

**Bye-laws**

**of**

**Cranfield Students' Association**

**(An Unincorporated Association)**



**Date approved by Annual General Meeting** **15.03.2017.**

**Date ratified by the Board of Trustees** **10.11.2016.**

**Date ratified by Cranfield University Council**

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# **Bye-laws of Cranfield Students' Association**

## **Section 1. Introduction**

1. These Bye-laws should be read in conjunction with the Cranfield Students' Association (CSA) constitution. Together, these documents form the basis for the governance and operation of CSA.
2. Should there be any conflict or contradiction between the Constitution and Bye-laws, then the former shall take precedence.
3. If any dispute arises in relation to the interpretation of the Constitution, or any of these Bye-laws, or if any conflict or contradiction between Bye-laws exists, it shall be resolved by the Board of Trustees. This decision shall be final.
4. The meanings of any defined terms used in these Bye-laws are set out in Section 16.

## **Section 2. The Board of Trustees**

1. The CSA Board of Trustees has the ultimate responsibility for directing the affairs of CSA. This includes ensuring that CSA is solvent, well governed and delivers the objectives for which it was established.
2. Specifically, the Board of Trustees will
  - (a) ensure that CSA is run in accordance with its constitution, charity law and all other applicable laws and regulations;
  - (b) ensure that CSA's assets and resources are used only for the agreed purposes and are properly secured and insured;
  - (c) approve the annual budget, any financial submission to the University and the annual financial statements;
  - (d) approve and monitor the financial procedures of CSA;
  - (e) approve CSA's strategic plans and annual reports;
  - (f) appoint CSA's bankers, accountants and auditors and receive any reports from such;
  - (g) approve all amendments to the CSA Constitution, within the limitations detailed by that constitution itself;
  - (h) jointly with Cranfield University, appoint, establish the job description, agree the remuneration and annually appraise the performance of the CSA Senior Manager.
3. To these ends, the Board of Trustees may veto, overturn or return to the originating body for reconsideration the decision of any CSA Officer, committee, meeting or employee which would either prejudice the legal, financial or charitable objectives of CSA, or affect the Trustees' ability to discharge any of their responsibilities referred to in the CSA Constitution.
4. The Board of Trustees shall have a total of 8 members, consisting of
  - (a) three ex officio Officer Trustees who are Executive Officers of CSA as elected by the regulations and process described in Sections 3 and 6;
  - (b) two Student Trustees elected by the regulations and process described in Sections 4 and 6;
  - (c) three External Trustees selected by the regulations and process described in Section 5 and 8.
5. An External Trustee will be selected by the Trustees to act as Chair of the Board of Trustees. The CSA President will be the Vice Chair.
6. The CSA Senior Manager will be the Secretary to the Board of Trustees. During deliberation of point 2(h) above or any similar matters, the CSA Senior Manager will

leave the room, and another Trustee will record the factual outcomes of discussions for the purposes of the minutes.

7. The Board of Trustees will meet at least four times a year. The main business for each meeting, along with approximate dates for each, will be in
  - (a) November, review of the audited financial statements (accounts) for the previous year and induction of newly elected Officer and Student Trustees;
  - (b) February, consideration of the mid-year financial position and approval of the minor works premises application;
  - (c) May, approval of the strategic, operational and business objectives for the coming year and induction of newly elected Officer and Student Trustees;
  - (d) July, approval of the budget for the following year.
8. Additional meetings may be called by the Chair or by a request to the Secretary by two of the trustees.
9. Subject to the CSA Constitution Clause 79, at least seven days clear written notice must be given to all Board members of any additional meeting.
10. The quorum for the Board of Trustees' meeting will be four members, provided that at least two Officer or Student Trustees are present.
11. In the event of any decision passing to a vote of Trustees, then all Trustees present shall have one equal vote. In the event of a tied vote, the Chair will have an additional (second) casting vote.
12. The Board of Trustees may request attendance and report of any person who, in the view of the Trustees, may provide the Board of Trustees with pertinent or useful information or opinion to facilitate the discharge of its duties.
13. The Board of Trustees may establish sub-committees, as it sees fit, to effectively carry out its duties. These shall include an Executive Committee for each campus, as far as is deemed appropriate.

### **Section 3. Officer Trustees**

1. There will be three elected Officer Trustees as follow
  - (a) The President
  - (b) The Vice-President (Cranfield)
  - (c) The Vice-President (Shrivenham)
2. Officers Trustees will be elected to their positions on the Executive Committee(s) in accordance with the procedures set out in Section 6. They will then be *ex officio* Officer Trustees.
3. Members of CSA Staff, whether permanent, temporary or casual, may not act as Officer Trustees. Should such a person be elected, then they must resign their position of employment and will automatically be deemed to have done so.
4. Officer Trustees may be paid or unpaid full-time sabbatical, part-time sabbatical or non-sabbatical officers during their term in office. Any such payments will be at the discretion of the Board of Trustees, having explicitly taken into consideration any wishes of Members expressed through General Meeting or Referendum. Any changes to the foregoing arrangements must be made by the Board and publicised prior to the elections for the position(s) in question.
5. Any Sabbatical Officer payments will be made at Level 3, Point 3 on the Cranfield University salary scale; pro rata for part-time Sabbatical Officers. Any Non-sabbatical Officer payments will be made at the national minimum wage. Paid officers must sign and abide by a contract of employment similar to that provided for other employees.
6. For the avoidance of doubt, Officer Trustees are paid solely for their work as Executive Officers of the CSA. Their work as Trustees is unpaid, and must be carried out in addition to their contracted hours as Executive Officers.
7. The term of office for all Officer Trustees will be as specified in the election procedures. No person may hold sabbatical office for more than two years, either consecutively or non-consecutively.
8. An Officer Trustee wishing to resign must do so in writing to their fellow Officer Trustees and the CSA Senior Manager.
9. Officer Trustees may be disciplined by CSA following the procedures set out in Section 12.
10. Officer Trustees may be recompensed for *bona fide* expenses incurred during the discharge of their duties with the approval and ratification by the Board of Trustees.
11. Officer Trustees may not stand for positions as either Student Trustees or External Trustees for a period of five years following the end of their term as Officer Trustee.

#### **Section 4. Student Trustees**

1. Subject to clause 2 below, two Student Trustees shall be elected by secret ballot by the Members at an election to be held in accordance with Section 6.
2. In place of the election nomination procedure, candidates will put themselves forward for selection to the Appointments Committee. The election will then proceed in accordance with Section 6.
3. Student Trustees may be elected any election event as required to ensure that the maximum number of positions are filled at any time.
4. Each Student Trustee must be a Registered Student of Cranfield University at the time of his or her election (and must continue to be a Registered Student for the duration of their term as a Student Trustee). Should they cease to be a Registered Student, then they will be deemed to have resigned as a Trustee.
5. Members of CSA Staff, whether permanent, temporary or casual, may not act as Student Trustees. Should such a person be elected, then they must resign their position of employment and will automatically be deemed to have done so.
6. Student Trustees may remain in office for a term of up to two years commencing either directly after the completion of the term of office of their predecessor or immediately after their election if the position is vacant.
7. The term of office may be shorter or longer on a transitional basis to coincide with the alteration of the year start or end.
8. A Student Trustee may serve a maximum of two terms, which may be consecutive or non-consecutive.
9. The Student Trustees must not hold any other elected or paid position within CSA. Should any Student Trustee wish to run for office as an Executive Officer, or vice versa, they must resign their current position prior to the election. Should any Student Trustee wish to work for CSA, then they must resign their position as a Trustee prior to appointment.
10. Student Trustees may be recompensed for *bona fide* expenses incurred during the discharge of their duties with the approval and ratification by the Board of Trustees.
11. Student Trustees may not stand for positions as External Trustees for a period of five years following the end of their term as Student Trustee.

## **Section 5. External Trustees**

1. Up to three External Trustees shall be appointed by a simple majority vote of the Appointments Committee, provided that the appointment of each External Trustee is ratified by a 66% majority vote of either General Meeting or all extant Student Councils. For the avoidance of doubt, such appointment shall not take effect until it has been so ratified.
2. Unless their appointment is terminated in accordance with the CSA Constitution, External Trustees shall remain in office for a term of up to three years, commencing either directly after the completion of the term of office of their predecessor or immediately after their appointment if the position is vacant.
3. External Trustees must not be a student of Cranfield University, hold any elected or paid position within CSA, the University or the University Chaplaincy, nor be a member of the University Board of Senate, Council or Court.
4. External Trustees may serve a maximum of two terms which may either be consecutive or non-consecutive.
5. External Trustees may be recompensed for *bona fide* expenses incurred during the discharge of their duties with the approval and ratification by the Board of Trustees.



**Section 6. Election of Officer Trustees, Executive Officers, Student Trustees, NUS Delegates and similar positions for which elections may be necessary**

1. An independent person, agreed between the Board of Trustees and Cranfield University, will be the Returning Officer for elections. They will be responsible for the interpretation and implementation of election rules and regulations.
2. A member of CSA permanent staff will be the Election Manager. The Election Manager is solely responsible for administrative matters. They will forward any question on interpretation or implementation of non-administrative aspects of the regulations to the Returning Officer. There may be Election Assistants appointed to help with the administration of the elections. These may be members of either CSA or Cranfield University staff as practical for effective running of the election.
3. The role of Officers, who are not themselves running for office, during the election period is to highlight the importance of the elections to students. Their aim should be to maximise the numbers of both candidates and voters.
4. Officers and staff of CSA are not to be seen to support any candidate in an election in any preferential way unless they themselves are running for office. In the latter case, they shall take the period of the elections from close of nominations to close of voting as leave of absence and not make any use of any CSA facilities during that period that are not equally available to all candidates.
5. Any Officer who is found to be interfering in the elections in a way which is not deemed appropriate by the Returning Officer will be referred to the disciplinary procedures in Section 11 or 12 as appropriate.
6. Any member of staff who is found to be interfering in the elections in a way which is not deemed appropriate by the Returning Officer will be referred to the staff disciplinary procedure.
7. Presidential elections will normally take place during April; other elections will normally take place in either April or October. However, these dates may be changed at the discretion of the Returning Officer to promote successful elections. Those persons elected will remain in post until either the next scheduled election for their position, they resign or are otherwise removed from office.
8. Notice will be given at least 21 days before the date of an election. Nominations will close at least seven days before the date of the election.
9. The Election Manager will produce a candidate's handbook prior to elections. Anything written in this handbook must be followed and non-compliance could result in the Returning Officer ruling against a candidate.
10. All candidates for election must be Full Members of CSA and not be banned from any part of the CSA services or premises.

11. Candidates may only run for one position at any single election and no position can be split to become a shared position. A candidate may run for both an officer/trustee position and NUS Delegate position at the same election.
12. Each candidate must be proposed and seconded by full members of the CSA, except in the case of Student Trustees who must put themselves forward to the Appointments Committee in lieu of nomination in accordance with Section 4.
13. The candidate must supply the nomination form and a manifesto of up to one page of A4 including a photograph to the Election Manager before the close of nominations. These must be in both hardcopy and electronic versions.
14. Upon signing the nomination form the candidates are bound by the terms and conditions of the election rules and regulations as noted in the elections handbook and the CSA Constitution and Bye-laws.
15. Candidates may run as teams or slates.
16. Any candidate wishing to withdraw their nomination must do so in writing to the Returning Officer and the Election Manager.
17. The Returning Officer and Election Manager must not reveal details of any nominations prior to the close of nominations.
18. The Election Manager will display the candidates' manifestos in the CSA premises within two working days of the close of nominations and produce a candidate manifesto handbook.
19. The Election Manager will publicise the times and locations of question time or similar at least 14 days prior to voting opening. The Returning Officer and Election Manager may agree to cancel question time for all or some positions if there are insufficient candidates to contest an election.
20. Any candidate absent from question time or similar without written apologies in advance to the Returning Officer and Election Manager may be disqualified at the Returning Officer's discretion.
21. If question time is held, it will be chaired by the Election Manager. The length of speeches will be up to 2 minutes per uncontested candidate and up to 5 minutes per contested candidate. Questions will be taken from students and the Elections Manager will regulate the number and length of time taken over questions.
22. All campaign material must be approved by the Election Manager or by the Returning Officer. Campaign material must not contradict CSA's Equal Opportunity or other policies or have any CSA, Cranfield University or NUS produced logo attached. No campaign material or other act of canvassing may denigrate any other candidate, present or former CSA Officer or present or former member of CSA Staff.
23. The CSA will refund expenses, on production of receipts, to a maximum of £25 for each candidate standing in the Presidential elections. In addition, each candidate for

any election may spend a maximum of £50 of their own money, this money is not refundable. The CSA will also provide free internal photocopying or printing for each candidate in any election to a maximum agreed between the Returning Officer and Election Manager prior to the start of the election and stated in the candidate's handbook.

24. Candidates who do not keep to the allotted deadlines for handing in forms or attending pre and post election candidate meetings as stipulated by the Elections Manager in the candidate's handbook may be disciplined at the Returning Officer's discretion.
25. Candidates must always ask for permission to place posters on notice boards/walls/venues. Candidates must remove their posters and publicity after the close of elections.
26. The use of "social networking" (e.g. Facebook, Bebo, etc.) sites will be allowed as soon as the official campaign time starts. Campaign pages must focus solely on the candidate(s) for which that site has been made; any negative campaigning will be dealt with by the Returning Officer. These must be independent sites; no campaigning may take place on any CSA or CSA affiliate website or online messageboard.
27. The Election Manager will arrange regular elections meetings with the Returning Officer to discuss any complaints or other issues. These meetings may be in the form of telephone or electronic conversations.
28. The role(s) of ballot clerk will be carried out by the Returning Officer, Election Manager and their Assistants.
29. The Returning Officer and the Election Manager must endeavour that all Members of CSA have the opportunity to vote. Voting times and locations must be established accordingly.
30. Only Full Members of CSA may vote in elections. A valid Cranfield University student card must be produced as proof of eligibility. The Returning Officer and the Election Manager must ensure that measures are in place to prevent repeat voting.
31. All Full Members may vote for President, Student Trustee and NUS Delegate positions but may only vote for the other Officer Trustee and Executive Officer positions pertaining to the campus at which they cast their vote.
32. Votes will be cast on ballot slips bearing the CSA logo and placed in sealed ballot boxes. Ballot slips will carry the positions of office and the names of candidates for each office will be in an alphabetical order of surname. There will be the option to re-open nominations (RON) for each position. Alternatively or additionally, electronic voting systems may be introduced at the discretion of the Returning Officer and Election Manager, provided such a system is ratified by the Board of Trustees.
33. Voting will be by the Single Transferable Vote system as defined by the Electoral Reform Society. The Returning Officer and the Election Manager will endeavour to explain the system to all candidates and voters.

34. No candidate or member of their campaign team, or any other person attempting to influence a voter may approach within three metres of the polling station except when they themselves are voting. This distance may be varied on the discretion of the Election Manager or the Returning Officer depending upon the architecture of the polling station, but must be made clear to all candidates.
35. Candidates need to be aware that they are responsible for the actions of anyone on their campaign team and any complaints will be dealt with by the Returning Officer.
36. The Returning Officer and the Election Manager will determine the time and location of the count. The candidates will be informed of this and may attend, or send a representative, to observe the count. Any such observers will remain part of the count team until the results are announced and will not make any effort to either physically interfere with the count or communicate the results in advance to any person; any such action being liable to result in disqualification of their candidate. No mobile telephones may be used by anyone involved in or observing the count until announcement of the results.
37. The Returning Officer may be assisted in the count as they see fit by CSA or University staff.
38. Results of the elections will be announced as soon as possible once the count is complete and any complaint relating to the post has been dealt with to the satisfaction of the Returning Officer. The announced result is final.
39. A list of successful candidates will be notified to all sites following the declaration of results. Publication on the CSA website(s) will be sufficient notification.
40. Any complaint about the election process, organisation or another candidate or team must be submitted in writing to the Election Manager or their Assistant to be forwarded to the Returning Officer.
41. All complaints relating to the conduct of the elections, campaigns or polling must be submitted, in writing, prior to the end of polling.
42. The count will only begin for all or individual positions once the Returning Officer has dealt with all complaints regarding the conduct of the elections, campaigning or polling pertinent to those positions.
43. All complaints relating to the conduct of the count must be submitted, in writing to the Returning Officer prior to the declaration of results.
44. The Returning Officer will hear all appropriate evidence relating to a complaint and may seek out additional evidence or witnesses as they deem necessary.
45. The Returning Officer makes judicial decisions regarding elections rules and regulations. They have the power to issue warnings, disqualify candidates, reduce budget and halt all or part of the election. The Returning Officer's decision is final.

46. The CSA President is *ex officio* the primary CSA delegate to NUS Conference and similar events. Elections for other delegates or observers, or for the primary delegate position should the President not be available to attend, will be managed as described above.

## **Section 7. Conduct of referenda**

1. A Referendum may be called on any issue by a resolution of the Trustees, or a Secure Petition signed by at least 75 Members.
2. A resolution may only be passed by Referendum if either at least 400 Members cast a vote in an institution-wide Referendum or at least an equivalent proportion of Members cast a vote in a campus-specific Referendum and, in either case, at least 66% of the votes cast are in favour of the resolution.
3. Members may set Policy by Referenda. Policy set by Referenda may overturn Policy set either by Members in either General Meeting or Student Council.
4. Referendum questions must be formulated in a neutral, non-leading format and answerable by a simple Yes/No response.
5. A single person will be appointed to lead each response campaign team. Should no person be willing to assume this role, then an Executive Officer will do so.
6. Each campaign response team will be provided with a budget of £50 supplied by CSA. No other monies may be spent.
7. An independent person, agreed between the Board of Trustees and Cranfield University, will be the Returning Officer for referenda, and, unless there are particular reasons otherwise, will be the same person as the Returning Officer for the CSA elections. They will be responsible for the interpretation and implementation of referenda rules and regulations.
8. A member of CSA permanent staff will be the Referendum Manager, and unless there are particular reasons otherwise, will be the same person as the Election Manager for the CSA elections. The Referendum Manager is solely responsible for administrative matters. They will forward any question on interpretation or implementation of non-administrative aspects of the regulations to the Returning Officer. There may be Referendum Assistants appointed to help with the administration of the referendum. These may be members of either CSA or Cranfield University staff as practical for effective running of the referendum.
9. The date of the call for a referendum will replace the date of close of nominations in the CSA elections, and will establish the timeline for the referendum.
10. However, should the dates for the referendum be either close to or overlap with any part of either elections, then the Returning Officer may alter the dates of either the elections and/or the referendum to cause both processes to run simultaneously. This alteration is solely at the Returning Officer's discretion.
11. In all other matters concerning arrangements, process, discipline and regulation, the referendum will proceed as for the CSA elections. The Returning Officer may interpret the mirroring of regulations from the elections to referendum as they see fit to ensure that a fair and effective referendum takes place.
12. The Returning Officer's decision is final.

## **Section 8. The Appointments Committee**

1. The Appointments Committee is a sub-committee of the Board of Trustees to which it reports.
2. The Appointments Committee will consist of the CSA President (Chair) plus one member from each of the three categories of Trustees (Officer, Student and External) as appointed by the Board of Trustees, the CSA Senior Manager and a person nominated by Cranfield University.
3. The quorum will be three members of the committee.
4. The Appointments Committee will be responsible for all aspects of the promotion, process, selection and appointment of External trustees, provided that the appointment is ratified by either General Meeting or all extant Student Councils.
5. The Appointments Committee will be responsible for all aspects of the promotion, process and selection of those candidates for Student Trustee (Section 4) positions to go forward to the election stage of the process (Section 6).
6. The Appointments Committee will meet as required, being dependent upon the requirements to appoint to any of the positions for which it is responsible.
7. At least two weeks clear written notice must be given to all committee members of any meeting.
8. The CSA Senior Manager will be Secretary to the Appointments Committee.

## **Section 9. Executive Committee(s)**

1. Executive Committees are sub-committees of the Board of Trustees to which they report. The Board of Trustees may establish an Executive Committee for any campus of Cranfield University for which, in their opinion, it is appropriate.
2. An Executive Committee will consist of the CSA elected Officers on the campus to which it pertains. They will be chaired by the Senior Officer of that campus and another Officer will be selected as secretary.
3. Executive Officers will be elected in accordance with the procedures set out in Section 6. Officers who cease to be Registered Students of Cranfield University after being elected are deemed to have resigned from their elected position.
4. In the event of there being vacancies for Executive Officer positions after elections been completed, the Executive Committee may co-opt members for the remainder of the academic year, provided that the number of co-opted members shall not exceed one-third of the total number of Executive Officers on that committee.
5. Job descriptions for each Executive Officer position will be drawn up by the Executive Committee and ratified by the Board of Trustees.
6. The Executive Committees will be responsible for routine management and oversight of CSA's operations and affairs. This will not include the duties of the Board of Trustees, but may include reporting on such matters to the trustees as necessary. It will include operational issues, representation, campaigns and the implementation of policy.
7. The Executive Committees shall meet throughout the year at intervals agreed with the Board of Trustees.
8. The quorum of an Executive Committee shall be 50% plus one of the elected Officers from that campus. For the avoidance of doubt, the President shall, for these purposes, only count as an Executive Officer of the campus on which they primarily study.
9. An Executive Committee will be run at the discretion of that committee in such a way as to be effective in their role. However, all meetings will be minuted, and such minutes will include notes of all decisions and actions of the committee.
10. Executive Committees may establish operational committees, as they see fit, to monitor and direct operational areas. Examples may include, Clubs & Societies Committee, Communications Committee, Entertainments Committee, etc.
11. No sub-committee of the Executive Committee may duplicate any sub-committee of the Board of Trustees. In the case of conflict, the latter will take precedence.
12. CSA staff may attend meetings of an Executive Committee at the request of that Executive Committee.



## **Section 10. Student Councils**

1. The aim of a Student Council is to provide a forum for students to raise and discuss issues that concern them on a local campus basis in a similar manner to a General Meeting. To this end a Student Council may
  - (a) Develop CSA policy, within the overall policies laid down by AGM, referendum or Board of Trustees, as appropriate to the local circumstances.
  - (b) Provide guidance to the local Executive Officers.
  - (c) Work to widen the extent of CSA engagement with Members and the democratic nature of decision-making.
  - (d) Provide a forum for students to question the President and local Executive Officers.
2. Any student may attend any Student Council meeting.
3. The CSA President and local Executive Officers will attend Student Councils unless they have good reason for failing to do so.
4. The Student Council will meet annually at each campus where a local Executive Committee is operational. This meeting will be timed to fall, as far as is practicable, equidistant between AGMs.
5. Additional meetings of the Student Council may be organised, in particular for the purpose of the prompt ratification of the appointment of External Trustees.
6. Student Council meetings may discuss any matter of interest to the local Members. As far as is practicable, notice of the business of meetings will be posted along with notice of the time and place of the meeting.
7. The campus Vice-President will be responsible for organising all Student Council meetings.
8. 14 clear days notice will be given of all Student Council meetings. Posting on the CSA website will be sufficient notice.
9. The campus Vice-President will chair all Student Council meetings on their campus. In their absence, their place may be taken by another person elected by the meeting.
10. An Executive Officer will act as secretary for the meetings. They will take minutes and ensure that they are posted on the CSA website within two weeks of the meeting.
11. There is no quorum for Student Council meetings.

## **Section 11. Member Disciplinary Procedure**

### *Charges*

1. CSA's disciplinary policy has authority over any premises managed by CSA, any CSA activities either on or off the premises, any activities of affiliated CSA Clubs or Societies and any other area that is likely to impact the reputation of CSA.
2. Charges may be brought against Members for any breach of the CSA Constitution, Bye-laws or general good order. It is the duty of the Disciplinary Committee to assess the validity of the charge at the time of the hearing. For the avoidance of doubt, Members include all elected Officers of CSA.
3. Any Member may bring charges against any other Member of CSA. The President may bring charges on behalf of a third party, including CSA itself.
4. Charges must be submitted in writing to the President or Vice-President and include details of the charge and the names of all supporting witnesses.

### *Temporary Sanctions*

5. The President or Vice-President may temporarily suspend the defendant's membership of CSA for a maximum of 14 days pending a hearing.
6. This temporary suspension may be the sole sanction applied if so agreed by the President or Vice-President, complainant and defendant. In such a case no further hearing is required.
7. Should a defendant refuse to identify themselves at the time of the alleged offence, then their membership will be automatically suspended until they do so and for up to 14 days thereafter.

### *Disciplinary Committee*

8. The Disciplinary Committee will consist of three elected Officers of CSA. The President or Vice-President will normally chair the committee. An Officer bringing a charge, acting as a witness or otherwise involved in the case may not sit on the Disciplinary Committee.
9. A senior CSA manager will act as secretary for the meeting.
10. The President or Vice-President will arrange hearings of the Disciplinary Committee, giving at least three working days notice to those involved. The hearing will take place within 14 days of the notification of the identity of the accused. The defendant must agree to at least one day in that period.
11. The defendant will be informed by the President or Vice-President of the following.
  - (a) The details of the charge.
  - (b) The time and place of the hearing.
  - (c) The disciplinary procedure.

- (d) The Officers who will sit on the committee.
- 12. The defendant may object to the composition of the committee up to 24 hours prior to the hearing. If the objection is upheld, then the Officer(s) in question will be replaced by other Officer(s). The defendant may not object to all CSA Officers; three available Officers must be acceptable.
- 13. Should the defendant fail to attend the hearing they may be judged *in absentia*.
- 14. Should the complainant or other witness fail to attend the hearing, then their evidence will be considered void.
- 15. The defendant, or any other person involved, may be accompanied by a friend who may speak for them.
- 16. The hearing will be minuted and conducted as follows.
  - (a) Introduction of the committee.
  - (b) Explanation of the procedure.
  - (c) Statement of the charge.
  - (d) Evidence from the complainant and witnesses.
  - (e) Evidence from the defendant and witnesses.
- 17. The members of the committee may ask questions at any point. The defendant, or their representative, may ask questions of witnesses at the conclusion of their evidence.
- 18. The chair of the committee may temporarily suspend the formal hearing at any point in favour of an informal discursive approach if they believe that this may be beneficial to achieving resolution of the matter. These discussions need not be minuted.
- 19. The committee will consider its verdict and sanctions in private. If necessary a majority vote will suffice.
- 20. The chair will notify the defendant verbally of the result. This will be reinforced in writing, in which details of the sanctions will be given and the appeals procedure will be explained if appropriate.

### *Sanctions*

- 21. The following sanctions may be applied by the committee.
  - (a) Oral or written apology required.
  - (b) Suspension of all or part of membership.
  - (c) Suspension or ban from sporting events.
  - (d) Payment in compensation for any damage incurred.
  - (e) Banned from introducing guests.
  - (f) Banned from all or part of CSA premises.
  - (g) Expulsion from all or part of membership of CSA.
  - (h) In the case of elected Officers, a request to the Executive to convene an Extraordinary General Meeting with a motion of censure and sanctions

- (i) Any multiple or combination of the above.

Should sanction 21(h) be applied, then the Disciplinary Committee must be confident that a vote of no confidence is appropriate and be prepared to propose, second and campaign for such. It is not a vehicle for the abdication of responsibility for decision-making.

- 22. At any point in the proceedings, prior to the application of sanctions, the committee may elect to refer the matter to the University for disciplinary action if it feels that is a more appropriate route. For the avoidance of doubt, the University's policies and procedures shall take precedence where appropriate to the case. However, no person will be subject to more than one complete disciplinary system for a single alleged offence.
- 23. Similarly, in the most serious cases, the committee may suspend proceedings and refer the matter to the police for investigation.

### *Appeals*

- 23. Any member found guilty may appeal against the verdict and/or the sanctions. This appeal must be made to the Chair of the original hearing within 14 days of the original hearing.
- 24. It is not the intention that the appeal should repeat the original hearing. Grounds for appeal are limited to the following; and in these cases only where the grounds raise reasonable doubt as to whether the verdict of the original hearing would have been different.
  - (a) Infringement of natural justice.
  - (b) Infringement of proper process.
  - (c) Perversity of verdict or sanctions.
  - (d) New evidence or developments occurring between the hearing and appeal.
- 25. Upon receiving notice of an appeal, the Chair of the original hearing and the CSA Senior Manager may jointly dismiss the appeal should they consider that the appeal is vexatious, frivolous, presents no prima facie case or is outside the scope of the allowable grounds for appeal. In the event of this decision, the appellant will be informed in writing of the decision and the reasons for dismissal.
- 26. An appeal will be held by three elected Officers of CSA not involved in the original hearing. This will take place within 14 days of the appeal being submitted and follow the same procedure as the original hearing.
- 27. The Chair of the original hearing may, at their sole discretion, suspend any sanctions pending the appeal.
- 28. The decision of the appeal panel will be final.

## **Section 12. Elected Officers Disciplinary Procedure**

1. All Officers of CSA are expected to behave in an exemplary fashion.
2. Members can choose to discipline an Officer in two ways: through the Member Disciplinary Procedure (Section 11) or via the Corporate route of censure at a General Meeting

### *Corporate Disciplinary Route*

12. Members can discipline Elected Officers by a motion of censure at a General Meeting.
13. An intention to proceed with a disciplinary motion must be notified in writing to the Senior Manager of CSA in sufficient time for seven days notice to be given to the Officer concerned. The motion will be passed to the President or Vice-President for inclusion in the General Meeting publicity and agenda.
14. If the motion of censure is passed, then the General Meeting may impose the following sanctions
  - (a) A vote of censure (a warning as to future conduct)
  - (b) Removal of specific responsibilities
  - (c) A vote of no confidence (the officer being deemed to have resigned)
15. Sanction (a) may be passed with a simple majority, options (b) and (c) require a two-thirds majority.
16. A censured officer may appeal against the verdict and / or sentence of the General Meeting. Any appeal must be made within 48 hours of the end of the General Meeting passing the motion of censure to the CSA Senior Manager, who will pass it to the Election/Referendum Manager for administration.
17. Pending the appeal, the Officer will be suspended from any duties from which they have been removed under 4(b) or 4(c) above.
18. The appeal is to a cross-campus ballot. The result of the ballot is final. Such a ballot will be organised in the same manner as CSA Elections or Referenda.
19. Any Officer Trustee dismissed from their position by this route shall immediately be removed from their position as a Trustee.
20. Any Officer working as such under a contract of employment with CSA will be subject to employment legislation and CSA will be required to undertake all legal processes prior to dismissal from employment.

### **Section 13. Grievance and Complaint Procedure**

1. Every effort should be made to resolve complaints and grievances informally at the time that they occur.
2. Complaints may be dealt with informally by CSA managers or Officers as appropriate.
3. Formal complaints must be made in writing to either the President or a Vice-President as appropriate.
4. The Board of Trustees will be kept informed of all formal complaints concerning Officers, staff or the organisation via a report from the President at each Board meeting. To this end the President will maintain a log of all such complaints; this will be available for inspection on request by the Board of Trustees at any time.

#### *Procedures concerning complaints against CSA staff*

5. The complaint will be referred to the CSA Senior Manager for investigation and action. In the case of the complaint being against that person, it should be referred to the President.
6. Any action taken must be in compliance with the employee's contract, CSA's staff handbook and policies and any relevant legislation.
7. The Senior Manager will inform the complainant of the outcome of the investigation as soon as practicably possible. Should this period be longer than seven days, then they will inform the complainant of the reasons for the delay.
8. Should the complainant not be satisfied, they may appeal within 14 days to the University as detailed below.

#### *Procedures concerning complaints against CSA members*

9. The complaint will be dealt with through the Member Disciplinary Procedure (Section 11).

#### *Procedures concerning complaints against all or part of the CSA or its Affiliates*

10. Complaints must be directed to the President in writing. The President will refer the complaint to the appropriate Executive Committee, which will appoint a sub-committee to undertake investigation and recommend action. The President may refer a complaint to the Executive Committee on behalf of the CSA without receiving a complaint from a third party.
11. The President will inform the complainant of the outcome of the investigation as soon as practicably possible. Should this period be longer than seven days, then the President will inform the complainant of the reasons for the delay.

12. Should the complainant not be satisfied, they may appeal within 14 days to the University as detailed below.

*Appeals to the University*

13. Appeals must be made in writing, stating the grounds for appeal, to the senior member of University staff with responsibility for the CSA; at present this is the University Secretary and Head of Executive Office, but may be changed by notice of the University without impacting these Bye-laws.
14. The complaint will then follow the Cranfield University general procedure for the submission and consideration of complaints by students; this appeal being considered to be the second stage of that procedure, the original CSA investigation having been the first stage.

#### **Section 14. The Appeals Committee**

1. An External Trustee removed from office by the Board of Trustees in accordance with the CSA Constitution shall be entitled to appeal the decision for removal to an Appeals Panel.
2. An appeal must be within 14 days of the resolution to remove the Trustee from their duties.
3. The Appeals Panel shall be made up of a nominee of Cranfield University, two independent CSA Members who are neither Trustees nor Officers and a Senior Manager & a Senior Officer of another students' union.
4. The selection of the members of the Appeals Panel will be by the Registrar of Cranfield University (or, in his absence, the Vice Chancellor), the CSA Senior Manager and the NUS Regional Officer respectively.
5. Otherwise, the Appeals Committee will conduct itself in the same manner as a Member Disciplinary Appeal Committee.
6. The decision of the Appeals Committee will be final.



## **Section 15. Clubs and Societies**

1. A society is a group of students that share common interests. Societies provide the means for students to participate in extracurricular activities, so widening their developmental and educational experience.
2. A club is a sporting society dedicated to a particular sporting activity. A team is a single competitive entity participating in a sport. Therefore, a club can consist of many teams. In the following, the term society is taken to include clubs where appropriate.
3. Societies promote participation, education and support for Members with a particular interest. Membership of societies must be open to all members of CSA as defined in the CSA Constitution. For the avoidance of doubt, it is not necessary, and is specifically disallowed, for a member of a society to have to satisfy any conditions other than their membership of CSA to be entitled to join a particular society, even though, for legitimate reasons, they may not be able to participate in all of that society's activities.
4. Membership or participation restrictions may be placed upon types of members, other than Full Members, to promote effective running of a society.

### *Recognition*

5. A Group of 10 or more members of CSA, who have a common aim or interest, may set up a society, provided that there is no existing society with the same name and/or objectives on that campus.
6. Societies will adopt the standard constitution as provided by CSA, unless by specific written agreement of the CSA President and the Clubs and Societies Manager.
7. All society registration forms must be presented to the Clubs and Societies Manager and approved by the Clubs and Societies Committee. De-registration of a society can only be carried out by the Clubs and Societies Committee or higher authority.
8. All societies must adhere to CSA's constitution, Bye-laws and policies, plus any laws or regulations of national or international governing bodies as appropriate.
9. The names and student identification numbers of members must be provided to CSA when applying for registration.
10. CSA will provide the following for societies:
  - (a) The reasonable use of CSA's facilities
  - (b) Administrative and organisational support
  - (c) The reasonable use of all relevant equipment owned by CSA
  - (d) Monies to the extent of the society's budget and available CSA funds.
11. Once registered, societies will remain active for the duration of the academic year concerned. They must confirm their intention to re-register for the following academic year, if they wish to do so, by 30<sup>th</sup> June. Otherwise, another group may assume the

name and aims of that society. Societies may be run by the Clubs and Societies Manager between academic years if that represents the best arrangement to ensure continuation of a society's activities.

*General Principles:*

12. CSA may use images or information concerning societies in any form of CSA or University media as it sees fit.
13. Sabbatical Officers may belong to societies but they may not hold office.
14. Societies may be suspended by the Clubs and Societies Committee, including freezing of accounts, for the following reasons *inter alia*
  - (a) Breaches of the Constitution, Bye-laws, polices or objectives of CSA
  - (b) Maintenance of unauthorised or unaudited separate bank accounts
  - (c) Failure of at least two representatives to attend a CSA General Meeting
  - (d) Bringing CSA into disrepute
15. Suspended societies may appeal to the local Executive Committee. Their decision will be final.
16. Apart from the powers of the Clubs and Societies Committee (above), discipline of individual society members will be dealt with in accordance with Section 11 Discipline of Members, and of societies as a whole in accordance with Section 13 Grievance and Complaints Procedure.

*Budgets & Funding Allocation*

17. CSA may award grants or loans to registered societies. All applications for money must be made in writing to the Clubs and Societies Manager. Monies provided to societies up to £100 may be allocated at the sole discretion of the Clubs and Societies Manager. Sums beyond that must be approved by the Clubs and Societies Committee.
18. Groups may appeal against refusal of funds to the Executive Committee; their decision will be final. The Executive Committee may reduce funding on appeal if it is of the opinion that the appeal was spurious or vexatious.
19. Societies may charge a membership fee, or similar, to members. The level of this fee will be set separately by each society. Different fees may be applied to different categories of membership.
20. All spending by societies must be authorised by the Clubs and Societies Committee.
21. Unless subject to clause 22, money held by societies, whether awarded by CSA or generated independently, must be held in accounts maintained by CSA.
22. Societies may operate separate bank accounts provided that they have written authorisation of the CSA President and the Clubs and Societies Manager and that proper accounts, including receipts for expenditure and other documentation, are provided to the CSA Senior Manager annually for auditing and approval.

23. Only the elected officers of societies may withdraw money from accounts. They must present photographic ID for withdrawals.
24. Balances on accounts may be carried over to following years. If a society does not re-register for two years, then all money in their accounts, however raised, reverts to the general CSA societies' budget.
25. Societies may actively seek sponsorship for their society. All Society Officers must obtain an official contract from any business from whom they wish to gain sponsorship and have any such contract approved by the Clubs and Societies Committee before it is signed.

### *Officers*

26. Each society will elect at least three Officers of that society. Elections must take place on the first meeting of the society in the academic year, and the members of the society and the CSA Co-ordinator must be informed of the date, time and place in advance of the meeting. Only Full Members may serve as Society Officers. This must include either a Chair, President, Club Captain, or similarly titled Senior Officer. Duties of this and suggested other Officers are detailed below. The choice of other officers remains with the society. However, should the positions below not be filled, then those duties must be undertaken by other officers of the society in some capacity.
27. The Chair (or similar) has overall responsibility for the Society and their duties will include:
  - (a) Be the main point of contact for the society.
  - (b) Chair society meetings.
  - (c) Ensure the society upholds the Constitution, Bye-laws and policies of the society, CSA and Cranfield University and any other pertinent laws and regulations.
  - (d) Represent their society within the CSA democratic process.
  - (e) Ensure that all records relating to the society are true and accurate.
  - (f) Ensure the smooth running of activities and events.
  - (g) Ensure that elections take place and are in accordance with the Constitution and Bye-laws.
28. The Treasurer will be directly responsible for recording and keeping the society accounts. Their main duties will include:
  - (a) Make and keep records of all the society's income and expenditure including ensuring accurate receipts, orders and invoices are obtained for all expenditure.
  - (b) Ensure that all income and expenditure occurs in line with the law and the regulations set out in the constitution.
  - (c) Ensure all society's subscription fees and other income is properly and promptly deposited into the society's account.
  - (d) Provide society members and CSA with access to records of income and expenditure and end of year accounts.
  - (e) Represent their society within the CSA democratic process.

29. The Secretary will be responsible for keeping records and communicating with society members and CSA. Their main duties will include:
- (a) Give notice of all society meetings to members and CSA, including the date, time and meeting agenda.
  - (b) Ensure that members and CSA are fully informed of activities and events
  - (c) Take, keep and distribute accurate minutes of society meetings as required by CSA.
  - (d) Obtain and maintain accurate and up to date membership details and provide CSA with these details on request.
  - (e) Represent their society within the CSA democratic process.

## Section 16. Definitions and Interpretations

In these Bye-laws, the following terms shall have the following meanings:

<b>Term</b>	<b>Meaning</b>
“Annual General Meeting” “AGM”	The annual meetings of members to receive reports from officers and discuss policy and procedures.
“Appointments Committee”	The committee set up in accordance with the Bye-Laws.
“Associate Members”	Individuals or groups, other than full members, who are entitled to non-voting membership benefits as decided by the Trustees.
“Board of Trustees” or “Board”	The Board of Trustees of CSA.
“Bye-laws”	The Bye-laws setting out the working practices of CSA made from time to time in accordance with the CSA Constitution.
“Chair”	The chair of the Board of Trustees. Similarly, the chair of any committee relevant to the described section of the Constitution or Bye-laws.
“Senior Manager”	The General Manager, Chief Executive or similar person of CSA who is appointed by the Board of Trustees as the senior manager of the organisation.
“Clear Days”	In relation to the period of a notice, that period excluding the day when the notice is given or deemed to be given and the day for which it is given or on which it is to take effect;
“Code of Practice”	The code of practice relating to Cranfield University’s obligations under Section 22 of the Education Act;
“Connected Person”	Any person falling within one of the following categories and where payment to that person might result in the relevant Trustee obtaining benefit: (a) any spouse, civil partner, parent, child, brother, sister, grandparent or grandchild of a Trustee; or (b) the spouse or civil partner of any person in (a); or (c) any other person in a relationship with a Trustee which may reasonably be regarded as equivalent to such a relationship; or (d) any company or LLP or firm of which a Trustee is a paid director, member, partner or employee, or shareholder holding more than 1% of the capital.
“Constitution”	The CSA Constitution.

“Cranfield University”	Cranfield University incorporated by Royal Charter 1969. The University was declared an ‘exempt charity’ for the purposes of the Charities Act 1993 by Statutory Instrument 1993 No. 2359.
“CSA”	Cranfield Students’ Association
“Executive Committee”	The CSA elected Officers on a particular campus.
“External Trustee”	A Trustee who for the avoidance of doubt shall not be deemed to be either a major union office holder or a sabbatical union office holder for the purposes of section 22 of the Education Act.
“In Writing”	Written, printed or transmitted writing including by electronic communication.
“Members”	Members of CSA being Registered Students at Cranfield University and the Sabbatical Officer Trustees.
“NUS”	National Union of Students.
“Office”	The head office of CSA.
“Patron”	Any person that actively supports or champions the interests of CSA
“Personal Interest”	A financial interest or an interest that does not arise in the ordinary course of being a Member or a Trustee (for example, being a member of a club or society).
“Policy”	Representative and campaigning policy set by Referenda or the General Meeting.
“President”	The President of CSA, as elected by the Members in accordance with the Bye-laws.
“RaG”	The Raise and Give activities which develop Students by providing them with an opportunity to raise funds for charitable causes.
“Referendum”	A ballot in which all Members of CSA are entitled to cast a vote, the protocol for which is set out in the Bye-laws.
“Secure Petition”	A written request to CSA which shall be fixed in a pre-arranged place or places or held securely on-line.

“Registered Student”	Any individual who is formally registered for an approved programme of study provided by Cranfield University leading directly to the award of a degree or other academic distinction of the University. For the avoidance of doubt, Cranfield University shall determine such status of individuals or groups.
“Student”	
“Student Council”	The body of Students constituted in accordance with this Constitution and the Bye-laws of CSA.
“Student Trustee”	A Trustee elected who is a Student and for the avoidance of doubt shall not, for the purposes of Section 22 of the Education Act, be a major union office holder.
“Subsidiary Company”	Any company in which CSA holds more than 50% of the shares, controls more than 50% of the voting rights attached to the shares or has the right to appoint a majority of the board of the company.
“Trustee” and “Trustees”	The Officer Trustees, the Student Trustees and the External Trustees.
“Vice President”	A Vice President of CSA, as elected by the Members in accordance with the Bye-laws.

Words importing the singular shall include the plural and vice versa and words importing the masculine shall include the feminine and vice versa.

Any reference to a statute, statutory provision or subordinate legislation (“legislation”) shall (except where the context otherwise requires) be construed as referring to such legislation as amended and in force from time to time and to any legislation which (either with or without modification) re-enacts, consolidates or enacts in rewritten form any such legislation.