



BYE-LAWS
OF
DUNDEE UNIVERSITY
STUDENTS' ASSOCIATION

BYE LAW	1 BOARD OF TRUSTEES	3
BYE LAW	2 STUDENT REPRESENTATIVE COUNCIL	10
BYE LAW	3 ELECTIONS AND REFERENDUMS	15
BYE LAW	4 GENERAL MEETINGS AND REFERENDUMS	22
BYE LAW	5 CLUBS AND SOCIETIES.....	30
BYE LAW	6 CODE OF DISCIPLINE	43
BYE LAW	7 DISCIPLINARY GUIDELINES	57
BYE LAW	8 GENERAL BYE LAWS.....	67
BYE LAW	9 COMPLAINTS PROCEDURE	69

BYE LAW 1 BOARD OF TRUSTEES

1. COMPOSITION

- 1.1 The composition of the Board of Trustees shall be in accordance with clause 5.1 of the Constitution.
- 1.2 An external Trustee shall be appointed by Board as Chair for a maximum of three terms of two years. Another external Trustee shall be appointed by the Board as a Vice Chair of Board.
- 1.3 The Chair of the Student Representative Council (SRC) will be invited to all meetings of the Board of Trustees as an observer; they will be able to contribute to discussion but will not be allowed a vote and will not constitute a full member of Board.
- 1.4 The DUSA Senior Managers will be invited to all meetings of the Board of Trustees as an adviser; they will be able to contribute to discussion but will not be allowed a vote and will not constitute a full member of Board. In addition, the Chief Executive Officer will act as Permanent Secretary to the Board of Trustees.

2. ELECTION AND CO-OPTION OF ADDITIONAL TRUSTEES

- 2.1 Additional Trustees shall be co-opted to the Board of Trustees by a unanimous decision of the Trustees and acceptance by the SRC for a maximum of three terms of two years. This process shall be completed in line with the procedures laid out in the relevant standing order.
- 2.2 Additional Trustees shall be selected on the basis of their skills, knowledge and experience in areas such as charities, education, finance, law or pastoral care.

3. GENERAL DUTIES AND POWERS OF ADDITIONAL TRUSTEES

- 3.1 The duties of Trustees are those specified in the Constitution, the Charities and Trustee Investment (Scotland) Act 2005 (as defined in the Constitution), the Trustees' handbook and any service agreement or contract of employment entered into between a Trustee and the Association. Trustees are tasked with:
- i. giving effect to the democratically decided policy of the Association;
 - ii. considering views and comments of members in an active manner;
 - iii. carrying out the management and administration of the Association;

- iv. undertaking the strategic development of the Association and to regularly review strategy and policies;
- v. acting as a channel of communication between members, the Association, the University, the University Court and the public as appropriate;
- vi. ensuring that Association finances operate efficiently and effectively, including agreeing budgets, making financial reports as appropriate and robustly monitoring financial performance;
- vii. acting as a good employer and supporting the Chief Executive Officer, effectively reviewing their performance; and
- viii. Establishing sub-committees and working groups to bring forward proposals on any aspect of the Association's business as appropriate.

4. MEETINGS OF THE BOARD OF TRUSTEES

- 4.1 The Trustees shall meet regularly throughout the year. Meetings of the Board of Trustees shall take place at least every two months.
- 4.2 The business to be discussed at each meeting will normally be communicated to the members of the Trustees seven days in advance in the notice of the meeting.
- 4.3 Any Trustee wishing to place any item of business on the agenda must submit the motion or item to the Secretary of the Board prior to the issuing of the notice of the meeting.
- 4.4 The Board shall operate according to any standing orders it may have passed.
- 4.5 The quorum for all meetings of the Trustees shall be seven, at least three of whom shall be Additional Trustees.

5. RESIGNATION AND DISMISSAL OF TRUSTEES

- 5.1 Given that at meetings where they are full members of the committee, attendance is obligatory or an apology for absence, which is reasonable and acceptable, submitted Trustees shall resign or be deemed to have resigned as follows:
 - i. By giving five days written notice in advance to the Board Chair.
 - ii. By failing to attend any Board of Trustee meetings without written apology on any three occasions.

- iii. By a vote of no confidence at a duly called Referendum. A Referendum can be called by students in line with Bye Law 4.
- iv. By material breach of any service agreement entered into between a Trustee and the Association, as outlined in the Trustees’ Code of Conduct.

6. COMMITTEES OF THE BOARD OF TRUSTEES

6.1 In terms of the Constitution, the Board of Trustees may delegate functions to committees. The Board of Trustees will review the functioning committees on an annual basis. Accordingly, there shall be (but not limited to) the following committees:

- i. The Executive Committee

The Executive Committee shall have the remit of co-ordinating the Association’s non-commercial activities. The committee will consist of the seven elected members of the Executive. The Executive Committee will be chaired by the President and four members will constitute a quorum. In the event of a tied vote the President will have the casting vote. The Executive Committee will have the responsibilities for:

- 1. The responsibility of co-ordinating the Association’s pastoral activities;
- 2. Providing support to students on academic, welfare and student matters; and
- 3. Liaising with the University on academic, welfare and student matters.

7. ROLE DESCRIPTIONS FOR ELECTED TRUSTEES

The role descriptions set out below are not intended to be exhaustive or fixed. The role descriptions may be amended by the Board of Trustees taking account of the needs of the Association and the Members from time to time. Any alterations to role descriptions must be carried out in the best interest of the Association. The Sabbatical positions are fully remunerated for the tasks they do and Non-Sabbatical positions are voluntary positions.

Sabbatical Positions	Non-Sabbatical Positions
President	Vice President of Community
Vice President of Academia	Vice President of Fundraising
Vice President of Representation	Vice President of Student Activities
Vice President of Student Wellbeing	

Responsibilities of all Executive Post-holders:

- Signatories of the Association's accounts.
- Obligated to represent the opinions and best interests of the student body as a whole.
- Required at all times – but especially within the Association's premises – to conduct themselves in a manner befitting their office.
- Obligated to abide by the Constitution, Bye Laws and policies of the Association at all times
- Act as a Trustee of the Association.
- Keep in touch with student opinion / issues.
- Be an effective representative of students within the University and the local community.

President of the Association (Type: Sabbatical)

The President is the figurehead and lead spokesperson for the Association. They act as the students' advocate for student issues at local, national and international levels as well as having responsibility for the actions and activities of the Students' Association and office bearers. The post holder will liaise with the University and other external bodies on all student matters. The focus of the role will be to continually improve the student experience at the University of Dundee (e.g. academic standards, facilities, accommodation, accessibility, and image).

Has overall Responsibility for:

- Advocating the interests of the students of the University of Dundee at local, national and international levels;
- Aiding Executive members to achieve their objectives,
- All student representation at the University of Dundee,
- Coordinating the development and implementation of pastoral strategy between the University of Dundee and the Association,
- Harmonising the objectives of the Executive Committee with the Association's strategy,
- Liaising with other students' associations, charities, safety services, organisations and media groups,
- Maintaining an accurate version of DUSA's Bye Laws and Constitution,

- Monitoring and assessing the standard of student experience at the University of Dundee from DUSA's perspective (e.g. academic standards, facilities, accessibility, employability skills and image),
- Monitoring the progress of Executive members objectives in the role as Head of Department,
- The actions and activities of the Executive Committee,
- The relations with the University Executive Group,
- Delegating the following responsibilities to other Executive Members,
 - Being part of working groups,
 - Delivering welcome talks and open days,
 - Being involved in accreditation and Student Staff Liaison Committee,
 - Liaising and supporting the quality procedures in Schools,
 - Participating in recruitment processes,
 - Attending university and teaching committees,
 - Overall directorate control over the DUSA Media outlets,
 - Strategic decision making, e.g., Brexit, COVID-19,
- Supporting and advising the Chair of the DUSA Board of Trustees.

Vice President of Academia (Type: Sabbatical)

As well as deputising for the President when required, this post holder works within the University of Dundee to promote, support and aid development of representation, quality assurance in education, equal opportunities, and international students.

Has responsibility for:

- Advocating the interests of all students in particular disabled, international and postgraduate students in conjunction with the Vice President Community,
- Deputising for the President when they are unavailable,
- Liaising with the University in all matters relating to the development and improvement of the University of Dundee's equal opportunities policies,
- Providing student feedback into the University's Quality Assurances processes and representation system,

- To promote, support and aid development of representation, quality assurance in education, equal opportunities, and international students.

Vice President of Representation (Type: Sabbatical)

The post holder will work alongside the University to coordinate and promote all student representation on campus. This will include arranging all student elections, training of elected representatives and providing a first point of contact for representatives when in their role.

Has responsibility for:

- Convening and Chairing the School Presidents Committee,
- Coordinating all elections and co-option of student representatives at all levels alongside the University, including chairing the Election Liaison Committee,
- Engaging with similar positions in other institutions to share best practise,
- In conjunction with the Business Support Officer, coordinating all student representation on programme review panels,
- work alongside the University to coordinate and promote all student representation on campus,
- Taking part in Annual Reviews and Changes to Programmes.

Vice President of Student Wellbeing (Type: Sabbatical)

This post holder will have responsibility for student welfare issues and the provision of the relevant DUSA services. The post holder will also liaise with the Student Services at the University.

Has responsibility for:

- Co-chairing the Nightline Committee, alongside the Director of Student Services,
- Liaising with Student Support on areas of mutual interest / delivery of joint campaigns,
- Liaising with the Directorate of Student Services on pastoral and welfare issues through membership of relevant committees and regular catch ups with each directorate,
- Providing support to the Committee of the Nightline service.

Vice President of Student Activities (Type: Non-Sabbatical)

This post holder will ensure that student interests are best represented in the provision of services and facilities by the Association and University and that societies operate and develop effectively.

Has responsibility for:

- Chairing both the Societies' Council and Societies' Funding Council,

- Representing the student body in relation to services and facilities provided by the University and DUSA,
- Ensuring student interests are best represented in the provision of services and facilities by the Association and University and that societies operate and develop effectively.

Vice President of Community (Type: Non-sabbatical)

The post holder will work with the Executive, student representatives and key University leads to engage under represented student groups from across the campuses and virtual learners in extra-curricular activities and campaigns. The postholder will also engage with external bodies and groups to ensure a strong working relationship and improved cohesion between students and the local community.

Has responsibility for:

- Supporting the engagement of under-represented students (Distance Learners, non-main campus students and articulation groups) in extra-curricular opportunities,
- Working with the VPR to support under-represented students to engage with DUSA's representation structures (Executive and SRC),
- Leading on campaigns that celebrate the diversity of our student body (LGBT+ History Month, Black History Month, etc).

Vice President of Fundraising (Type: Non-sabbatical)

The post holder will co-ordinate the organisation of the Raising and Giving (RAG) initiative. They will also focus on working with charity-orientated societies and assist where possible.

Has responsibility for:

- To work with charity-orientated societies and assist where possible,
- Chair the RAG committee and coordinate recruitment of the RAG committee,
- Help affiliated societies get involved within the RAG campaign through campaigns and events,
- To work with the Student Opportunities Co-ordinator on challenge-based fundraising initiatives.

BYE LAW 2 STUDENT REPRESENTATIVE COUNCIL

1. COMPOSITION

The Student Representative Council (SRC/Council) shall include the following members:

1.1 School Presidents,

1.2 Additional members:

- SRC Chairperson
- Learning and Teaching Representative
- Facilities Representative
- 1st Year Representative
- International Representative
- Taught Postgraduate Student Representative
- Research Postgraduate Student Representative
- Mature Student Representative
- Equality, Diversity and Welfare Representative
- Women's Representative
- BME Representative
- LGBT+ Representative
- Disabilities Representative
- Employability Representative
- Housing Representative
- Student Staff Representative
- Environmental and Sustainability Representative
- Halls Representative
- Three General Representatives

1.3 Permanent members of Council:

- The Executive Committee

- Sports' Union President
- Immediate Past President (Non-voting member)
- Independent Member of Court
- Rector (Non-voting member)
- Rectors Assessor (Non-voting member)

1.4 The DUSA Executive may review and change the composition of the SRC on an annual basis. This must be done in line with their aims and objectives, and any changes to the composition of the Student Representative Council must be agreed to by the Board of Trustees and done in consultation with the Council, or the summer representatives of Council, if Council is not sitting.

2. ELECTION AND CO-OPTION OF COUNCIL MEMBERS

2.1 School Presidents and School, Vice and Associate Presidents are elected at School level with support from the Association and the University in the second semester.

2.2 Council members set out in Article 1.3 are members of Council by virtue of their election, appointment or employment as the case may be.

2.3 Additional members of Council shall be elected via online voting methods, or if online voting is unavailable, then co-option under 2.4.

2.4 Council shall be entitled to co-opt additional members of Council if an online election has not filled all places. Co-option shall follow the process outlined in the standing orders.

2.5 In the case of an elected member stepping down, the Chair will look to the council to source alternative candidates. These candidates will then be co-opted in line with the standing orders co-option process.

2.6 An independent Chairperson shall be elected by the students at the DUSA Executive elections in second semester. The Chair shall be elected to serve a term of one year alongside the DUSA Executive, starting in July and concluding in the following July. This position shall stand alone from any defined constituency. The SRC Chairperson shall, working alongside the Vice President of Representation, oversee the compilation of the meeting's agenda, have final say in agenda related matters and Chair all meetings of the Council.

2.7 A Vice Chair will be elected from the elected council at the first meeting of the academic year. The Vice Chair shall be elected in line with standing orders.

- 2.8 In the event of disorder, the Chair will have the power to dissolve the meeting or to name any members guilty of disturbance or insubordination or contravention of any of these or for any other reason. They will then move that the named member be suspended from the remainder of the meeting.

3. GENERAL DUTIES AND POWERS OF COUNCIL

3.1 Council can:

- i. Set or direct the Association's policy,
- ii. Hold the Board of Trustees and the Executive to account,
- iii. Monitor and discuss the operation of the Association,
- iv. Campaign and lobby work in line with policies that are passed by Council,
- v. Make the Board of Trustees aware of concerns,
- vi. Consider views and comments of members,
- vii. Make special consideration for the pastoral obligations of the Association.

4. MEETINGS OF COUNCIL

- 4.1 There shall be at least eight meetings of the Council across the academic year. The summer Council shall be called in responding to important matters to the policy and governance of DUSA.
- 4.2 If no Chair is elected or stands down prior to the first meeting of the Council, the Vice President Representation shall undertake the duties of the Chair to allow the election of a Vice Chair to be held, inline line with 2.5 of Bye-Law 2. The Vice Chair shall undertake the duties of the Chair until a by-election can be held for the position.
- 4.3 A quorum shall be attained where 13 or more members of Council are in attendance during the academic year. A quorum of the Summer Council shall be 5.
- 4.4 The Council shall operate according to any standing orders it may have passed.
- 4.5 These orders shall be reviewed every year before the first meeting of first semester.
- 4.6 Each member of Council shall have one vote. Where the vote is tied, the Chair will have the casting vote.

- i. When voting Councillors may vote 'yes' to show their support for a motion, 'no' to show their lack of support for a motion or 'abstain' whereby they are choosing not to vote on the motion.
 - ii. Voting shall take place in the form of an anonymous electronic platform. The Chair will take a note of all members' votes and will ensure the results are recorded after the vote.
- 4.7 Meetings of Council are open to all members. A viewing gallery shall be organised in line with the standing orders. Members in the gallery will be able to speak during meetings of Council but will not be given a vote or provided with the relevant papers.
- 4.8 The meeting may, by a simple majority, vote to exclude any non-member of Council from the meeting and the Chair may rule that discussions of a confidential nature are held in-camera.
- 4.9 During the last Council meeting of the academic year, the Council will appoint at least five members to oversee the summer running of the Council. The summer Council's procedures shall be in line with the standing orders.

5. CODE OF CONDUCT, RESIGNATION AND DISMISSAL OF COUNCIL MEMBERS

- 5.1 All members must sign and adhere to the values, principles, and rules of the Code of Conduct. The Code will be reviewed prior to end of each academic year to ensure they are fit for purpose and submitted to the Council for approval.
- 5.2 At meetings, where full attendance of the members is obligatory, all the SRC members are expected to attend or submit an apology for absence which is reasonable and acceptable at the discretion of the chair of the SRC. The SRC members shall resign or face a motion of no confidence as follows:
- i. By giving five days' written notice in advance to the Vice President Representation.
 - ii. By failing to attend any Council or General meeting without written apology on any three occasions. Council will have the power to set a minimum compulsory attendance rate at the start of an academic year and will have the power to censure members or call for a vote of no confidence for any member failing to achieve that attendance rate.
 - iii. By a Council member submitting a motion of no confidence a set procedure shall be adhered to as set out in the Standing Orders.
 - iv. A vote of no confidence that affects a member of the Council who's role leads them to have responsibilities out with the Council (School President, Sports Union President,

Independent Member of Court, Rector, Executive), and is found against, shall be removed from the Council.

- v. By material breach of the SRC Code of Conduct, members Code of Conduct or any service agreement entered in between a Council member and the Association as laid out in the relevant Bye Laws.
- vi. In circumstances where the behaviour or actions of a Council member has resulted in Association and/or University disciplinary action then this will be reviewed by the Chair and Vice President Representation and may result in the removal of privileges and that member from their position on the Council.
- vii. If a disciplinary action is taken against the Chair the Vice-Chair and Vice President Representation or President will review the case and make a decision on the appropriate next steps, including dismissal from the post.

6. COMMITTEES OF THE COUNCIL

- 6.1 Council shall be entitled to establish or dissolve sub- committees to undertake part or parts of the duties and powers of Council, these committees shall be chosen by Council and reviewed by Council on an annual basis.
- 6.2 Each sub-committee required a minim of 3 councillors and can invite non-Council members to provide expertise and support for areas of work.

BYE LAW 3 ELECTIONS AND REFERENDUMS

1. CALLING OF ELECTIONS

- 1.1 DUSA will organise and facilitate annual elections which will be overseen by the Returning Officers and supported by an Election Liaison Committee (ELC), who shall officiate at the proceedings of the elections and oversee the conduct of all candidates.

2. ELECTION VALUES AND GOVERNANCE

- 2.1 All elections and referendums will be conducted and carried out by the values of:
- i. Democracy
 - ii. Fairness
 - iii. Equality
 - iv. Accountability
- 2.2 The elections and referendum will be governed by the following principles:
- i. All candidates or members of a campaign must treat other candidates, campaigners, students, staff and members of the public with respect and fairness;
 - ii. All candidates or members of a campaign must protect and respect the environment and property of the campus, the University and;
 - iii. All candidates or members of a campaign will not undertake acts which bring the election process, referendum, the Association or the University into disrepute;
 - iv. All candidates or members of a campaign must not undermine the values of Democracy, Fairness, Equality and Accountability during an election or referendum.

3. DUTIES OF THE RETURNING OFFICERS

- 3.1 There shall be at least four and up to six Returning Officers (RO)
- 3.2 The ELC shall appoint one of the Returning Officers to be the Senior Returning Officer, who must have served three years on the ELC. The ELC may, if it wishes, appoint a Deputy Senior Returning Officer, who must have served on the ELC for at least one year.
- 3.3 The Senior Returning Officer will normally be appointed for a period of three years.

4. APPOINTMENT OF THE RETURNING OFFICERS

- 4.1 All Returning Officers shall be appointed by the University of Dundee, in consultation with DUSA and the Election Liaison Committee, by means of a selection panel comprising at least the Director of Academic & Corporate Governance and the Vice President Representation. Returning Officers shall oversee elections and ensure that they are fairly and properly conducted. All appointments will be determined before any election takes place.
- 4.2 The ROs must be staff members of the University of Dundee. None of the ROs shall be matriculated students of the University of Dundee.
- 4.3 The duties of the ROs shall be:
- i. To interpret, uphold and enforce the values and principles of these bye laws,
 - ii. To oversee any election or referendum,
 - iii. To decide upon allegations of misconduct or breach of election values and principles and to impose any penalty up to and including disqualification,
 - iv. To validate nominations,
 - v. To examine the votes cast and adjudicate the validity of the ballot and count,
 - vi. To organise and monitor the voting platform for the duration of the voting period.

5. ELECTION LIAISON COMMITTEE

- 5.1 An Election Liaison Committee (ELC) will be formed ahead of all elections. The Committee shall be comprised of the following individuals:
- i. Chair – DUSA Vice President Representation
 - ii. DUSA President
 - iii. All Returning Officers
 - iv. DUSA Head of Operations (Student Experience)
 - v. DUSA Student Voice and Representation Co-ordinator
 - vi. DUSA Marketing and Communications Manager
 - vii. One nominated member of the SRC in order to observe democratic process (ex officio)

5.2 If any member of the Committee is running for re-election to the DUSA Executive Committee, they will be replaced by another sitting member of the Executive Committee or an SRC member if there is no Executive alternative.

5.3 The Committee will be responsible for organising and managing the election process (including: election dates/timetable, publicity, nomination forms and hustings) as well as producing and reviewing Election Guidance and Rules.

6. PROCEDURE FOR NOMINATION OF A CANDIDATE FOR APPOINTMENT, ELECTION OR REFERENDUMS

6.1 Candidates for any election must be fully matriculated students of the University of Dundee and ordinary members of the Students' Association as defined by the Constitution.

6.2 Students standing for non-sabbatical positions (SRC Councillors, School Presidents, Independent Court Member, DUSA Media) must be fully matriculated students of the University of Dundee for the coming academic year in which they will take office.

6.3 Any student standing for a sabbatical position during their course of study (i.e. not due to graduate before they take office) must have express written permission from their School Manager or Academic Advisor to take a leave of absence from their course of study. Postgraduate students must have express written permission from their dissertation supervisor where appropriate;

6.4 International and EU students standing for sabbatical positions on the Executive Committee must prove their eligibility to remain in the UK for the following academic year in which they will take office, otherwise they will not be allowed to stand for election;

6.5 The following individuals shall not be eligible to stand for election:

- i. Any person who cannot satisfy the legal requirements of a charity trustee as defined by the Charities and Trustee Investment Act (Scotland) 2005;
- ii. Any person deemed unfit to serve by a Basic Disclosure Scotland background check;
- iii. The conditions under i) and ii) will be annually reviewed in line with any updates to legislation or guidance on the requirements for those in positions responsibility in charities and students' associations;
- iv. Students who are temporarily withdrawn from their studies or temporarily de-matriculated.

- 6.6 The eligibility of the following individuals to stand for election will be considered by the ELC, whose decision on eligibility to stand in the election is final:
- i. Any person who has been found guilty of a breach of the DUSA disciplinary Bye Laws or the University Charter under the procedures defined therein;
 - ii. Any person having overdue debts to the Students' Association.
- 6.7 The procedures for eligible students to be nominated for a position shall be:
- v. Any Ordinary Member of the Students' Association has the right to propose a candidate for election via the online or physical nomination form;
 - vi. Candidacy must be seconded by two full and currently matriculated students of the University of Dundee.
- 6.8 Students considering standing for a position on the Executive Committee must attend a pre-nomination briefing prior to submitting a nomination. If a student cannot attend a briefing, they must make an alternative arrangement with the Vice President Representation or designated replacement.
- 6.9 The decision of Returning Officers (ROs) in any dispute over the above shall be final;

7. PUBLICITY

- 7.1 The Election Liaison Committee will review and stipulate on the type and amount of candidate election material on an election-by-election basis and publish in candidate guidance.
- 7.2 It is the responsibility of candidates to obtain permission from School Managers or other appropriate operational staff to display posters in University buildings.

8. MISCONDUCT

- 8.1 Allegations of misconduct will be considered by the full Election Liaison Committee. No allegations, which are made after 72 hours following the declaration of results, will be considered. Reference should be made to the Election Guidance document for formal complaints process.
- 8.2 Any individual who has had allegations of misconduct brought against them will have the opportunity to state their case before the ROs and before they reach their decision. The individual may be accompanied by an impartial member of the DUSA Executive Committee

to act as their advisor should they request it. The SRO and a minimum of one other RO will be represented on this panel.

8.3 Penalties up to and including disqualification may be imposed at the discretion of the ROs.

8.4 Decisions made by the ROs on allegations of misconduct will be final.

9. VOTING

9.1 Voting shall be by a secret electronic ballot among all matriculated University of Dundee students. The electronic ballot will be facilitated via the University of Dundee Virtual Learning Environment or another secure online voting system

9.2 A minimum of two days (48 hours) voting will be provided.

9.3 A single transferable vote system will be used (as defined in Newland and Britton 1973).

9.4 There will be no proxy voting.

9.5 Students will be given the option to re-open nominations.

9.6 Questions relating to the validity or conduct of the Elections must be submitted in writing to the ROs within 72 hours of the results of the Elections being declared.

9.7 The decision of the ROs on matters relating to the Election and vote will be final.

10. HUSTINGS

10.1 Every candidate standing for an Executive position and the Independent Member of Court must present themselves at the Hustings. Any candidate who fails to comply with the requirements of this clause shall normally be disqualified from Elections unless a suitable reason can be provided and will be determined by the ROs.

10.2 The format of the hustings will be determined on an annual basis by the Vice President Representation in consultation with the Election Liaison Committee. This format will be conveyed to all candidates during the Candidates Briefing.

10.3 Questions of a discriminatory, illegal or inappropriate nature are not permitted. Interpretation of the nature and intent of questions will be left to the Chair of Hustings.

11. MEDIA MANAGERS

11.1 The Media Managers will be appointed on an annual basis by a panel consisting of the Media Guidance Panel, DUSA Marketing and Communications Manager the four current media managers.

- 11.2 Potential candidates must submit an online nomination form including a CV and Personal statement, plans for the upcoming year and a portfolio of their work.
- 11.3 The panel will examine each candidate's submissions before an interview process whereby each candidate will be interviewed by the full panel.
- 11.4 Where a candidate has support of 75% of panel, they will be appointed the next Media Manager.
- 11.5 When no candidate is deemed sufficiently qualified by panel at interview, nominations will be reopened for another interview until a qualified candidate is found.
- 11.6 Where it is deemed that there is more than one suitably qualified candidate, or where a 75% majority decision is not reached, an Election will take place, which will run in conjunction with the DUSA Executive Elections or, where this is not deemed possible, a by-election will be held.
- 11.7 Where an Election takes place there will be no option to re-open nominations.
- 11.8 Where a current manager seeks to run again, they must step back from the interview panel completely and their deputy will fill their position on the interview panel.
- 11.9 If it is deemed by the Media Guidance Panel, in conjunction with the Marketing and Communications Manager, that if any Media Manager repeatedly fails to meet their duties and responsibilities to their outlet, or acts in a way deemed to be not in line with DUSA's charitable objective, they may be asked to resign from their post.
- 11.10 If a Media Manager is planning on running for an Executive position, they must let the VPR and DUSA Marketing and Communications Manager know before they submit their nomination. Once Executive nominations are open, the Media manager wishing to run must remove themselves from any projects or coverage of the Elections, passing over responsibly to either a deputy or another outlet manager.
- 11.11 If a regular member of DUSA Media wished to run in any DUSA election, they must make the DUSA Marketing and Communications Manager and their Media Manager aware, and remove themselves from projects or coverage of those elections. It is the responsibility of the DUSA Marketing and Communications Manager and Media Manager to monitor their activity to make sure they are not using DUSA Media resources to their own or others advantage/ disadvantage.

- 11.12 No member of DUSA media, candidate or regular, are allowed to use any DUSA Media resources to endorse, promote, smear, or provide misleading information about themselves, or another candidate during elections.
- 11.13 Members of DUSA Media found to be in breach of these rules will be referred to the Election Liaison Committee and could face disqualification as well as review of their pace within DUSA Media.

BYE LAW 4 GENERAL MEETINGS AND REFERENDUMS

1. ANNUAL GENERAL MEETING (“AGM”)

- 1.1 The AGM shall be called by the Vice President Representation and shall normally be held in the second Semester of each academic year.
- 1.2 A quorum shall be 100 Ordinary Members. If the meeting fails to attain a quorum within 15 minutes the meeting shall proceed with those present. Any motions proposed at an inquorate AGM can be discussed at the meeting but will go to the Student Representative Council (SRC/Council) as motions for review and decision. The proposer of the motion will be invited to attend the Council if required.
- 1.3 28 days’ notice of an AGM shall be given and posted in the Association buildings as well as on the Association’s website.
- 1.4 An AGM will not be able to set or direct the policy of the Association however will be able to direct the Executive Committee to call a Referendum to set or direct Association policy, repeal standing Association policy or vote of no confidence of a Trustee, as set out below. The AGM is, however, able to propose amendments to the Constitution of the Association subject to the approval by the Board of Trustees and of the Council. Subsequently the amendment will then need to be approved by the University Court and OSCR.
- 1.5 Conduct of an AGM:
 - i. The Chair at General Meetings shall be occupied by the President in whose absence the Vice President Academia, in whose absence another Trustee. If no member of the Board of Trustees is in attendance the Chair shall be appointed from among those present.
 - ii. A written interim annual report shall be presented by a member of the Executive Committee; this will include the latest audited accounts and an interim financial statement.
 - iii. Motions can be formally moved by one of their signatories, normally the proposer, and can be formally opposed by any ordinary member before being opened to the floor for debate.
 - iv. The duration and conduct of the meeting shall be the responsibility of the Chair.

1.6 Motions:

- i. Any Ordinary Member of the Association may propose a motion to be discussed at the AGM. Such motions must be communicated to the Vice President Representation at least 21 days before the meeting. All motions will be placed on the nominated virtual voting environment for 7 days and must accrue the support of at least 100 ordinary members.
- ii. The Association will promote motions proposed for the AGM through its online media.
- iii. All motions must comply with the Association's Constitution as well as relevant legislation, including but not limited to the Education Act 1994 and the Charity and Trustee Investment (Scotland) Act 2005 as well as any subsequent legislation.
- iv. Proposers are expected to confirm the legal competence of any motions prior to submission (informal advice is available from the Association). Where the informal advice is that the motion is not legally competent, the proposer may ask the Association to seek professional legal advice from its solicitors. The proposer may seek their own separate legal advice if they so wish, however this will not be funded by the Association. In any event, the Board of Trustees retain the right to pass judgement where conflicting legal advice prevails.
- v. If the legality of a motion is still unclear then the motion will go ahead for discussion with a caveat inserted by the Board of Trustees that the contents of the motion are pending a legal decision.
- vi. Resolutions of the AGM shall be binding on the Board of Trustees provided they do not contravene any other part of the Constitution or relevant legislation, including but not limited to the Education Act 1994 and the Charity and Trustee Investment (Scotland) Act 2005 as well as any subsequent legislation.
- vii. A motion cannot be resubmitted to the AGM within 3 years of the last motion unless there is significant evidence to suggest that there needs to be a resubmission of the motion.

1.7 Voting at the AGM:

- i. All ordinary members must present their valid University of Dundee matriculation card at entry to the AGM to be eligible to vote. They may be provided access to an electronic platform to vote if required.
- ii. Each ordinary member shall have one vote per motion tabled.
- iii. Voting will be done by a simple show of hands or through a specified electronic platform. This may be counted by any member or members of the Board of Trustees, including the Chair of the AGM.
- iv. A simple majority of votes cast will be sufficient to effect a decision.

2. EXTRAORDINARY GENERAL MEETINGS OF THE ASSOCIATION (“EGM”)

2.1 An EGM shall be held by resolution of the Board of Trustees, Students’ Representative Council, or by a secure online petition of 125 ordinary members.

2.2 A quorum shall be 100 Ordinary Members. If the meeting fails to attain a quorum within 15 minutes the meeting shall proceed with those present. Any motions proposed at an inquorate EGM can be discussed at the meeting but will go to the Students’ Representative Council as motions for review and decision. Proposer of the motion will be invited to attend the Council if required.

2.3 14 days’ notice of an EGM shall be given and posted in the Association buildings.

2.4 An EGM will not be able to set or direct the policy of the Association however will be able to direct the Executive Committee to call a Referendum to set or direct Association policy, repeal standing Association policy or vote of no confidence of a Trustee, as set out below. The EGM is however able to propose amendments to the Constitution of the Association subject to the approval by the Board of Trustees and of the Council. Subsequently the amendment will then need to be approved by the University Court and OSCR.

2.5 Conduct of an EGM:

- i. The Chair at General Meetings shall be occupied by the President in whose absence the Vice President Academia, in whose absence another Trustee. If no member of the Board of Trustees is in attendance the Chair shall be appointed from among those present.

- ii. Motions can be formally moved by one of their signatories, normally the proposer, and can be formally opposed by any ordinary member before being opened to the floor for debate.
- iii. The duration and conduct of the meeting shall be the responsibility of the Chair.

2.6 Motions

- i. Any Ordinary Member of the Association may propose a motion to be discussed at the EGM. Such motions must be communicated to the Vice President Representation at least 21 days before the meeting. All motions must accrue the support, through a secure online procedure, of at least 100 ordinary members .
- ii. The Association will promote motions proposed for the AGM through its online media.
- iii. All motions must comply with the Association's Constitution as well as relevant legislation, including but not limited to the Education Act 1994 and the Charity and Trustee Investment (Scotland) Act 2005 as well as any subsequent legislation.
- iv. Proposers are expected to confirm the legal competence of any motions prior to submission (informal advice is available from the Association). Where the informal advice is that the motion is not legally competent, the proposer may ask the Association to seek professional legal advice from its solicitors. The proposer may seek their own separate legal advice if they so wish, however this will not be funded by the Association. In any event, the Board of Trustees retain the right to pass judgement where conflicting legal advice prevails.
- v. If the legality of a motion is still unclear then the motion will go ahead for discussion with a caveat inserted by the Board of Trustees that the contents of the motion are pending a legal decision.
- vi. Resolutions of the EGM shall be binding on the Board of Trustees provided they do not contravene any other part of the Constitution or relevant legislation, including but not limited to the Education Act 1994 and the Charity and Trustee Investment (Scotland) Act 2005 as well as any subsequent legislation.

2.7 Voting at an EGM:

- i. All ordinary members must present their valid University of Dundee matriculation card at entry to the EGM to be eligible to vote.
- ii. Each ordinary member shall have one vote per motion tabled.
- iii. Voting will be done by a simple show of hands or through a specified electronic platform. This shall be counted by any member or members of the Board of Trustees, including the Chair of the EGM.
- iv. A simple majority of votes cast will be sufficient to effect a decision.

3. REFERENDUM

3.1 A Referendum shall be held by resolution of a:

- i. General Meeting, in compliance with section 1 and 2 of Bye-Law 4
- ii. Students' Representative Council, by a vote of 60% of the Council members in favour of holding a referendum
- iii. Board of Trustees, by simple majority of the Board's membership

3.2 Referendums will be overseen by the Election Liaison Committee, as set out in Bye Law 3. Referendums will be run in accordance with published rules and guidance produced by the Election Liaison Committee prior to the beginning of any referendum.

3.3 Referendum voting procedures will be organised by the Election Liaison Committee and in compliance with Bye-Law 3.

3.4 Referendums may be held on matters that pertain to the:

- i. Introduction of Association policy
- ii. Repealing standing Association policy
- iii. Vote of no confidence of a Trustee
- iv. Amending the Association's constitution

- 3.5 No referendum proposal or referendum can contravene any other part of the Constitution or relevant legislation, including but not limited to the Education Act 1994 and the Charity and Trustee Investment (Scotland) Act 2005 as well as any subsequent legislation.
- 3.6 All referendums will be eligible to run between September of Semester 1 and up to the end of May in Semester 2 of any given academic year. Referendums that fall out with this time period will be run in the next academic year at the earliest opportunity, if the proposals are still considered to be relevant to the priorities of the ordinary membership and the Association.
- 3.7 The 'calling notice' for the Referendum period shall inform the student body of the date of the referendum, the date, time and location of the Referendum debates, and the date by which any proposed referendum questions must be received. This calling notice will be widely publicised to the student body.
- 3.8 The Board of Trustees can establish an advisory committee for the purpose of providing advice on the legality, operational considerations, implementation and design of a referendum and referendum question. The committee will also be formed when the Board wishes to amend the quorum of a referendum.
- 3.9 The advisory committee would be chaired by the Vice President Representation or appropriate Executive member. The committee's membership would include relevant Association Executive Officers, student representatives, and staff and, where appropriate, University staff. The committee can invite onto or consult external expertise in matters which pertain to the legality, cost, impact or other prevalent matters which would be important to formulating best advice and practise.
- 3.10 A minimum of 10% of the Ordinary Members shall be required to cast votes in the Referendum for the decision to be binding. The Board of Trustees will have the right to amend the quorum of any Referendum motions including but not limited to motions affecting the governance of the Association. Any changes will be communicated to the student body no later than 7 days before the Referendum occurs.
- 3.11 The Association shall be responsible for communicating the outcomes and subsequent actions relating to referendums.
- 3.12 A simple majority of votes cast will be sufficient to effect a decision; however the Board of Trustees has the right to amend this on any Referendum motions including but not limited

to motions affecting the governance of the Association. Any changes will be communicated to the student body no later than 7 days before the Referendum occurs.

3.13 The decision of the Referendum shall be binding on the Board of Trustees, Council and the General Meeting provided they do not contravene any other part of the Constitution or relevant legislation, including but not limited to the Education Act 1994 and the Charity and Trustee Investment (Scotland) Act 2005 as well as any subsequent legislation.

3.14 Referendum questions:

- i. Referendums will always take the form of a Yes/No question.
- ii. The question may be in the form of a short clear question with a Yes/No answer OR may outline information pertaining to the question, followed by a clear Yes/No question.
- iii. A referendum question shall date set out by the Election Liaison Committee.
- iv. Proposers will inform the Vice President Representation or designated alternative and the advisory committee where one is established, of their proposed question in writing . Where two or more similar questions are submitted for referendum the Vice President Representation, or representative from the advisory committee, will approach each proposer and encourage the production of a combined question.
- v. The Vice President Representation or the relevant Executive Committee Member, with the aid of the advisory committee where one is established, shall check submitted questions to ensure that they are consistent with the responsibilities of the Association and do not violate the law or otherwise require action which would be unlawful and/or bring the Association into disrepute. They shall reserve the right to refer any questions to the Board of Trustees where this is appropriate.

3.15 Referendum debate:

- i. The referendum vote may only take place after a referendum debate has been organised.
- ii. The Referendum debate will be run in compliance with Bye-Law 3.

3.16 Referendum campaigning:

- i. The referendum campaigning rules and procedures will be produced and communicated by the Election Liaison Committee to official campaign teams. Students shall be invited

to volunteer to lead an “Against” Campaign, prior to the Campaigning period beginning. Only two campaigns for each referendum shall be funded.

- ii. A representative of each campaign shall attend any official briefings held, and shall be in contact with the Vice President Representation, or the relevant Executive Committee Member, throughout the campaigning period. Failing to attend any briefings will result in the campaign deemed to have withdrawn and no further funding will be given to that campaign.
- iii. The Association, where it is able to, will produce and publish neutral and factual information sets to inform debate.

BYE LAW 5 CLUBS AND SOCIETIES

1. GENERAL

For the purposes of this bye law, any Society, Club, Association or group of students which is, or which seeks to become affiliated to Dundee University Students' Association (hereinafter referred to as 'the Association') will be referred to as a 'Society'.

2. RECOGNITION

2.1 The Association may recognise Societies:

- i. which do not conflict with the purposes, objectives or aims of the Association; and
- ii. which adopt a constitution in accordance with Article 3 below; and
- iii. which carry out the procedures of affiliation in accordance with Article 4 below; and
- iv. with elected committee members who are fully matriculated current University of Dundee students.

3. SOCIETY CONSTITUTION

3.1 All Societies shall adopt a constitution which:

- i. details the aims and objectives of the Society;
- ii. entitles all full members to be a member on payment of the appropriate annual subscription; and have:
 - (a) Voting rights at Annual and Extraordinary General Meetings of the Society;
 - (b) The right to be elected as a Society officer;
- iii. provides for associate membership to be granted to all current students of another university on payment of the appropriate annual subscription;
- iv. provides for honorary membership to all the University of Dundee alumni or members of the public on payment of the appropriate annual subscription;
- v. provides that combined numbers of associate and honorary members should not exceed 25% of the total Society membership. Associate and Honorary members have no voting rights at Annual General Meetings (AGM) and Extraordinary General Meetings (EGM) and can only hold identified discretionary committee posts, but with no voting rights;

- vi. provides for membership of the Society to be refused, suspended for a specified period, or withdrawn, by a majority of the Society Executive Committee at an EGM or AGM which must be attended by the Vice President Student Activities or their designated representative;
 - vii. provides for an Annual General Meeting (AGM) at which reports by the President, Secretary, Treasurer, and any other relevant Committee members shall be read and new Committee members shall be elected;
 - viii. provides that any Society officer or an appropriate number of Society members may call a general meeting to discuss any matter relating to the Society; and
 - ix. requires that compulsory Society officers shall include as a minimum a President, Vice President, Secretary and Treasurer who shall be full members of the Association; and current, fully matriculated students of the University of Dundee. Any additional optional positions can be elected, at the Society's discretion, at an AGM or EGM. Members of a society cannot use their position in that society for personal financial gain for themselves or their friends and relatives. Societies may choose to elect more than one person to hold any given position of the committee for purposes such as gender representation and spreading of workloads;
 - x. provides for the proper accounting of Society funds, in accordance with the Association's financial regulations, which shall only be used in furtherance of the aims and objectives of the Society; and
 - xi. provides for the Treasurer to submit a balance sheet of the Society's account, signed by the Treasurer and the President in office, by the last Friday of each academic year along with all supporting documentation, detailed in 6.13, to the Vice President Student Activities and the Student Opportunities Co-ordinator
 - xii. provides for any funds of the Society that are provided by the Association to be returned to the Association should the Society cease to be recognised by the Association; and provides for the funds of the Society to revert to the Association should the Society cease to exist and the accounts remain dormant for longer than a 2 academic years. Such funds will be returned to the Association's Societies' Grant Fund for further distribution.
- 3.2 In drafting a constitution, Societies may use the Association's draft constitution in Schedule 1.
- 3.3 All societies' constitutions have to adhere to the following promotional rule:

- i. Societies and their affiliates are not permitted to cause damage when attaching flyers or posters, particularly not to damage trees using metal pins. Instead, Societies should use plastic ties on fences and notice boards.
 - (a) Societies identified as not adhering to this rule or those found to have left promotional material up after one week of the event taking place may be fined, depending upon the severity of the infringement.

4. AFFILIATION

- 4.1 Any Society seeking affiliation with the Association shall apply to the Vice President Student Activities and the Student Opportunities Co-ordinator.
- 4.2 The Society shall adopt a constitution, which will be presented at the Societies' Council for approval.
- 4.3 The Society shall provide the signatures of 10 full members of the Association who endorse the affiliation of the Society, which will be presented at the Societies' Council for approval.
- 4.4 The Society shall provide minutes of an Annual General Meeting at which they appoint a President, a Vice President, a Secretary and a Treasurer, which will be presented at the Societies' Council for approval. The minutes shall be submitted to the Vice President Student Activities and Student Opportunities Co-ordinator within 30 days from the Annual General Meeting along with the contact details and the matriculation numbers of the Society's officers.
- 4.5 A committee member of the Society must attend a meeting of the Societies' Council at which they will request affiliation with the Association.
- 4.6 Affiliation to the Association shall be granted by a majority vote at a meeting of the Societies' Council.
- 4.7 If the Societies' Council does not vote in favour of affiliation with the Society, the Society representative may ask the Chair of the Societies' Council for an explanation of the votes. The Chair shall issue a reply, either verbally or in writing, to the Society representative within 7 days of the meeting of the Societies' Council.
- 4.8 If the Societies' Council does not vote in favour of affiliation with the Society, the Society representative may ask the Vice President Student Activities to present the case at Student Representative Council. The Vice President Student Activities shall issue a reply, either verbally or in writing, to the Society representative within 7 days of the Student Representative Council meeting.

- 4.9 An affiliated Society shall be affiliated with the Association from the academic year in which it attained affiliation and shall remain so for as long as it fulfils the requirements of the constitution, unless the society has been disaffiliated or has disbanded.
- 4.10 An affiliated Society shall be a full member of Societies' Council and shall be required to send one representative to all meetings of the Council. Failing to attend or send apologies to five Societies' Council meetings, will result in the society being disaffiliated and not being eligible for:
- i. access to funding
 - ii. room booking privileges
 - iii. access to Society storage
 - iv. any other perks which a Society receives under affiliation.
- 4.11 Confirmation of affiliation of a Society will be completed after the AGM of the Society and the minutes being submitted to the Vice President Student Activities and the Student Opportunities Co-ordinator and taking into consideration the following compulsory criteria:
- i. Provision of accounts information as detailed in 3.1 (xi)
 - ii. Provision of AGM minutes and committee members information as detailed in 4.4
 - iii. Provision of a list of full members and their matriculation numbers within 30 days of the AGM and submitted to the Vice President Student Activities and Student Opportunities Co-ordinator
- 4.12 The Vice President Student Activities shall have the authority to approve the continued affiliation of a Society. This decision can be reviewed by the Societies' Council if the Society in question submits a formal request to the Societies' Council within two weeks from the announcement of the decision of the Vice President Student Activities.
- 4.13 The Vice President Student Activities may request that any society requesting re-affiliation, apply to the Societies Council if they believe that the purposes, aims and objectives of any such Society have changed in any way that would require approval by Societies Council.
- 4.14 Societies must provide when asked by the Vice President Student Activities or the Student Opportunities Co-ordinator a record of their accounts within 14 days of the request. Failure to do so will result in "suspension" of the Society. Suspension will take the form of having no access to Society Funding, revoked room booking privileges, no access to Society storage and any other perks which the Society receives under affiliation.

5. WITHDRAWAL OF AFFILIATION

- 5.1 A Society's affiliation with the Association may be rejected, suspended for a specified period, or withdrawn by the Societies' Council or Student Representative Council. In extreme circumstances requiring an immediate decision which cannot wait until a scheduled Council meeting, the Executive Committee of DUSA may suspend affiliation of a Society.
- 5.2 The Societies' Council or Student Representative Council may reject an application for affiliation, or withdraw the Association's affiliation with a Society by a majority vote.
- 5.3 The Student Representative Council may suspend any Society for a specified period by a majority vote, if approved by the Society Council.
- 5.4 The Vice President Student Activities may temporarily suspend any Society for a specified period pending a vote at the Societies' Council.
- 5.5 The Vice President Student Activities, the Student Opportunities Co-ordinator, any member of Societies Council or any member of the Student Representative Council shall be empowered to suggest the suspension or withdrawal of affiliation with any Society.

6. SOCIETY FINANCES

- 6.1 The Treasurer of the Society shall normally be responsible for the financial matters of the Society and shall see that claims against it are duly met.
- 6.2 The individual members of a Society's executive committee and not the Association shall be liable for any deficit incurred by the Society.
- 6.3 All affiliated Societies should use banking facilities provided by the DUSA Finance Department.
- 6.4 The Treasurer shall be responsible for keeping books showing the Society's financial transactions and for preparing accounts for presentation at the Society's Annual General Meeting.
- 6.5 The Treasurer shall be responsible for assembling the final pack of financial documentation to be submitted to the Vice President Student Activities (as detailed in 3.1.xi).
- 6.6 The Treasurer shall ensure a thorough financial handover has taken place prior the end of their term of office, including the following actions:
- i. New Society officers are added to the Society's bank account as signatories
 - ii. Originals of the Society's full financial documentation is handed to the incoming Treasurer

- iii. All petty-cash is handed to the incoming Treasurer.
- 6.7 The Society must charge its members an appropriate annual subscription, as agreed upon at a quorate General Meeting of the Society and at a minimum amount of £1.00.
- 6.8 Societies shall not incur debt in excess of the balance standing to their credit in their account. Overdrafts shall be refused without previous approval of the Association. The President of a Society shall be held responsible for any infringement of regulations and may be called before the Societies' Council or the Student Representative Council at any time.
- 6.9 The executive committee of each Society shall take necessary steps to see that a full handover is provided for incoming committee members. Should no Treasurer be elected, all accounts shall be handed over to the Vice President Student Activities until such time as a Treasurer is appointed.
- 6.10 No later than 30 days after the AGM takes place, the Treasurer of each Society shall submit their financial documentation (as detailed in 3.1 xi) to the Vice President Student Activities and Student Opportunities Co-ordinator for inspection by the Association's financial department. If a Society does not hand in their accounts, they will be deemed suspended until they have provided the accounts.
- 6.11 The following items will be presented for audit (and further guidance can be requested by contacting the Vice President Student Activities or the Student Opportunities Co-ordinator)
- i. Balance sheet submitted electronically to vpsa@dusa.co.uk and societies@dusa.co.uk and as a signed hard copy approved by both the Treasurer and the President of the Society.
 - ii. Bank books and the latest bank account statement.
 - iii. Receipt book - all monies received by a Society shall be entered into a counterfoil receipt book detailing the amount received, the name of the person making the payment and the date of the payment. Original receipts for all expenses incurred must also be submitted.
 - iv. Accounts book - all monies must be accounted for in a ledger style.
 - v. Inventory - all property and assets of the Society must be detailed.
- 6.12 Failure to comply with these regulations will be dealt with by the Vice President Student Activities who may recommend appropriate action to the Societies' Council or the Student Representative Council.

7. SOCIETIES COUNCIL

- 7.1 A Societies Council shall exist to provide a forum for communication between recognised Societies.
- 7.2 Societies Council shall be composed of a committee member (normally the President) of each affiliated Society and the Vice President Student Activities.
- 7.3 Each representative may represent more than one Society at any meeting of Societies Council, should they be the designated representative for more than one society.
- 7.4 Each Society shall have one vote at Societies Council.
- 7.5 Meetings of Societies Council shall meet a minimum once per month during semester-time.
- 7.6 Meetings shall be called by the Vice President Student Activities.
- 7.7 The quorum for meetings shall be 10% of all affiliated Societies.
- 7.8 If the quorum is not achieved the meeting shall be rescheduled to occur within 14 days.
- 7.9 A minimum of five Societies Representatives shall be nominated to sit on Societies Funding Council. If more than the minimum number representatives are nominated a vote shall take place. The candidates with the most votes shall be appointed Societies representatives on Societies Funding Council.
- 7.10 Societies Representatives for the Student Representative Council and the Societies Funding Council shall be nominated at the first meeting of Societies Council in each academic year.
- 7.11 The representative from each society's committee is normally expected to attend each Societies Council Meeting. A designated replacement may attend instead. Any apologies must be submitted to the Vice President Student Activities in advance of the meeting. Repeated non-attendance may result in disaffiliation as detailed in 4.10.

8. SOCIETIES FUNDING COUNCIL

- 8.1 A Societies Funding Council shall exist with the authority to award funds to Societies.
- 8.2 The Societies Funding Council shall comprise of the Vice President Student Activities, two Society Representatives to the Student Representative Council and five Society Representatives elected by Societies' Council. The Student Opportunities Co-ordinator shall be in attendance at all scheduled meetings and be included in any email discussions or virtual meetings.

- 8.3 The Societies' Funding Council shall be convened by the Vice President Student Activities or the Student Opportunities Co-ordinator. Notice of Societies' Funding Council meetings shall be given to all Societies at least seven days in advance.
- 8.4 Emergency funding applications can be circulated to members of the Societies' Funding Council and the Society making the application will be notified immediately of the decision.
- 8.5 A meeting of Societies' Funding Council shall not occur until a meeting of Societies Council has been convened.
- 8.6 Funds shall only be awarded by the Societies' Funding Council if:
- i. The Society submits a valid application, and
 - ii. The Society has met the criteria detailed in 4.11, and
 - iii. The Societies' Funding Council is satisfied that funds should be awarded.
- 8.7 Applications shall be submitted to the Vice President Student Activities and the Student Opportunities Co-ordinator by the deadline which will be set by the Vice President Student Activities.
- 8.8 An application for funding shall contain the following information:
- i. The name of the Society,
 - ii. The names of the President and Treasurer,
 - iii. Contact details of the President and Treasurer,
 - iv. A brief description of the Society's activities,
 - v. Accounts for the last academic year,
 - vi. A copy of the Society's latest bank statement (if it is not a DUSA account),
 - vii. The amount of funds requested,
 - viii. A brief budget for the planned activity, indicating how the awarded funds will be spent.
- 8.9 Funds will not be awarded if it is believed that they will be used for purposes, objectives or aims which are in conflict with those of the Association, or for personal profit.
- 8.10 The Societies Funding Council has the authority to award a lesser sum than is requested if it is satisfied that it is prudent to do so.
- 8.11 The decision of the Societies' Funding Council shall be final.

- 8.12 Societies who request and are granted funding should provide evidence that these funds were used for the appropriate means as stated in their application.

9. AMENDMENT

- 9.1 This Bye Law may be amended by a majority vote at the Societies' Council and approval by the Association's Board of Trustees and the Student Representative Council.

10. INTERPRETATION

- 10.1 Interpretation of this Bye Law shall, at all times, be provided by Vice President Student Activities and the Student Opportunities Co-ordinator.

Schedule 1

DRAFT CONSTITUTION

Items shown in red are essential and should always be included:

1. GENERAL

- 1.1 The Society constituted by these laws shall be called the _____ Society, hereinafter referred to as the "Society".
- 1.2 The Society shall be affiliated to the University of Dundee Students' Association.
- 1.3 The aims and objectives of the Society shall be:
- i. To.....
 - ii. To.....

2. MEMBERSHIP

- 2.1 Full membership of this Society shall be opened to any matriculated student of the University of Dundee and to any other member of the Students' Association who supports the aims stated in this constitution.
- 2.2 Associate membership shall be opened to any other member of the University of Dundee.
- 2.3 Extraordinary membership shall be opened to others.
- 2.4 All full members have the right to:
- i. Attend all meetings, gatherings or events upon payment of any appropriate fees.
 - ii. Vote for such officers as are put up for election.
 - iii. To vote on all questions or policy within the Society.
- 2.5 Associate and non-academic University of Dundee staff failing to satisfy the conditions in the above paragraph will still be eligible for Associate Membership.

3. OFFICE BEARERS

- 3.1 The full members only shall elect an executive committee which shall include a President, a Vice President, a Secretary and a Treasurer; other members may be appointed at the discretion of the society's AGM.
- 3.2 The President will normally preside at all the meetings of the society and shall have a casting vote.

- 3.3 The Vice President will cover for the President when they are not available.
- 3.4 The Secretary shall deal with the correspondence of the society, the calling of meetings and the keeping of minutes of meetings.
- 3.5 The Treasurer shall be responsible for the finances in accordance with the rules.

4. REMOVAL OF OFFICE BEARERS

- 4.1 Office bearers can be removed following a vote of no confidence at an extraordinary general meeting (EGM). A simple majority is required to remove the office bearer.
- 4.2 Any member can call an EGM subject to the discretion of the Vice President Student Activities (VPSA).
- 4.3 A 10% turn out of Society members is required for meetings to be quorate.
- 4.4 All meetings must have 7 days' notice given by advertising in a conspicuous manner.
- 4.5 The VPSA shall act as the returning officer and administer the secret ballot. Where the VPSA cannot attend, the Student Opportunities Co-ordinator at DUSA or another member of the DUSA Executive team for that year shall attend.

5. ELECTIONS

- 5.1 Elections will be held at an Annual General Meeting specially called for this purpose.
- 5.2 Voting will normally be by a show of hands unless a motion for secret ballot is passed by a simple majority of those present and voting. Any office falling vacant during the year shall be filled by co-option.

6. MEETINGS

- 6.1 Quorum
 - i. 10% shall form a quorum at general meetings.
 - ii. 50% shall form a quorum at Executive meetings.
- 6.2 All meetings of the society must have seven days' notice given by advertising in a conspicuous manner within the Students' Association building and on other appropriate noticeboards.
- 6.3 There shall be at least one meeting of the Society each year which shall be the Annual General Meeting at which reports by the President and Treasurer shall be read.
- 6.4 Other meetings may be called by the Executive which itself must meet at least once a semester

7. BYE LAWS AND STANDING ORDERS

- 7.1 The Society may draw up such bye laws and standing orders as deemed necessary for the proper conduct of its affairs.
- 7.2 Bye Laws shall be amended by a two thirds majority of those members present and voting at a quorate meeting.
- 7.3 Any clause in this Constitution shall be amended at any quorate meeting, provided:
- i. 7 days' notice of the amendment has been given.
 - ii. two thirds of those present are voting in favour.
 - iii. it is not against the Constitution and Bye Laws of the Students' Association.
 - iv. it receives the approval of the Vice President Student Activities.
- 7.4 It is then the responsibility of the society to inform the VPSA of these changes.

8. FINANCE

- 8.1 The Treasurer will be responsible for the financial matters of the society and see that claims against it are duly met.
- 8.2 The individual members of the society and not the Students' Association shall be liable for any deficit incurred by the Society.
- 8.3 The society has the right to use the bank account supplied to it by DUSA
- 8.4 Any cheques issued by the Society must be signed by the Treasurer and one other (named) member of the executive.
- 8.5 The Treasurer will:
- i. Be responsible for keeping proper books showing the society's financial transactions
 - ii. Prepare accounts for presentation at the society's Annual General Meeting
 - iii. Be responsible for compiling an asset register and presenting it along with the Accounts.
- 8.6 An account for the finances of the Society will be given to the Students' Association on request.
- 8.7 The Society will charge its members an annual subscription as agreed upon from time-to-time, at a quorate general meeting of the society.
- 8.8 No member of a society or its committee may benefit financially from their involvement in the society unless for reimbursement of prior expenses agreed upon by the society.
- 8.9 A society cannot be used as a business for profit.

9. CONDUCT

9.1 All elected society officers are expected to abide by the values stated in DUSA's Zero Tolerance Policy.

9.2 The Vice President of Student Activities and another member of the Executive has the right to remove an officer from a society committee should they found to be in breach of these values.

BYE LAW 6 CODE OF DISCIPLINE

1. GENERAL ETHOS

- 1.1 There shall be an Association Disciplinary Panel (“the Committee”) to implement this Bye Law.
- 1.2 The purpose of the Bye Law is to provide a forum and procedure for determining whether a breach of the Constitution and/or Bye Laws of the Association has taken place.
- 1.3 This Bye Law exists to protect Members and their guests, and to ensure that they can enjoy all the facilities and services of the Association.
- 1.4 Committee meetings are called for the purpose of hearing and determining a complaint against a Member and to administer a sentence where appropriate.
- 1.5 In deciding if a Member is in violation of the Bye Laws, the Disciplinary Panel is to judge the case on a ‘balance of probabilities’.

2. KEY DEFINITIONS

- 2.1 “Disciplinary Officer” means any member of the Board of Trustees, any member of the Student Representative Council (SRC), the Head of Operations (Student Experience), Customer Safety Supervisors and Senior student member of the Customer Safety.
- 2.2 “Accused” means a person who is believed to breach a policy.
- 2.3 Chair duties will normally be fulfilled by the Vice President of Representation. If, for some reason, they cannot do so then they can appoint another member of the Executive to fulfil this role.
- 2.4 “Working day” means Monday to Friday inclusive, excluding:
 - i. public and University holidays; and
 - ii. in the case of students required to be present only during a semester, days falling outside the semester.
- 2.5 The Vice President Representation will normally fulfil the role of “Disciplinary Advisor”, if for some reason they cannot do so then they can appoint another member of the Executive to fulfil this role. The duties of a Disciplinary Advisor are:
 - i. to liaise with a Member in terms of informing him or her of the procedure and their rights, and to be available to meet with the accused at a time appropriate to both parties, prior to the meeting of the Committee; and

- ii. to represent the Member at the meeting of the Committee if the accused so wishes.

2.6 It will be the sole responsibility of the Member to notify the Chair no less than three days in advance of the meeting of the Committee if they wish to utilise the services of a Disciplinary Advisor.

3. JURISDICTION

The Association shall have jurisdiction over Members, their guests and non-Members (the term "guest" including non-Members hereinafter) on premises within its control or at any function held under its auspices. A Member shall be held personally liable for the conduct of any guest introduced by the Member into such premises or function. They are therefore liable for any charges, damages, or fines incurred by those guests. The jurisdiction is extended to allow the Association to impose penalties within the limits set out in this Bye Law on a Member who has been the subject of disciplinary proceedings by anybody corresponding to the Association with which the Association has a reciprocal agreement.

4. DEFINITION OF MISCONDUCT

4.1 The following shall constitute misconduct under this Bye Law:

- i. Drinking alcohol not purchased on the premises.
- ii. Bringing alcohol onto the premises, including off-sales from the Association's shop.
- iii. Smoking on the Association premises.
- iv. Malicious damage to or theft of the premises, fixtures or fittings of the Association, or any property owned by, hired to or loaned to the Association, its members, staff or guests.
- v. Causing nuisance or distress to other Members.
- vi. Being present on the Association premises whilst banned, excluding for pastoral reasons.
- vii. Buying, consuming or attempting to buy alcohol under the age of 18.
- viii. Buying or supplying anyone under the age of 18 with alcohol or cigarettes.
- ix. Threatening a member of staff, member or guest with violence or wilful destruction of their property or abusive comments to any of the above.
- x. Obstructing a member of staff in their duties.
- xi. Recklessly or maliciously setting off a fire alarm or interfering in any way with any equipment provided for the purposes of safety.

- xii. Lewd or sexually explicit conduct unbecoming of a member or guest.
- xiii. Assault of any kind on a member, guest or member of staff.
- xiv. Bringing the organisation into disrepute.
- xv. Possession of drugs, banned or illegal substances on the premises.
- xvi. Sale of drugs, banned or illegal substances on the premises.
- xvii. Possession of a weapon on the premises.
- xviii. Unauthorised entry to the Association.
- xix. Contravention of any Bye Law, rule, regulation or Memorandum of Understanding (including those of the media outlets) validly made by the Association in accordance with its Constitution.
- xx. Giving false evidence at any point during the disciplinary process.
- xxi. Improperly interfering with the disciplinary process, including but not limited to attempting to influence or question members of the disciplinary panel, the appeals committee, the council, the chair, the minute taker or any witness, either during or out with the disciplinary process.
- xxii. In the instance of the SRC members, who breaches confidentiality on any issue.
- xxiii. Endangering the licence of the Association.
- xxiv. Committing a criminal offence.
- xxv. Offensive conduct to staff, members or guests, including but not limited to racism, homophobia and sexism.
- xxvi. Committing a breach of the peace.
- xxvii. Failing to present a matriculation card or form of ID when requested by a member of Association staff.
- xxviii. Defrauding or attempting to defraud the Association.
- xxix. Any other conduct unbecoming of a member or guest.
- xxx. Signing in someone who commits any of the above.
- xxxi. Putting pins into trees for any reason.
- xxxii. Putting adhesive tape on fences, lampposts, University signs and any other University facility which has paint on it for any reason.

xxxiii. Aiding in any of the above.

5. CRIMINAL OFFENCES

5.1 Where a matter reported for action under this Code would also constitute an offence under the criminal law, the police can be notified. It is at the discretion the Chair of the Committee to inform the University of Dundee Director of Policy, Governance & Legal Affairs, who shall, after consulting such persons as he or she shall think fit, take action in terms of the University's procedures.

6. FUNCTIONS OF DISCIPLINARY OFFICERS

6.1 A Disciplinary Officer, who has reason to believe that any Member or guest has committed an offence of misconduct within the meaning of this Bye Law, shall proceed as follows:

- i. Identify themselves to the Member or guest as appropriate and draw to that person's attention the right of the Disciplinary Officer to report the matter to the Disciplinary Committee.
- ii. Note the name, matriculation number and/or such other details as are relevant to identify the person concerned; in the case of a guest the details of the Member responsible shall also be taken.
- iii. Note the name(s), matriculation number(s) and/or such other details as are relevant to identify any witness(es) to the alleged misconduct, as well as identify the names of any members of staff involved in both the incident and the charging process.
- iv. Instruct the Member and guests, if any, to leave the premises or function concerned. For relatively minor incidents or breaches of these Bye Laws, they may be instructed them to remain off all the Associations premises for a period up to, but not exceeding 14 consecutive days. The Operations Manager or Customer Safety Supervisor may issue an immediate ban for a period not exceeding 14 days. This may be done without formally charging the individual, though the Vice President Representation will be notified in writing of the short-term ban. Should the incident fall within the remit of section 7 of Bye Law 7 (On-the-Spot fines), upon paying the full balance of the On-the-Spot fine, the individual may not be banned from the premises for any period beyond the day/night of the incident.
- v. For any incident or breach of these bye-laws deemed sufficiently serious, formal charges will be filled against the individual, who will be banned from all of the Associations premises until their case is heard by the Panel. The degree of sufficiently serious in this

regard with be at the discretion of the Disciplinary Officer upon consultation with the Vice President Representation.

- vi. Where a member has committed more than one of what is deemed to be a minor incident within the same Semester period, including any incident's covered by section 7 of Bye Law 7 (On-the-Spot fines), they may have formal charges brought against them at the discretion of the Disciplinary Officer upon consultation with the Vice President Representation under 6.1(v) above.
 - vii. Take such reasonable steps, as are necessary, to ensure that an instruction under 6.1 (iv. or v.), is complied with.
- 6.2 Where a Disciplinary Officer has discretion whether or not to refer the matter to the Disciplinary Committee, such a decision shall be taken within 14 days.
- 6.3 If the Disciplinary Officer decides to refer the matter to the Committee, he or she shall be deemed to have charged the Member or guest. A decision to charge shall be communicated to the Member or guest. A Disciplinary Officer, who has made a charge, shall complete a Charging Officers Report, which shall include a description of the misconduct allegedly committed and a supporting statement completed, if possible, on the same day/night as the alleged misconduct takes place.

7. THE COMMITTEE

- 7.1 The Committee shall hear and determine all matters reported to it by a Disciplinary Officer. A Member is entitled to be treated fairly by the Committee, under the presumption of innocence, and in particular:
- i. to be given the opportunity, both orally and in writing, to respond to any charge or charges laid against him or her and to present evidence on his or her behalf;
 - ii. to have his or her case considered impartially by the Committee, no member or members of which has or have any previous involvement in the matters forming the basis for the charge or charges;
 - iii. within the limits set out in this Bye Law to appeal, in writing or in person, on grounds of procedural defect or unfairness against any finding of guilt and against any penalties imposed.
- 7.2 The Disciplinary Committee shall be composed as follows:

- i. The Vice President Representation shall be the Chair, failing which a Trustee shall be appointed to temporarily act as Chair. The Chair shall not vote at the hearing, and will act only as an advisor for clarification of the Bye Laws or their applications.
 - ii. A member of the SRC shall be appointed to be in attendance to record an accurate minute of the proceedings of the Committee (“the minute-taker”). They will not have a vote, and express no opinion on the hearing, outcome, or guilt of the accused.
 - iii. An independent member of staff from Customer Safety with the direct purpose to inform the panel with each individual case and shed light on any procedures that were followed on the night in question. This officer’s role (Customer Safety Liaison Officer - CSLO) will not have a vote and will be chosen from the Senior Customer Safety staff based on their experience and will have the sole purpose of advising and clarifying. It is the right of the accused and the panel members to ask the officer to leave if they feel impartiality is not being maintained. If the officer cannot make the meeting then he/she is able to send someone in their stead.
 - iv. At least three members of the SRC.
- 7.3 The quorum for meetings shall be the Chair, the said three members of SRC and the minute-taker. No objection may be taken to the composition of the Committee duly constituted as above; provided that no member shall take part that has prior involvement in the matters referred to the Committee or has a close personal relationship with any Member involved therein. A decision may be taken by a majority of the Committee.
- 7.4 Trustees ought not (unless required by special circumstances) be voting members of the Committee.
- 7.5 The Chair shall, within a reasonable period of time, make members aware of hearing. If a member of the Committee is unable to attend they must intimate their apologies within three days of the hearing. A reserve shall take the place of that member of the Committee.
- 8. PROCEDURES FOR THE COMMITTEE AND PENALTIES**
- 8.1 On receipt of a reference from a Disciplinary Officer, the Disciplinary Liaison Officer (DLO) or Customer Safety Liaison Officers (CSLOs) shall notify the Member concerned in writing, at his or her registered address by recorded delivery post, by hand or by emailing them using their University of Dundee email address (or other address if known), of the specific charge or charges of misconduct which have been referred to the Committee and, where appropriate, giving at least one working week’s, notice of the date and time of the meeting

- of the Committee (“the hearing”), which will consider the matter and will decide on the appropriate outcome
- 8.2 Any members or non-members, who are a witness to the incident that lead to the hearing, will be invited to provide evidence to the hearing either in writing or in person. They will be given seven working days’ notice of the ‘hearing’ where possible and will be updated about the outcome of the ‘hearing’ as a matter of procedure.
- 8.3 Any members of staff who witnessed an incident will be invited to provide evidence at the discretion of the DLO or CSLOs, whether in a written or face-to-face format, where possible they ought to be given seven working days’ notice.
- 8.4 Any aggrieved parties shall be given the opportunity to invite any witness to the hearing to give statements either in person or in writing. The aggrieved party will also be given the opportunity to provide a statement in writing or in person.
- 8.5 Hearings shall take place at no less than once every two weeks throughout the academic year and when necessary during University holidays; the regularity and time of hearings will be deemed appropriate by the DLO and CSLOs, in consultation with the Vice President Representation.
- 8.6 The notice shall enclose a copy of this Bye Law and draw attention to the right of the Member to attend, address the meeting, and responsibility to call any witnesses in his or her defence. The Chair shall also notify any witnesses named in the reference from the Disciplinary Officer that they are required to attend in person or submit a written statement, giving the same notice.
- 8.7 The DLO and / or the CSLOs shall also notify the Member of the right to have access to all Association evidence prior to the hearing. Any evidence a Member is given access to prior to the hearing taking place will exclude the personal details of any witnesses for the Association.
- 8.8 The Member concerned may apply to the DLO and CSLOs for the meeting to be rescheduled for good cause on one occasion only, and the DLO and CSLOs shall have discretion, upon consultation with the Vice President Representation to accede to that request.
- 8.9 Having given due notice, or in the event that the DLO and / or CSLOs have agreed to a rescheduled meeting, if the Member concerned does not appear, the Committee may proceed to hear and determine the matters before it in his or her absence with a representative present to defend the accused. If the Member does not wish to appear in

person, he or she may notify the DLO and CSLOs in advance and submit a written statement which shall be read to the meeting of the Committee by the Chair and taken into consideration.

8.10 The Member concerned shall be entitled to be accompanied by a friend or relative, not being a legal representative. The friend or relative may only address the Panel at the discretion of the Vice President Representation. The Disciplinary Advisers may accompany a Member and speak on their behalf, should the accused request it.

8.11 The proceedings shall be conducted with proper decorum, and the Chair of the Committee shall be entitled to eject any individual who attempts to disrupt the proceedings, including the Member concerned. If necessary, the Chair can suspend the proceedings and adjourn to a later time or date for any reason they deem fit.

8.12 Before the proceedings all panel members will be given the opportunity to view any evidence relating to the case, including but not limited to written statements of witnesses, CCTV footage of the event and first aid forms. The panel will also be made aware of any previous charges brought against the accused, so that if necessary a harsher punishment can be imposed on a repeat offender.

8.13 The order of proceeding shall be:

- i. The Vice President Representation will begin by introducing themselves, the minute-taker and the members of the panel, asking the accused if they object to the composition of the panel. They may do so only if they possess a reasonable belief that a member of the panel shares a relationship with the accused that might bias their decision in the matter. It will be at the discretion of the Vice President Representation to consent to the objection, should they find it reasonable, and replace the panel member or reschedule the present hearing.
- ii. The Member concerned shall be asked if they understand the charges against them, as outlined in the Bye Laws they were given, and will have the process of the hearing explained to them. The Chair may provide any clarification to such ends.
- iii. If any or all charges are denied or the accused wishes to provide explanation as to what occurred, then the accused shall be asked to make a statement explaining their version of the events and then submit to questioning from the panel.
- iv. The accused shall be permitted to call any witnesses or to submit signed statements from them. Any witnesses brought forward without giving the appropriate prior notice to the

Vice President Representation will only be heard at the discretion of the Chair. All witnesses must remain out with the room where the hearing is held until they are called to give evidence. Before giving evidence witnesses must show identification to ensure they are the correct person.

- v. Should the accused wish to question any witness for or against them, they themselves must make such a request to the Chair after providing their own account or statements. The Chair will have the discretion to permit or deny such action. In exercising this discretion, the Chair must balance the desire to protect witness from unnecessary harassment with the compulsion of allowing the accused to best make their case. The Chair must have good reason to deny such a request. However, the Chair has no legal power to compel witnesses to face cross-examination, and can only request they put themselves forward to do so. Should the witness deny this confrontation, this will not be a reason for appeal by the accused. If the accused wishes to question any witnesses it is at the discretion of the panel whether they are allowed to sit in on the hearing whilst the panel questions or whether they are brought in afterwards.
 - vi. Any other members concerned shall be entitled to address the Committee and to call witnesses on his or her account. The accused will not be present while witnesses are giving their statements, unless allowed for by the considerations above.
 - vii. The members of the Committee shall be entitled to question the Member concerned and the witnesses, if any.
 - viii. The Accused will withdraw while the Committee considers the matter; minute-taking will be suspended while this occurs under the consideration of the desirability of frank and open discussion.
- 8.14 The Committee shall determine whether the allegations against the Member have been proved on a reasonable balance of probability. If it does not find the allegations proved it shall notify the Member concerned in writing or in person and the matter is at an end. If it finds against the Member, other than a Reciprocal Member, it may impose a penalty as follows:
- i. a fine;
 - ii. a ban for a specified period (which in the case of a Member shall not restrict access to educational and welfare services provided by the Association);
 - iii. a reprimand;

- iv. a censure, in the case of a member of the SRC or the Board of Trustees;
 - v. make good in whole or in part any loss or damage caused;
 - vi. loss of signing-in rights;
 - vii. any combination of the above; or
 - viii. an alternative deemed appropriate through a prior discussion of the Chair with the Head of Operations (Student Experience).
- 8.15 The Committee shall notify the Member concerned of its findings orally or in writing within five working days of the meeting.
- 8.16 In the case of a finding against a Member who is the member of a reciprocal organisation, the Chair shall as soon as practicable inform the organisation of which the Member is a member of the nature of the reference and the finding.

9. APPEALS:

- 9.1 The Vice President Representation shall appoint an Appeal Committee of three members of the Board of Trustees, one of whom shall act as Chair, to hear and determine any appeal on its behalf. The Vice President Representation may not act as Chair or sit on the Committee. No person shall be appointed to the Committee who has prior involvement in the matters under appeal or has a close personal relationship with any Member involved.
- 9.2 A Member wishing to appeal must do so in writing to the Vice President Representation against the decision of the Disciplinary Panel within 10 working days of notification of its decision. They may do so on the following grounds alone:
- i. That the decision of the Panel was made in excess of the jurisdiction conferred on the Committee by this Bye Law;
 - ii. That there was a defect in the procedures employed by the Committee such as to render the decision unfair; such as being out with the manner prescribed in these Bye Laws;
 - iii. That the decision of the Committee was unreasonable; in that the Committee in reaching its decision took into consideration something, which it ought to have disregarded, or disregarded something, which it ought to have considered; and may appeal against any penalty imposed by the Committee on the following grounds:
 - iv. That the penalty levied was both excessive and unreasonable;

- v. If the appeal relates to (a) a penalty or to (b) a finding and penalty, then in either case the operation of the penalty will be suspended pending the determination of the appeal.
- 9.3 It will be at the discretion of the Vice President Representation to except or dismiss the appeal where it is outside the listed grounds of appeal. Where it is the opinion of the Vice President Representation to deny the appeal, they must present their opinion to the Executive as whole, who will vote on the matter. The Vice President Representation will themselves have a vote in this decision and in the event of a tie within the Executive; the President will cast the deciding vote.
- 9.4 If the matter is to be dealt with by the Appeal Committee:
- i. The Member shall be given at least five working days' notice in writing, delivered to his or her registered address by recorded delivery or by hand, of the date and time at which the matter will be dealt with by the Appeal Committee.
 - ii. The Member concerned may apply to the Chair for the meeting to be rescheduled for good cause on one occasion only and the Chair shall have discretion to accede to that request.
 - iii. Having given due notice, or the Chair having agreed to a rescheduled meeting, the Appeal Committee may proceed to hear and determine the matters before it in the absence of the Member concerned. If the Member does not wish to appear in person, the written statement of appeal and the record of the Committee shall be read to the meeting of the Appeal Committee by the Chair and taken into consideration.
 - iv. The Member concerned shall be entitled to be accompanied by a friend or relative, not being a legal representative. They may make use of a Disciplinary Advisor, where the Vice President Representation may act as such, should both parties deem it appropriate to do so.
- 9.5 The proceedings shall be conducted with proper decorum and the Chair shall be entitled to eject any individual who attempts to disrupt the proceedings, including the Member concerned.
- 9.6 The record of the Panel's meeting shall be read to the meeting of the Appeal Committee by the Chair and the Member concerned shall be invited to present the Appeal.
- 9.7 In exceptional circumstances, and at the discretion of the Committee, the Member may adduce evidence not available to the Disciplinary Board. This will only be appropriate where it would have been impossible for such evidence to be adduced before the first hearing of

the panel, and not simply in the event of the accused omitting to do so at first instance. For example, further witness statements would not be allowed to be presented that could have in any way been brought before the panel at first instance either in person or in writing, but were not brought before the panel by virtue of accused's failing to acquire such evidence.

- 9.8 All parties other than the members of the Appeal Committee shall withdraw while the Appeal Committee considers the matter.
- 9.9 The Appeal Committee may uphold the Panel's decision in full or order a second hearing (in effect a retrial) by the Disciplinary Panel. Where a second hearing is ordered, no member who heard the previous hearing as a voting member may act as a member of the panel. On exceptional circumstance the Appeal Committee may vary the penalty imposed. The Appeal Committee's decision shall be the final decision of the Association and shall be notified to the Member, and any other affected parties who may be making charges, in person or in writing within five working days of the meeting.
- 9.10 Failure to comply with a ban shall result in the recommencement of the ban from that date and may also be regarded as a further disciplinary offence.
- 9.11 The considerations of the Appeals Committee shall be as follows:
- i. The Appeals process is expressly not a retrial of the findings of the disciplinary panel. It is expressly not to decide the guilt or innocence of the accused. It is solely to determine whether a procedural or substantive error existed at the instance of first hearing or elsewhere in the disciplinary process, such that it rendered the hearing or process unfair.
 - ii. Where a particular element of the hearing/process is found to have not been properly adhered to, this is not itself sufficient for the panel to find the first hearing unfair, vary the outcome of the initial hearing, or order a second hearing take place. The Appeals Panel must find that such an irregularity has caused some unfairness to the accused which might have had some effect of the outcome of the first hearing.
 - iii. When considering grounds of unreasonableness, the standard which ought to be adopted, is one where unreasonableness is defined as being: "so outrageous in its defiance of logic or accepted moral standards that no sensible person who had applied his/her mind to the question to be decided, could have arrived at it". The question that befalls the Appeals Committee is not if they themselves agree or disagree with the findings or reasoning of the Disciplinary Panel, such considerations are entirely irrelevant. The Appeals Committee is only to consider whether the Panel acted unreasonably under

the definition given. Where unreasonableness is not found, regardless of differing opinions as to the outcome, the appeal will be accordingly dismissed.

10. NOTIFICATION OF FINDINGS AND KEEPING OF RECORDS:

10.1 The Chairs of the Disciplinary Board and Appeal Committee, as appropriate, shall keep a record of disciplinary action and enter details in a Discipline Record Book to be maintained securely by the Association. In the cases of Members suspended from facilities, the relevant Chair shall notify the appropriate staff of the Association.

11. ACTIONS AGAINST NON-MEMBERS:

11.1 A Non-Member, who commits any offence under Sections 4 and/or 5 of this Code, while in the Association as a guest, will automatically receive a Licensee ban, proportionate to the offence they are deemed to have committed. Bans will be dispensed for the durations: 1 Month, 3 Months, 6 Months, 9 Months, 1 Year or Life, by Disciplinary Officers at the time the offence is committed or when it is drawn to their attention.

12. APPEALS BY NON-MEMBERS:

12.1 A non-member, who is receipt of a ban imposed by a Disciplinary Officer on behalf of the Association for offences detailed in Para 11.1, will have the right to appeal to the Senior Personal License Holder within the Association, whose decisions in such matters is final.

12.2 All appeals by Non-Members must be made in writing in the first instance. Thereafter, the Senior Personal License Holder may invite the Non-Member and/or the Disciplinary Officer to meet for further consultation, in order for him to arrive at a decision.

12.3 On the basis of his or her deliberations, the Senior Personal License Holder may opt for one of the following decisions:

- i. To uphold the original ban;
- ii. To reduce a ban;
- iii. To increase the original ban;
- iv. To find no case to answer.
- v. Once an appeal by a Non-Member has been heard and a decision made by the Senior Personal License Holder, then no further rights for appeal exist.

13. MISCELLANEOUS:

- 13.1 Any member of the Association's Staff who commits an offence shall be disciplined under the staff disciplinary procedures, in the first instance, and may subsequently be disciplined under this Bye Law if deemed to be appropriate by the Associations Trustees.
- 13.2 A charge will automatically fail if the accused member has not been informed of a date for a disciplinary hearing within 56 working days after the charge has been lodged with the Vice President Representation.
- 13.3 The responsibility for all correspondence between the Committee and Members is that of the Vice President Representation. The Vice President Representation must work with the Business Support officer to ensure that all correspondence between the Committee and all affected Members is done on time. The Vice President Representation will update the SRC at every meeting to highlight all upcoming dates and any developments in the disciplinary procedure.
- 14. CLUB RULES:**
- 14.1 The Association shall be entitled through the Board of Trustee to issue and publicise Club Rules.

be given a guilty verdict if the panel believes there is anything greater than a 50% probability that they are the perpetrator of the offence in question.

2.4 No officer or member of staff should participate in a disciplinary decision where they have a personal interest, nor any other conflict of interests, and should excuse themselves accordingly. Where the accused has objection to the composition of the panel, they are to inform the Vice President Representation immediately, or as soon as reasonably possible, to allow for a change of the panels composition.

2.5 It is of particular consideration that DUSA is a Charity, operating for its staff and members, as well as for the accused. As such, it is important to carefully consider the effect of the use of bans and monetary fines before they are issued. Respect must be given to the social environment of the Association, the wellbeing of the accused, as well as the Association's existence as a commercial entity. While banning a member may act as a potent deterrent to further incident, it concordantly forces the student to pursue their social activity in other venues. So far as the Association remains among the safest of the city's social venues, DUSA must encourage its members to make use of the premises so far as it is reasonable to do so – acting to ensure the safest possible student experience for its members. Furthermore, while it is strongly emphasised that the following is a secondary consideration, it nevertheless important to consider that much of DUSA's ability to act as a Charity and provide for its members depends on its commercial viability. As a general philosophy, the panel should consider incidents which compromise the safety of its members or its staff as appropriate occasions for the issue of bans from the premises. In those other instance where a monetary fine is deemed sufficient to curtail further incident, this should be taken as the primary punitive response.

2.6 It is worth noting that there are other punitive recourses apart from the ban or fine, they are listed in Bye Law 6 (8.9), and their use is encouraged where it is deemed appropriate.

3. CLASSIFICATION OF INCIDENTS

It has become customary practise that not all incidents are referred to the Disciplinary Panel. This is by and large due to the confidence DUSA has placed in the Customer Safety team grounded in their continuing successful operations. Under this consideration, incidents may be categorised as follows:

3.1 **No Further Action/Warning.** This is appropriate where there is no case to answer, i.e. there is no evidence of an offence, or the alleged offence is minor and the member has no previous

suspicions of incidence or warnings from Customer Safety. The discretion of severity of an incident in this regard befalls on the Customer Safety Supervisor on duty at the time.

- 3.2 **Temporary Ban.** Where there is clear evidence of a violation of the Bye Laws by a member; however the alleged incident is relatively minor and the member has no previous record of incidents that have been brought before the panel, the Customer Safety Supervisor on duty will hold discretion as to severity of the incident in this regard. Further under their discretion is the ability to issue a ban from the premises of up to, but not exceeding, two weeks in duration, whereupon the Vice President Representation will be notified of the member's ban. The individual will be informed they may appeal their case to the Senior Personal License Holder within the Association.
- 3.3 **Non-Member Ban.** Where there is clear evidence of a significant violation of the Bye Laws by a non-member (not including any de facto members by the existence of a reciprocal agreement), the Customer Safety Supervisor on duty will be empowered to ban the individual indefinitely - See Bye Law 6 (12). No other punitive recourse may be taken, i.e. the issue of fines. The individual will be informed they may appeal their case to the Senior Personal License Holder within the Association - see Bye Law 6 (13).
- 3.4 **Statutory Action.** Where there is clear evidence of a statutory offence under Scottish Law, the police will be notified of the incident. Where the accused is a member, the case will be brought before the Disciplinary Panel, while the individual remains banned from the premises until the date of their hearing. In the case of a non-member, the Customer Safety Supervisor on duty will be empowered to ban the individual indefinitely though no other punitive recourse may be taken. The individual will be informed they may appeal their case to the senior Licence Holder.
- 3.5 **Referral to Disciplinary Panel.** This is appropriate in all other cases, as well as instances of repeated Warnings and/or Temporary Bans.

4. DISCIPLINARY FINES

- 4.1 Upon all instances of finding an individual guilty, even where further punishment has been waived, the guilty party will be charged a £10 administration fee toward the costs of postage and printing. This £10 administration fee has not been included the recommendations below, and is therefore an additional charge to whatever amount is fined.
- 4.2 Where the accused has been found guilty of maliciously causing damages to the premises, fixtures or fittings of the Association, or any property owned by, hired to, or loaned to the

Association – the guilty party will be held liable for the total cost of repairs, regardless of the amount. The panel may take into consideration financial hardship, or any other circumstances they see fit, but should take up the position of total recovery as the starting point in their deliberations.

- 4.3 In the event of accidental damage, the panel may issue a disciplinary fine of no more than £100, though such an amount should only be used where the cost of guilty party's damages exceeds this sum by at least a multiple of two. The exact level of the fine should be decided with regard to the gravity of the offence, any costs for damage etc., the member's past disciplinary record, the principles listed in Section I of this document, and any other factors deemed relevant.
- 4.4 The individual will be given a receipt upon payment of any fine, including the payment of the £10 administration fee. The payment of that fee will be noted in the Association's "Ban Book", which may be made in reasonable instalments at the discretion of the Customer Safety Supervisor on duty. Members will not be allowed access to the Association premises while any disciplinary fine is outstanding, regardless as to whether the ban period has expired.
- 4.5 Any takings from Disciplinary fines, excluding administration fees and recovery costs for damaged property, will be allocated to the DUSA Student Welfare budget.

5. DISCIPLINARY BANS

- 5.1 The committee may ban the member from the Association premises for any period of time they consider appropriate, up to and including a life ban. Normally this will apply to all Association premises, but the Panel may in exceptional cases vary this to apply only to specific premises or specific times. In deciding the length of the ban, the Committee should have regard to the gravity of the offence, the member's past disciplinary record, the principles listed in **Section I** of this document, and any other factors deemed relevant.
- 5.2 Note that individuals are banned from the premises from the date of the incident up until their Disciplinary hearing. This time should be taken into account when calculating the length of any further bans imposed.

6. DISCIPLINARY PANEL PUNITIVE RECOMMENDATIONS

- 6.1 After due consideration of the evidence presented, the Disciplinary Committee shall decide whether the member is, in their opinion, guilty of breaching the Bye Laws of the organisation.

- 6.2 If they believe that the member has no case to answer, the case will be dismissed, all temporary disciplinary measures shall be removed immediately, and records of the case shall not be admissible in any future disciplinary case. Where the accused has been found guilty, the following guidelines exist as recommendations toward the punitive measures enacted.
- 6.3 The philosophy of this organisation is to reprimand the individual only to the extent that the incident's behaviour is thereafter curtailed, and is regarded as being taken seriously such by student community in general – as to deter both future incident from the accused, as well as acting as deterrent toward the student body at large.
- 6.4 The following recommendations are to be taken as “neutral” or “straightforward” examples of the incident. That is, without the consideration of any circumstances either mitigating or condemning toward the accused. These penalties shall therefore normally apply to a single instance occurrence. Aggravated, multiple, or repeat offences should be met with increasingly serious penalties, by a degree the panel finds reasonable.
- 6.5 It is stressed that the punitive powers afforded to the panel are limited only by their discretion in determining what is in the best interest of the organisation notwithstanding the aforementioned principles and limits on monetary fines. As such, should the panel find the accused guilty, it is within their power to impose no further penalties on the individual. For the example, in the event of the accused pleading guilty to a very minor offence, wherein they have been banned from the premises for the time leading up to their hearing, and such duration is seen as adequate punishment. Conversely, the panel has power to issue a ban for any offence, up to and including a lifetime ban – as judged by the circumstances. The following recommendations are only to act as a starting point in the panel's deliberations.
- 6.6 The current punitive recommendations are compiled from a survey of the disciplinary procedures of 40+ universities/unions across the United Kingdom (and Canada) and are to be updated periodically.

*Drinking alcohol not purchased on the premises/ sneaking alcohol onto the premises	First instance - £25 fine Second Instance - £50 fine Third Instance – Send to disciplinary hearing (3months)	T1
---	---	----

*Smoking or Vaping on Association premises	First instance - £25 fine Second Instance - £50 fine Third Instance – Send to disciplinary hearing (3months)	T1
*Buying, consuming, or attempting to buy alcohol while under the age of 18	First instance - £25 fine Second Instance - £50 fine Third Instance – Send to disciplinary hearing (3months)	T1
*Buying alcohol on behalf of a member under 18, or supplying them with alcohol on the premises	First instance - £25 fine Second Instance - £50 fine Third Instance – Send to disciplinary hearing- (3months)	T1
Signing-in non-member involved in an incident (members are informed upon entering the premises that they assume full responsibility for the non-member and all of their actions while on the premises of the Association).	At discretion of CS: if individual involved in minor incident on-the-spot £10 fine is awarded; if individual involved in severe incident (e.g. on premises while underage, threatening behaviour, assault etc.) they will be sent to disciplinary where a ban/fine should be imposed in accordance with the severity of the offence and the present guidelines.	T1/3
Causing distress to other members (That would not qualify as threat or Zero Tolerance)	Ban dependent on severity/ risk to staff and members review 2week – life ban	T1
Being present on Association premises while banned, or aiding unauthorised entry to Association functions or facilities.	First instance - £10 fine Second instance – Restarting the length of the initial ban Third instance – Send to disciplinary hearing	T1
Breaking back into the building after being removed that night / repeated attempt at entry on the same night (Member attempting to breach ban multiple times over course of their ban)	On 3 rd attempt - £25 Fine Any attempts after this will be sent to disciplinary hearing	T1
Obstructing a member of staff of their duties (CS to give clear indication of amount of time taken up/ inconvenience caused to determine length of ban)	First instance – 2 week ban Second instance – send to disciplinary hearing (recommended 3 months dependent on severity)	T1

Mild occurrence of threatening behaviour a member or member of staff with violence, or the wilful destruction of their property (non person specific threats, ambiguous threats, non-violent threats, wasting staff time/resources)	2 weeks – 2 months ban	T1/2
Moderate occurrence of threatening a member or member of staff with violence, or the wilful destruction of their property (threats targeted at specific staff, violent threats, coupled with aggressive body language/conduct, recurring mild occurrences)	2 – 6 months ban	T2
Severe occurrence of threatening behaviour towards a member or a member of staff with violence, or the wilful destruction of their property (death threats, racial abuse, gender discrimination, person specific threats with implications outside of workplace, recurring moderate occurrences) review	6 months to lifetime ban	T2/3
Maliciously sets off a fire alarm or interferes with any equipment provided for the purposes of safety	First instance - £100 fine Second Instance £ 100 fine and Life Ban	T2
Theft or damage of property owned by, hired to, or loaned to the Association without intention/ accident	Fine the cost of replacement	T2
Theft or damage of property owned by, hired to, or loaned to the Association with intention	Fine the cost of replacement Ban - 2weeks to Life Ban (panel discretion) (Panel have the right to reduce the length of ban if the item/s in question is returned within a specific time frame.)	T2
Theft or damage of property owned by a member, or member of staff.	Fine the cost of replacement Ban - 2weeks to Life Ban (panel discretion) (Panel have the right to reduce the length of ban if the item/s in question is returned within a specific time frame.)	T2
Conduct unbecoming a member or guest (general)	£20 fine and/or ban dependent on severity/ risk to staff and members	T1
Lewd or sexually explicit conduct unbecoming a member or guest. This can include;	2 months ban minimum and is dependent on severity/ risk to staff and members	T1/2

Sex/ other in public or inside the DUSA building, exposé of sexual organs, unwanted sexual or provocative gestures ect. (This change will only apply if the individuals involved are consenting. If the incident occurs where this is not the case it is automatic Zero Tolerance)		
Mild occurrence of violence/confrontation, causing no lasting bodily harm, with another member or guest e.g. slapping, pushing, shoving, hair pulling	3 months ban minimum and is dependent on severity/ risk to staff and members.	T1/2
Occurrence of violence/confrontation, without causing bodily harm, with another member or guest in a incidence of self-defence / accident/ without intention	2weeks- 3months	T1
Moderate/ Severe occurrence of violence with intention on another member This includes all other forms of violence; punching, spitting and other actions that caused bodily harm/ required first aid.	3 months ban minimum to Life Time Ban dependent on severity/ risk to staff and members.	T2/3
Moderate/ Severe occurrence of violence with intention on a member of staff	6 months ban minimum to a Life Time Ban dependent on severity/ risk to staff and members (rough guideline- any acts against staff should get approx. double the sentence if occurred against a member)	T2/3
Bringing the Association into disrepute	£20 fine	T1
Possession of drugs, banned, illegal or unknown substances on premises	First instance - £25 fine Second Instance - £50 fine Third Instance – Send to disciplinary hearing 3 month ban minimum	T2
Sale of drugs, banned or illegal substances on premises	Up to a Lifetime ban	T2
Possession of a weapon on premises	Up to Lifetime ban	T2
Committing an offence in breach of the DUSA Zero Tolerance policy resulting in emotional distress to member or staff (such as though racial insensitive, sexualised or other wised prejudices language / behaviour)	2weeks- Life time ban Whatever actions deemed appropriate by Student Services	T2/3
Committing an offence in breach of the DUSA Zero Tolerance policy resulting in physical distress to member or staff (such as though physical contact, groping motivated attack ect)	6months –lifetime ban Whatever actions deemed appropriate by Student Services	T2/3

Inappropriate Online Behaviour Any online content that either references, tags or is taken inside the premises which brings the Association into disrepute	2 weeks – Life Ban dependent on the content.	T1/3
---	---	------

7. ON-THE-SPOT FINES

7.1 Where there is clear and irrefutable evidence of one or more of the offences listed below (and marked with a * in the previous section), the Security Supervisor on duty will be empowered to present the accused with the option of an “On-the-Spot Fine”. Wherein the accused accepts to pay the recommended fine (as listed in the previous section, and below), and no Disciplinary case is filed or sent to the Panel – therefore also waiving the requirement of the £10 administration fee. Paying the On-the-Spot Fine would also necessarily waive the requirement of being banned up until their Disciplinary hearing, as no such hearing would take place. The accused will be informed that may choose to have the case heard by the panel, though this would incur a ban up until that date; and if guilty, the £10 administration fine added to whatever fine the panel imposes. Upon payment of this fine, they will receive a receipt, and made aware that the incidence’s occurrence will kept on record in accordance with Bye Law 6. Where the accused agrees to the fine, in exceptional circumstances the Customer Safety Supervisor on duty would reserve the power to remove the individual from the premises for no more than the remainder of the day/evening should they see fit.

- i. Drinking alcohol not purchased on the premises (£25 for first offence, £50 for second offence, further offences will lead to disciplinary hearing)
- ii. Smoking on Association premises (£25 for first offence, £50 for second offence, further offences will lead to disciplinary hearing)
- iii. Wapping on Association premises (warning for first offence, £20 for the second offence, further offences will lead to disciplinary hearing)
- iv. Buying, consuming, or attempting to buy alcohol while under the age of 18 (£25 for first offence, £50 for second offence, further offences will lead to disciplinary hearing)
- v. Buying alcohol on behalf of a member under 18, or supplying them with alcohol on the premises (£25 for first offence, £50 for second offence, further offences will lead to disciplinary hearing)
- vi. Signing in someone who commits an offence (£20)

8. CONCLUDING REMARKS

- 8.1 The current list is far from exhaustive - only representative of the more typical incidents that occur. With reference to the "Incident Database" of students found guilty of breaking DUSA Bye Laws, the Vice President Representation and Disciplinary Panel may make additions at the close of each year to include any incidents, which have become prominent during that time.
- 8.2 It is in furtherance of DUSA's sense of community that SRC members continue to function as members of the Disciplinary Panel. This philosophy ensures that we are not a pseudo-legal system, confining ourselves neither to the strict letter of the law, nor to the procedure. The freedom of discretion granted to our Customer Safety Team and Disciplinary Panel provide a human character to our disciplinary process, and is a quality that is valued by DUSA and its members. It is also understood that some consistency is necessary, so that the decisions of the disciplinary panel are never arbitrary. This document exists as an attempt to these interests.
- 8.3 For any information relating to procedure, appeals, jurisdictions, and all other matters concerning the disciplinary process, consult DUSA Bye Law 6.

BYE LAW 8 GENERAL BYE LAWS

1. RESPONSIBILITY

- 1.1 The Association will not be responsible for any articles belonging to members or their guests and left by them in the Association building.

2. BETTING AND GAMBLING

- 2.1 Gambling, other than on games machines provided by the Association and in the form of games of skill that have been approved in advance by the President or the Chief Executive Officer, and betting is prohibited in any part of the Association building. Members doing so will be charged under the Disciplinary Bye Laws.

3. ASSOCIATE MEMBERSHIP

3.1 Life Members

Persons, who have studied for at least two years in the University or graduated from the University of Dundee, shall be considered as Life Members of the Association.

3.2 Honorary Members

The following shall be eligible for Honorary Membership:

- i. members of the University Court;
- ii. academic staff of the University;
- iii. non-academic staff in the permanent employment of the University;
- iv. staff of the Association who are not eligible for any other category of membership;
- v. Other members of the public deemed by the Executive Committee to have made an extraordinary contribution to the Association.

3.3 Extraordinary Members

Extraordinary Membership shall be granted at the discretion of the SRC.

3.4 Reciprocal Members

Reciprocal members shall be ordinary and life members of other University, and College Associations and Unions where a reciprocal agreement has been signed. Such agreements shall be concluded by the Executive Committee.

3.5 Public Members

Members of the public shall be permitted onto the premises during events and times that the Association is open to the public.

3.6 Guests

All classes of membership, other than public members, can sign in guests, the number of which is decided by the Executive Committee.

3.7 Life members, honorary members, extraordinary members, reciprocal members and public members shall have no voting rights. No Associate classes of membership have the right to vote.

BYE LAW 9 COMPLAINTS PROCEDURE

1. DUSA COMPLAINTS PROCEDURE

1.1 Dundee University Students' Association (DUSA) endeavors to offer all our members, employees and other stakeholders an excellent service and the highest levels of respect. If a person is dissatisfied with dealing with DUSA, they shall log a complaint. DUSA commits to working hard to address the issue swiftly and fairly.

1.2 In the first instance, it is encouraged to try and resolve the problem informally by speaking to the person(s) concerned. Where this is not possible a formal complaint can be made. Any formal complaint must be made in writing using the online complaints form located on the DUSA website -

1.3 Complaints made by Members of the Students' Association and any external individuals or organisations.

- i. In the first instance DUSA encourages any individual with a concern to get in touch informally to see whether simple steps can be taken to address the concern.
- ii. If an individual wishes to register their grievance formally, they can do so in writing. A complaints form can be found at www.dusa.co.uk.

1.4 Complaints by DUSA staff

- i. A written complaint should be made to the relevant Head of Department. Should the complaint involve the Head of Department, then an email to the Human Resources department should be sent.

2. COMPLAINTS ACTION AND EVALUATION – FORMAL COMPLAINTS

2.1 At **stage 1** the complaint handler will:

- i. Formally acknowledge receipt of the complaint within five working days.
- ii. Redirect the complaint to the relevant Head of Department:
 - (a) Hospitality and Events – Head of Operations (Hospitality and Events)
 - (b) Retail and Facilities – Head of Operations (Student Experience)
 - (c) Pastoral - President
 - (d) Elections - Vice President Representation
 - (e) Student Representative Council - Vice President Representation

(f) Societies - Vice President Student Activities

- iii. The complaint will then be investigated in full with a written response being provided within twenty working days. This response shall detail any action taken.
- iv. If the complainer is unhappy with the result of the complaint, the complainer has 20 days from the date of the Association's response to request a review of the issue, providing reasons for their dissatisfaction. On receipt of this request, the DUSA Complaints Panel will be notified.

2.2 At **stage 2** the Complaints Panel will investigate the issue:

- i. The Complaints Panel will comprise of:
 - (a) Chief Executive Officer (or their nominee)
 - (b) President (or their nominee)
 - (c) The Chair of the Board of Trustees
- ii. DUSA will aim to arrange a Panel hearing no later than twenty working days after the complaint is referred. If it is not possible to adhere to this time scale the complainer will be informed as the earliest possibility.
- iii. The Panel's decision will be made in writing and will be final.
- iv. The Panel is responsible for reviewing the Associations complaints procedure on an annual basis.

2.3 Further recourse of action

- i. If a complainer is not happy with the way in which the complaint has been handled, it is the complainers right to contact the Scottish Charity Regulator (OSCR).