

Bye Laws of Liverpool Guild of Students

Passed by Guild Council 15 November 2007.

Passed by University Council 12 December 2007.

1. BYE LAW 1: MEMBERSHIP

Status	1.1 Membership is as defined in the Articles of Association of the Guild.
Opting-out	<p>1.2 Every student shall be able to relinquish their membership of the Guild.</p> <p>1.3 A student who opts out of the Guild shall continue to have the right to attend Guild-run events and participate in student activities but shall have the same rights as an Associate Member and be termed a “User”.</p> <p>1.4 A student who opts out of the Guild shall not be able to participate in the democratic and decision-making function of the Guild. This includes not being able to stand for any Guild officer or representative position.</p> <p>1.5 A student wishing to opt out or rejoin must indicate this in writing to the Registrar and Secretary.</p>
Rights & privileges	1.6 All members are subject to the Statutes and Regulations issued by the University from time to time.
Full Members	<p>1.7 Full Members of the Guild shall be entitled to:</p> <p>1.7.1 make use of any services and facilities of the Guild;</p> <p>1.7.2 hold ordinary membership of any Guild club or society;</p> <p>1.7.3 attend the Student Council and all Guild committees as observers, except in such cases as are specified in these Bye Laws;</p> <p>1.7.4 vote in, and stand for office in, Guild elections; and</p> <p>1.7.5 attend and vote at the Annual Meeting of the Guild.</p>
Associate & Honorary Life Members	<p>1.8 Associate and Honorary Life Members of the Guild shall be entitled to:</p> <p>1.8.1 have restricted use of any services and facilities of the Guild which may from time to time be available to them;</p> <p>1.8.2 hold ordinary membership of any Guild club or society; and</p> <p>1.8.3 attend the Annual General Meeting of the Guild as observers.</p>
Users	<p>1.9 A User of the Guild shall be entitled to:</p> <p>1.9.1 make use of any services and facilities of the Guild;</p> <p>1.9.2 hold ordinary membership of any Guild club or society; and</p> <p>1.9.3 attend the Student Council and all Guild committees as observers, except in such cases as are specified by these Bye Laws.</p>

2. BYE LAW 2: GENERAL GOVERNANCE OF THE GUILD	
Trustees	<p>2.1 The Trustees appointed pursuant to the Articles of Association of the Guild have overall responsibility for the day-to-day management and administration of the Guild.</p> <p>2.2 The Trustees are charity trustees as defined by section 97(1) Charities Act 1993.</p> <p>2.3 The portfolios of Sabbatical Trustees may be determined by the Trustees from time to time after consultation with Student Council in accordance with Guidance and/or Strategies made from time to time under clause 2.26 of this Bye Law.</p>
Student Council	<p>2.4 The Student Council is governed by Bye Law 3.</p> <p>2.5 The principle purpose of the Student Council is to oversee the Trustees and represent the views of Members.</p>
Community Forums	<p>2.6 There shall be 4 Community Forums coordinated by the Student Council.</p> <p>2.7 They will be called Liverpool Life, University Life, Guild Life, and Society Life.</p> <p>2.8 Membership of the forums is open to all members and members can attend any forum meeting(s).</p> <p>2.9 Minutes of the meetings will be recorded and distributed at Student Council for consideration.</p> <p>2.10 The purpose of Community Forums shall be to consider any or all of the following:</p> <ul style="list-style-type: none"> 2.10.1 the policies and practices of the Guild; 2.10.2 any single issue facing students ; 2.10.3 major University initiatives; 2.10.4 reports on the work of the Guild; and 2.10.5 reports from external agencies.
Overview & Scrutiny	<p>2.11 There shall be up to four Overview & Scrutiny committees at any one time, coordinated by the Student Council.</p> <p>2.12 The purposes of Overview & Scrutiny committees shall be to:</p> <ul style="list-style-type: none"> 2.12.1 review performance and make recommendations on the future scope of a current activity or service; 2.12.2 conduct research and consultation; 2.12.3 consider mechanisms for widening membership participation; 2.12.4 scrutinise decisions of Trustees; and 2.12.5 scrutinise objectives, targets, and service areas of the Guild.

	2.13 Overview & Scrutiny committees shall be governed in accordance with Guidance and/or Strategies made from time to time under clause 2.26 of this Bye Law.
Delegated Committees	2.14 In accordance with Article 34 of the Articles of Association the Trustees can constitute delegated subcommittees. The Trustees will determine the number, remit and membership of these committees. A Trustee will chair any committee and members may include Trustees, members, and Guild and/or University staff members. 2.15 Delegated committees shall include but not be limited to Resources & Audit Committee.
Advisory Groups	2.16 There shall be a Student Activity Advisory Group and an Equality & Diversity Advisory Group, governed in accordance with Guidance and/or Strategies made from time to time under clause 2.26 of this Bye Law. 2.17 Advisory Groups shall be convened and chaired by a member of Student Council. 2.18 Membership of Advisory Groups shall be made up of one representative of each Working Group defined under clauses 2.16-2.18 of this Bye Law.
Working Groups	2.19 There shall be a number of Working Groups of the Student Activity and Equality & Diversity Advisory Groups, governed in accordance with Guidance and/or Strategies made from time to time under clause 2.26 of this Bye Laws. 2.20 Any member wishing a particular activity or section of the student population to be represented on either of the Advisory Groups will be asked to make an application to the Student Council, who will decide whether there is a clear need based on relevance, interest and participation in the activity, the strength of the application and similar factors. 2.21 If Student Council agrees that a Working Group is required, Members will be invited to stand for election to convene it and represent it on the Advisory Group. These elections will be open cross campus, but, due to their status as special interests, students will be encouraged to consider whether casting their vote is appropriate.
Appeals Committee	2.22 An Appeals Committee will be constituted in accordance with Article 45 of the Articles of Association and Guidance and/or Strategies made from time to time under clause 2.26 of this Bye Laws. Members will be able to appeal all decisions taken by the Guild. The Appeals Committee will be chaired by a Trustee and its membership may include Trustees, members and Guild and/or University of Liverpool staff.
Referenda on Affiliations	2.23 Members who oppose or propose affiliation of the Guild to a particular external organisation may call for a secret ballot of all members. 5% of the full membership of the Guild may call for such a ballot in accordance with Article 51.2.6 of the Articles of Association, provided that no organisation may be subject to a ballot more than once in

	any one academic year.
Relationship with the University of Liverpool	<p>2.24 The Trustees shall comply with the 1994 Education Act. In addition the Trustees shall comply with the Code of Practice.</p> <p>2.25 In accordance with the responsibilities set out in the 1994 Education Act and Article 40 the University Council shall be required to approve any amendments to the Articles of Association.</p> <p>2.26 Any amendment to the Bye Laws will be subject to consultation with the University as set out in the Articles of Association. University approval is explicitly required where the responsibilities of higher education institutions for oversight of their students' union, as set out in the 1994 Education Act, are engaged.</p>
Returning Officer for Elections	<p>2.27 The Guild shall appoint a Returning Officer to oversee the good conduct of the elections in accordance with Election Guidance made under clause 2.26 of this Bye Laws.</p> <p>2.28 In addition the member of the Senior Management Team of the University primarily responsible for liaison with the Guild, or his or her designated representative, shall oversee the good conduct of the Guild's elections.</p>
Guidance and Strategies	<p>2.29 The Trustees, subject to consultation with Student Council, may (and shall if required under the Education Act) issue guidance and strategies on such issues as they consider to be useful, including but not limited to the following:</p> <ul style="list-style-type: none"> 2.29.1 elections; 2.29.2 complaints procedure; 2.29.3 disciplinary procedure; 2.29.4 appeals procedure; 2.29.5 meetings; 2.29.6 health & safety; 2.29.7 equality & diversity; 2.29.8 communications; 2.29.9 trustee roles & responsibilities; 2.29.10 community forums; 2.29.11 Overview & Scrutiny; 2.29.12 Advisory Groups; and 2.29.13 Working Groups.

3. BYE LAW 3: STUDENT COUNCIL	
Role and Purpose	3.1 The role and purpose of Student Council is as defined by Article 49 of the Articles of Association.
Composition	3.2 Student Council shall consist of 16 Councillors, all of whom shall be registered students at the University of Liverpool. Councillors shall be made up of 4 elected representatives from each forum.
Clerk	3.3 A senior member of Guild staff shall act as Clerk to Student Council. 3.4 The Clerk shall provide administrative support to Student Council and shall keep minutes of all proceedings to include names of all persons present at each such meeting. Any such minute, if purported to be signed by the chair of the meeting at which proceedings were held, or by the chair of the next succeeding meeting, shall be sufficient evidence of the proceedings.
Election of Councillors	3.5 Elections for Councillors shall be held in the first semester of the academic year during which the seats will be available. 3.6 Councillors shall hold office from the date when they are elected until 31 July in the same academic year. 3.7 If a Council member resigns or is deemed to have resigned then there will be an election held at the next meeting of the appropriate forum, administered by the Clerk of Council. 3.8 If an election under Bye Law 3.7 is not successful in returning a councillor, an Appointments Committee established in accordance with the Bye Laws of the Guild may appoint any Member it considers appropriate to fill the vacancy for the remainder of its term.
Regulation and Delegation	3.9 Student Council shall be regulated according to this Bye Law and any Guidance and/or Strategy made from time to time by the Trustees under clause 2.26 of Bye Law 2. 3.10 Student Council shall have the power to delegate its duties and responsibilities as detailed in the Bye Laws and Guidance and/or Strategy made from time to time by the Trustees under clause 2.26 of Bye Law 2.
Quorum	3.11 The quorum for meetings of Student Council shall be 50% of all Councillors plus at least 1 representative from each forum.
Chair	3.12 Councillors may appoint one of their number to be Chair of Student Council (“ Council Chair ”) and may at any time remove him or her from that office. Unless he or she is unwilling to do so, the Councillor so appointed shall preside at every meeting of Student Council at which he or she is present. If no Councillor holds that office, or if

	<p>the Councillor holding it is unwilling to preside or is not present within five minutes after the time appointed for the meeting, the Councillors present may appoint one of their number to be chair of that meeting.</p> <p>3.13 If more than one Councillor stands for the position of Council Chair then there will be an election administered by the Clerk. Councillors will be asked to cast their vote in a poll.</p> <p>3.14 The Council Chair will have the same voting rights as any Councillor. In the case of an equality of votes, whether on a show of hands or in a poll, the Council Chair shall be entitled to a casting vote in addition to any other vote he or she may have.</p>
Guild Staff	<p>3.15 Permanent staff of the Guild may attend Student Council as appropriate.</p> <p>3.16 Any staff in attendance shall have the right to speak but not to vote.</p>
Conflicts of Interest	<p>3.17 Councillors with a personal interest in a matter to be discussed must follow the procedure laid out in Article 47 of the Articles of Association.</p>
Removal and resignation	<p>3.18 Councillors shall cease to hold office:</p> <p>3.18.1 upon written notice of resignation sent to the Student Council Chair;</p> <p>3.18.2 upon the passing of a resolution by a simple majority of the Student Council in the event that the Councillor has failed to attend either two consecutive or three in total meetings of the Student Council without providing proper cause to the Chair or Clerk; or</p> <p>3.18.3 following a vote of no confidence in accordance with Article 50 of the Articles of Association.</p>

4. BYE LAW 4: APPOINTMENTS COMMITTEE	
Role and purpose	<p>4.1 The Appointments Committee has delegated responsibility for identifying and proposing Co-opted Trustees in accordance with Article 31 of the Articles of Association and for their induction, support and development.</p> <p>4.2 In accordance with clause 3.18 of Bye Law 3, the Appointments Committee may be called upon to fill a Student Council vacancy.</p>
Composition	4.3 The Appointments Committee will consist of the Council Chair, the Chair of the Trustee Board and at least two other Trustees, with the Chief Executive in attendance in an advisory capacity. The Chair of Trustees is ex-officio a member of the Appointments Committee.
Chair	4.4 The Trustee Board will appoint a Chair of the Appointments Committee from amongst its number.
Quorum	4.5 The quorum for meetings of the Appointments Committee shall be at least three Trustee Board members, one of whom must be the Chair of the Appointments Committee or the Chair of Trustees.
Main duties	<p>4.6 The Appointments Committee shall</p> <p>4.6.1 Undertake regular skills, experience and diversity audits of the Trustee Board and identify the skills, experience, characteristics and backgrounds that are needed to provide high quality effective governance.</p> <p>4.6.2 Prepare job descriptions, person specifications and an information pack for prospective Co-opted Trustees and be open about the time commitments involved and what is expected of each Trustee. It is essential that prospective Trustee Board members share the Guild's mission, ethos and values, are team players, and can be constructively challenging and independently minded.</p> <p>4.6.3 Prepare a recruitment plan and timetable, and consider whether vacancies should be advertised internally, through newsletters, the Internet etc, advertised externally, through the web, local or national press, or in specialist journals.</p> <p>4.6.4 Identify a list of prospective Co-opted Trustees and develop their interest in the work of the organisation.</p> <p>4.6.5 Meet the prospective Trustee Board members, to scrutinise their suitability and to make recommendations to the Board.</p> <p>4.6.6 Inform successful and unsuccessful candidates.</p> <p>4.6.7 Induct, mentor and involve new Trustee Board members.</p> <p>4.6.8 Appoint the Chief Executive.</p>

5. BYE- LAW 5: REMOVED TRUSTEE APPEAL COMMITTEE	
Right of Appeal	<p>5.1 In accordance with Articles 45, a Trustee removed in accordance with Articles 91.2, 93.2 or 94.2 shall be entitled to appeal the decision to remove him or her.</p> <p>5.2 A Trustee has the right to appeal against a decision of the Trustees provided she or he lodges his or her appeal in writing with the Chief Executive not more than 14 days after the receipt of the written notice of the decision of the Trustees.</p> <p>5.3 The appeal should contain a statement of the grounds upon which the appeal is brought and of the facts and matters relied upon.</p> <p>5.4 If an appeal is lodged within time the decision to dismiss the Trustee shall not take effect until the final determination of the matter.</p>
Communication	<p>5.5 The Trustee appealing shall be called “the Appellant” and shall be given at least 21 days’ written notice of the date, time and place of the appeal hearing.</p> <p>5.6 At least 14 days prior to the date of the hearing, the Appellant shall:</p> <p style="padding-left: 40px;">5.6.1 confirm whether or not he or she intends to attend the hearing and, if so, the name of any person who will be accompanying or representing him or her;</p> <p style="padding-left: 40px;">5.6.2 if she or he intends to seek the agreement of the Appeal Committee to submit any such fresh evidence that he or she wishes to reply upon.</p> <p>5.7 At least seven days prior to the date of the hearing, the Guild shall provide the Appellant with any further evidence which it wishes to rely upon.</p> <p>5.8 Neither party shall without the consent of the other or the permission of the Appeals Committee rely on any statement or document other than those provided or identified under clause 5.6 above.</p>
Composition	<p>5.9 The Appeals Committee shall be made up of the Council Chair, a University Council nominee and one independent person, being a General Manager or Trustee of another students' union.</p> <p>5.10 The Council Chair, University Council nominee and the independent person should not have had any substantive involvement in the matter under appeal. Their relationship with the Appellant should not give rise to any conflict of interest.</p>
The parties in	<p>5.11 The Appellant shall be entitled to be accompanied or represented by one other person of his or her own choice</p>

proceedings	<p>except where, in the opinion of the Chair of the Appeal Body, such person has a conflict of interest.</p> <p>5.12 The Chair of the Trustee Board shall act on behalf of the Guild as Respondent to the appeal and for this purpose may instruct a representative.</p>
Procedure	<p>5.13 The function of the Appeals Committee is to review the reasonableness of the decision to dismiss the Appellant. It will consider the documents, statements and other evidence produced to the original Trustee Board meeting. The Appellant and the Respondent cannot call witnesses to give evidence to the Appeals Committee.</p> <p>5.14 The hearing of an appeal shall be conducted in accordance with clause 5.15 below except where to do so would be inconvenient or unjust, when the Chair of the Appeals Committee may modify the procedure to the extent that she or he deems necessary provided that the result is fair to the Appellant.</p>
Order of proceedings	<p>5.15 The order of proceedings for the Appeals Committee meeting, unless the Chair otherwise directs, will be:</p> <p>5.15.1 submissions by or on behalf of the Appellant;</p> <p>5.15.2 submissions by or on behalf of the Respondent;</p> <p>5.15.3 consideration of the evidence by the Appeals Committee;</p> <p>5.15.4 closing submissions by or on behalf of the Appellant;</p> <p>5.15.5 closing submissions by or on behalf of the Respondent.</p>
Decision	<p>5.16 The Appeals Committee may:</p> <p>5.16.1 uphold the appeal; or</p> <p>5.16.2 reject the appeal.</p> <p>5.17 Within seven days of the decision the Chief Executive will notify the Appellant in writing.</p>
Appellant absence	<p>5.18 If the Appellant is not present or represented at the hearing, the Appeals Committee may proceed to consider the matter in the Appellant's absence if it is satisfied that notice was properly served upon him or her in accordance with clause 5 above.</p>