properly conducted. The University must be consulted on planned changes to Oxford SU Bye-Laws and Regulations insofar as they relate to elections. The University also approves such changes.  Oxford SU's Regulations set out its complaints procedure regarding elections. As set out in Regulation 14.3(b), election complaints which cannot be resolved by Oxford SU's Returning Officer or External Appeals Officer can be referred to the University for independent investigation by a Senior Tribunal (please refer to Annex A for further details).  Oxford SU's Returning Officer must submit a report on the conduct of the election to the University. This report is received by JSCECSM on behalf of Council.
f	<i>A person should not hold sabbatical union office, or paid elected union office, for more than two years in total at the establishment</i>	Article 14.4(a), Articles of Association	Oxford SU's constitution prevents Sabbatical Trustees from holding paid elected office for more than one year.
<b>Financial affairs</b>			
g	<i>the financial affairs of the student union should be properly conducted and appropriate arrangements should exist for the approval of the union's budget and the monitoring of its expenditure by the governing body.</i>	Articles 23.3(c) and 38.1(d) and f(i), Articles of Association  <a href="#">Part 33.4 of Council Regulation 15 of 2002</a>	Every two years, Oxford SU's funding allocation is approved by the Planning and Resource Allocation Committee (PRAC), after consideration by JSCECSM and Education Committee.  Each academic year, Oxford SU's proposed budget for the following academic year is presented to JSCECSM for examination and approval. Oxford SU regularly presents its most recent management accounts to JSCECSM for information.  Oxford SU's audited Annual Accounts are presented each year to JSCECSM (which receives them on behalf of Council).
h	<i>Financial reports of the union should be published annually or more frequently, and should be made available to the governing body and to all students, and</i>	Articles 38.1, 38.3 and 41.1, Articles of Association	Oxford SU publishes an annual financial report which includes a list of external organisations to which it has made donations, together with details of such donations. The report is presented to Oxford SU's Student Council. Prior to Student

	<i>each such report should contain (i) a list of the external organisations to which the union has made donations in the period to which the report relates, and (ii) details of those donations</i>		Council meetings, a link to the agendas and papers are made available online. Both recent and archived papers are available at <a href="https://www.oxfordsu.org/your-union/student-council/">https://www.oxfordsu.org/your-union/student-council/</a> . The report is also scrutinised by JSCECSM on behalf of Council.
<b>Allocation of resources</b>			
i	<i>The procedure for allocating resources to groups or clubs should be fair and should be set down in writing and be freely accessible to all students.</i>	Article 38.5, Articles of Association	If Oxford SU's Board decides to allocate resources to groups or clubs, it must set down in writing an allocation procedure which is fair and freely accessible to all students.
<b>Affiliation to external organisations</b>			
j	<i>If the union decides to affiliate to an external organisation it should publish notice of its decision, stating (i) the name of the organisation; and (ii) details of any subscription or similar fee paid or proposed to be paid, and of, any donation made or proposed to be made to the organisation; and such notice is to be made available to the governing body and to all students.</i>	Articles 38.1(g), 38.3(c), Articles of Association Bye-Law 12.1	External affiliations must be approved by Oxford SU Council resolution or referendum decision. Notice of decisions (including details of fees and donations) is made available to all students and a report is received by JSCECSM on behalf of Council.
k	<i>Where the union is affiliated to any external organisations a report should be published annually or more frequently containing: (i) a list of the external organisations to which the union is currently affiliated; and (ii) details of subscriptions or similar fees paid, or donations made, to such organisations in the past year (or since the last report); and such reports should be made available to the governing body and to all students.</i>	Articles 38.1(g), 38.3(c) and 38.4, Articles of Association Bye-Law 12.1	At least once per academic year, Oxford SU's Board submits its current list of affiliations to external organisations to Student Members for approval. The Board is also required to present information regarding affiliations (including details of fees and donations) to external organisations to JSCECSM (which receives it on behalf of Council) and to Oxford SU Council, and publish such information to all students.
l	<i>there should be procedures for the review of affiliations to external organisations under which: (i) the current list of affiliations is submitted for approval by members annually or more frequently, and (ii) at such intervals of not more than a year as the governing body may determine, a requisition may be made by such proportion of members (not</i>	Article 38.4, Articles of Association Bye-Law 12.1 Article 12.1(b), Articles of Association Bye-Law 6.5	At least once per academic year, Oxford SU's Board is obliged to submit its current list of affiliations to external organisations to Student Members for approval. This is undertaken via Oxford SU Council, for which the agenda is made available online.  As set out in the Articles and Bye-Laws, a referendum on an affiliation issue may be called by 5% of Student Members. The intervals between affiliation referenda must be at least one year.

	<i>exceeding 5 per cent.) as the governing body may determine, that the question of continued affiliation to any particular organisation be decided upon by a secret ballot in which all members are entitled to vote.</i>		
<b>Complaints</b>			
m	<i>there should be a complaints procedure available to all students or groups of students who (i) are dissatisfied in their dealings with a union, or (ii) claim to be unfairly disadvantaged by reason of their having exercised the right [to opt out of membership of the union] which should include provision for an independent person appointed by the governing body to investigate and report on complaints.</i>	Article 23.3(e), Articles of Association Bye-Law 36 <a href="#">OXFORD SU Complaints Procedure</a>	Oxford SU's main complaints procedure is published on its website and includes a final stage of referral to the University where complaints cannot be resolved by Oxford SU.  Separate complaints procedures are in operation in relation to elections (see section e above), the Student Advice Service and media services.
n	<i>Complaints should be dealt with promptly and fairly and where a complaint is upheld there should be an effective remedy.</i>	Bye-Law 8.3 <a href="#">OXFORD SU Complaints Procedure</a>	Oxford SU's Trustee Board has a duty to implement the procedure and to make every effort to investigate all complaints promptly and fairly. Details of potential remedies which may be implemented are set out in the procedure.

4. Information regarding the restrictions placed on Oxford SU by the law relating to charities is contained in guidance published by the Charity Commission (*OG 48 Students' Unions*), which is available at <http://ogs.charitycommission.gov.uk/g048a001.aspx>.
5. The University has a *Code of Practice on Meetings and Events* (<http://www.ox.ac.uk/staff/news-listing/2016-11-29-code-practice-meetings-and-events>) issued under the provisions of the Education (No.2) Act 1986 (<http://www.legislation.gov.uk/ukpga/1986/61/section/43>).

### Version history and review

6. This document was approved by Council on 11 July 2016, and will be reviewed by JSCECSM on an annual basis. Where changes to Oxford SU's Bye-Laws or Regulations necessitate an update to this document but no other changes are required, the amended version will be approved for publication by JSCECSM on Council's behalf.<sup>1 2 3</sup>

<sup>1</sup> JSCECSM reviewed this document in Trinity term 2017 and agreed an amendment to paragraph 5 above to reflect Council's agreement of the *Code of Practice on Meetings and Events* on 20 July 2016.

<sup>2</sup> JSCECSM reviewed this document in Trinity term 2018 and agreed minor amendments to reflect changes to Oxford SU Bye-Laws and Regulations and to current practice; corrections to errors and removal of an outdated footnote and references; and changes to refer to Oxford SU rather than OUSU.

<sup>3</sup> JSCECSM reviewed this document in Trinity term 2019 and agreed corrections to errors in references and removal of an outdated reference, and a change to refer to the URL of the relevant Charity Commission guidance rather than reproduce its text in an annex.