

Oxford University Student Union¹

Company no. 07314850 Charity no. 1140687

BYE-LAWS HT2023

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Schedule One (Interpretation)

In exercise of its powers under Article 11.1, Council makes these Bye-Laws.²

¹ Amended: Trinity Term 2016, Michaelmas Term 2016, Hilary Term 2017, Michaelmas Term 2017, Hilary Term 2018, Michaelmas Term 2018 and Hilary Term 2020.

² This document sets out the text of Oxford SU's current Bye-Laws (originally made on 27 April 2016) as amended up to the end of Michaelmas Term 2018.

Governance

1 Interpretation³

- 1.1 Footnotes (included to aid understanding) do not form part of these Bye-Laws.
- 1.2 A dispute in relation to the interpretation of
 - (a) the Articles and the Bye-Laws must be referred to the Board, and
 - (b) Regulations must be referred to the Returning Officer, for resolution. The Board or the Returning Officer (as the case may be) must seek advice where appropriate before making a decision.
- 1.3 When resolving a dispute under Bye-Law 1.2,
 - (a) the Board must interpret the Bye-Laws so as not to conflict with the Articles (but, to the extent that there is a conflict, the Articles apply), and
 - (b) the Returning Officer must interpret Regulations so as not to conflict with the Bye-Laws (but, to the extent that there is a conflict, the Bye-Laws apply).

2 Regulations

- 2.1 Council may from time to time make, repeal or amend Regulations.
- 2.2 Regulations must provide for the matters specified in Bye-Laws 4, 6, 7 and 8, and (where there is an agreement under Article 14.2) for restrictions on
 - (a) the eligibility to stand for election to, and
 - (b) the voting franchise for, the Sabbatical Trustees identified in the agreement.⁴
- 2.3 Regulations may provide for such other matters as may be necessary to give further effect to the Bye-Laws.
- 2.4 Council may publish Regulations as
 - (a) a single set of Regulations, or
 - (b) more than one set of Regulations.⁵

3 Amendment procedure

- 3.1 In Bye-Laws 3.2 to 3.8, a reference to a proposal to amend Bye-Laws or Regulations
 - (a) includes a proposal to make new provisions or to repeal current provisions, and

³ Words or phrases in these Bye-Laws with capital letters are defined either in Article 53 or Schedule One (with very few exceptions). Each 'section' of a set of Bye-Laws (eg 3.6) is properly called a Bye-Law.

⁵ For instance, this provision allows Regulations to be split between subjects.

- (b) is (unless the context otherwise requires) to the proposal after all proceedings to amend the proposal have been concluded.

The following table summarises the procedure for consultation and approval.

Step	Bye-Laws	Regulations
1a Pre-approval consultation Board	Yes: Bye-Law 3.3(a)	Yes: Bye-Law 3.3(a)
1b Pre-approval consultation University	Yes but only on elections: Bye-Law 3.3(b)	Yes but only on elections: Bye-Law 3.3(b)
2 Council approval / Referendum	Yes: Bye-Law 3.4	Yes: Bye-Law 3.5
3a Trustees further approval	Yes: Article 11.2 / Bye-Law 3.6(a)(ii)	No: Bye-Law 3.6(b)
3b University further approval	Yes but only on elections: Bye-Law 3.6(a)(i)	Yes but only on elections: Bye-Law 3.6(b)

- 3.2 Council must not consider any proposal to amend Bye-Laws or Regulations unless
 - (a) the proposal includes a statement of what is to be achieved and, where appropriate, draft wording for any textual amendment,
 - (b) the Steering Committee is satisfied that what is to be achieved is lawful, and
 - (c) that committee ensures that any draft wording
 - (i) is consistent in style and format with current Bye-Laws or Regulations (as the case may be), and
 - (ii) where appropriate, includes text for any consequential amendments.

- 3.3 The Steering Committee must consult
 - (a) the Board on any proposal to amend Bye-Laws or Regulations, and
 - (b) the University on any proposal to amend Bye-Laws or Regulations where the proposal relates to elections.

- 3.4 A proposal to amend Bye-Laws must be approved either by Council or by Referendum (called by Council). Approval by Council consists of
 - (a) approval at a First Reading, at an Ordinary Meeting of Council, by a two-thirds majority vote, followed by
 - (b) approval at a Final Reading, at a later Ordinary Meeting of Council in the same Term, by a two-thirds majority vote.

- 3.5 A proposal to amend Regulations must be approved either by Council or by Referendum (called by Council). Approval by Council consists of

- (a) approval at a First Reading, at an Ordinary Meeting of Council, by a simple majority vote, followed by
 - (b) approval at a Final Reading, at a later Ordinary Meeting of Council in the same Term, by a two-thirds majority vote.
- 3.6 The following applies to a proposal to amend which has been approved at a Final Reading or by Referendum. Where the proposal was to amend
- (a) Bye-Laws, the President must send the amended Bye-Laws for further approval
 - (i) of those Bye-Laws (if any) relating to elections, to the University, and
 - (ii) in all cases, to the Board.
 - (b) Regulations relating to elections, the President must send the amended Regulations for further approval to the University.⁶
- 3.7 Except where Bye-Law 3.8 applies, Bye-Laws and Regulations take effect
- (a) as provided in the Bye-Laws or Regulations (as the case may be), or
 - (b) if there is no provision, on a day appointed by Council; different days may be appointed for different provisions or purposes.⁷
- 3.8 Where a proposal to amend Bye-Laws or Regulations was in relation to elections, the amendment or new provision does not affect the conduct of any Annual Election or By-election held in the same Term.⁸

Elections and Referenda

4 Elections

- 4.1 Regulations must provide for the calling, holding, conduct and results of Annual Elections and By-elections.
- 4.2 Annual Elections comprise the following elections:
- (a) one election for each of the offices of Sabbatical Trustee,
 - (b) one election for all Student Trustees together, and
 - (c) one election for all Delegates together.

A reference in these Bye-Laws and in Regulations to an Annual Election, in the singular, is a reference to one of the elections under (a) to (c).

⁶ See Article 11.2. Where provisions do not relate to elections, Bye-Laws do not require further approval from the University, and Regulations do not require any further approval.

⁷ Bye-Laws and Regulations may provide that they are to take effect on a specific date. That date cannot, however, be before final approval under Bye-Law 3.6: and see Bye-Law 3.8.

⁸ By-elections are held to fill vacancies between Annual Elections: see paragraph 5 of Schedule One.

- 4.3 Each Annual Election must be held once in each Academic Year as provided for in Regulations. Those Regulations may provide for
- (a) different Annual Elections to be held at different times, and
 - (b) more than one Annual Election to be held at the same time.⁹
- 4.4 A By-election comprises a single election for each vacancy
- (a) required to be filled by a By-election under Bye-Law 24.2, and
 - (b) as a Delegate.
- Council must give notice of a vacancy to all Student Members as soon as it arises. More than one By-election may be held at the same time.¹⁰
- 4.5 Except as provided in Article 14.2, all Student Members are entitled to vote in an Annual Election or a By-election.¹¹
- 4.6 All Annual Elections and By-elections must be conducted by secret ballot.
- 5 Responsibilities of Delegates**
- 5.1 The President must publish the agenda for the annual, national or other conference of each external organisation to which Oxford SU is affiliated.¹²
- 5.2 Except where Bye-Law 5.3 applies, a Delegate must vote and (where permitted) speak in line with relevant Oxford SU Policy on an agenda item at a conference to which Bye-Law 5.1 applies.
- 5.3 Bye-Law 5.2 does not apply where a Delegate has explicitly stated their voting intentions in an election manifesto.
- 5.4 The President must make a written report to Council immediately following a conference to which Bye-Law 5.1 applies, having consulted each Delegate present at the conference. The report must deal with the matters set out in Bye-Laws 5.2 and 5.3.

⁹ From 2017, Annual Elections are held each Hilary Term. (This Bye-Law was amended in TT 2016.)

¹⁰ As an example, there could be three By-elections held at the same time if there are three vacancies to fill. Bye-Law 24.2 deals with Board vacancies. (This Bye-Law was amended in TT 2016.)

¹¹ Article 14.2 provides for certain franchise restrictions: see also section 22(2)(d)(e) of the 1994 Act.

¹² In the case of the national conference of the NUS, the President also circulates the 'Policy Proposal' document for consultation.

6 Referenda

- 6.1 Regulations must provide for the calling, holding, conduct and results of Referenda.¹³
- 6.2 Each Referendum must be concerned with a single issue.¹⁴
- 6.3 Except where Bye-Law 6.4 applies, the result of an effective Referendum is binding on Council and, subject to Article 23.4, the Board. For the avoidance of doubt, this Bye-Law applies to a Referendum called under Article 20.1(b) or 23.2, or under Bye-Laws 3.4, 3.5 or 28.4.¹⁵
- 6.4 When calling a Referendum
- (a) under Article 12.1(a)(i), the Board, or
 - (b) under Article 12.1(a)(ii), Council,
- may decide that its result shall be advisory and not binding on Council, the Board or either.¹⁶
- 6.5 For the purposes of a Referendum called under Article 12.1(b), the percentage is 5% and the time interval is one year.¹⁷
- 6.6 The Chief Executive Officer must approve a secure electronic system for Student Members to sign a petition under Article 12.1(a)(iv). In so approving, the Chief Executive Officer must be satisfied that the system provides for
- (a) electronic signature and counting,
 - (b) a person entitled to sign a petition, being able to sign only once, and
 - (c) system access to be restricted to the Chief Executive Officer, and any person authorised by the Chief Executive Officer.
- 6.7 In the event that the approved system cannot be used, the Chief Executive Officer must organise an alternative secure system. If necessary, this may be a manual system.¹⁸

¹³ A Referendum takes the form of a secret ballot: see the definition in Article 53.1. Article 12.3 requires at least 100 Student Members to vote in a Referendum for the result to be effective. If this threshold is not met, the position before voting is maintained.

¹⁴ There may be one or more questions on each issue in the same Referendum.

¹⁵ And see Bye-Law 14.1(b)(c). Bye-Laws 3.4 and 3.5 deal with amending Bye-Laws and Regulations, Bye-Law 28.4 is related to Motions of No Confidence.

¹⁶ Advisory Referenda are the successors to indicative polls. Note that no Referendum called by common rooms or Student Members will be advisory.

¹⁷ Article 12.1(b) provides for a 'continued affiliation' Referendum to an External Organisation. Bye-Law 6.5 confirms the 5% threshold in the Article and provides that no two Referenda may be held less than one year apart.

¹⁸ There are currently no further conditions: see Article 12.1(a)(iv).

- 6.8 A Referendum shall have a quorum requirement of 4% of Student Members. Unless the Referendum has been declared to be advisory under Bye-Law 6.4, the result of a Referendum in which fewer Student Members vote than the quorum requirement shall not be valid, and the status quo prior to the Referendum shall remain.

7 Returning Officer and Elections Committee¹⁹

- 7.1 There must be a Student Member as Returning Officer who has responsibility for the fair and proper conduct of:
- (a) Annual Elections,
 - (b) By-elections,
 - (c) Referenda,
 - (d) Elections in Council,
 - (e) Campaign elections under Bye-Law 32.9(d), and
 - (f) such other elections as Council may from time to time decide.
- 7.2 Regulations must provide for the election, period of office, duties and powers of the Returning Officer; including appointment without an election, the filling of a vacancy, and removal from office.
- 7.3 The Chief Executive Officer must appoint an Oxford SU employee (other than a Sabbatical Trustee) as Deputy Returning Officer to have operational responsibility of Annual Elections, By-elections and Referenda.²⁰
- 7.4 At any time, the Returning Officer may authorise the Deputy Returning Officer to carry out one or more of the Returning Officer's functions in relation to an election or Referendum. The authority must not include any of the Returning Officer's functions under Bye-Law 1.2 (interpretation) or in connection with the consideration and determination of complaints.²¹ Any decision or action taken under the authority is as valid as if it was taken by the Returning Officer.
- 7.5 There must be an Elections Committee to assist in the conduct of Annual Elections and By-elections.²² The members of the Elections Committee are
- (a) the Returning Officer, (as chair),
 - (b) the Deputy Returning Officer, and

¹⁹ Bye-Laws 7 and 8 were amended in MT 2017, and Bye-Law 7 in MT 2018.

²⁰ The Deputy Returning Officer will usually be Oxford SU's democratic support officer.

²¹ The authority may include the power to make directions under Regulations.

²² The Committee has no formal function with other elections or Referenda.

- (c) up to three Student Members (who are not candidates at an Annual Election or By-election) appointed by Council.

The Elections Committee must determine its procedure.

- 7.6 The Returning Officer, Deputy Returning Officer and the Elections Committee must act impartially, and to ensure that any election or Referendum is fairly and properly conducted.²³ Specifically, the Returning Officer must ensure equality of treatment between campaigns in a Referendum.

8 Complaints

- 8.1 A Student Member may make a complaint in relation to the calling, holding, or conduct (but not the result) of an Annual Election, By-election or a Referendum. A Student Member must not make a complaint under this Bye-Law about the lawfulness of any Bye-Law or Regulation.²⁴

- 8.2 Regulations must provide for

- (a) the determination of complaints, and
- (b) such procedural and other matters as are necessary to ensure that a complaint can be dealt with promptly and fairly.²⁵

- 8.3 The Returning Officer has jurisdiction to consider and determine a complaint in accordance with Regulations.

- 8.4 There must be an External Appeals Officer who has jurisdiction to consider and determine a complaint (or an appeal) in accordance with Regulations.

- 8.5 The External Appeals Officer must

- (a) not be a Student Member, Trustee or Oxford SU employee, and
- (b) have appropriate experience of
 - (i) students' unions,
 - (ii) running elections, and
 - (iii) handling complaints.

- 8.6 The External Appeals Officer must be appointed by the Board in accordance with a procedure established for that purpose by the Board. The procedure must include provision for

- (a) Council to ratify the appointment,
- (b) the period of office to be served by the External Appeals Officer, and

²³ The phrase 'fairly and properly conducted' comes from the Education Act 1994.

²⁴ Such a complaint may be made under Oxford SU's complaints procedure: see Bye-Law 36.1.

²⁵ The phrase 'promptly and fairly' comes from the Education Act 1994.

- (c) the removal of the External Appeals Officer from office.

8.7 The Returning Officer and External Appeals Officer must determine complaints in a manner which ensures that they (and any appeals) are dealt with promptly and fairly; and, in particular, that any person against whom an allegation is made is afforded a reasonable opportunity of being heard and to make written representations.

Council, Council's Executive and Oxford SU Policy

9 Council²⁶

9.1 The members of Council are

- (a) the Chair of Council,
- (b) the Sabbatical Trustees,
- (c) representatives of Constituent Organisations,
- (d) representatives of Campaigns, and
- (e) Divisional Board Representatives.²⁷

9.2 The following provides for certain members of Council.

- (a) Under Bye-Law 9.1(c),
 - (i) a representative must be selected in a democratic manner in accordance with the constitution of the relevant Constituent Organisation,
 - (ii) except where sub-paragraph (iii) applies, each Constituent Organisation is represented by its president (or the president's nominee) and two other members, and
 - (iii) in a College with a single Constituent Organisation (representing both undergraduates and Graduates), that organisation is represented by its president (or the president's nominee) and four other members.²⁸

In this paragraph, a reference to a president includes a reference to an equivalent office.

- (b) Under Bye-Law 9.1(d), except where paragraph (c) applies, each Campaign must appoint one representative.
- (c) The following Campaigns must appoint three representatives each
 - (i) Campaign for Racial Awareness and Equality,
 - (ii) LGBTQ+ Campaign,
 - (iii) Disabilities Campaign,
 - (iv) Women's Campaign, and

²⁶ Bye-Law 9 was amended in MT 2018.

²⁷ Definitions of Constituent Organisations, Campaigns and Divisional Board Representatives are in paragraph 5 of Schedule One.

²⁸ Graduate is defined in paragraph 5 of Schedule One.

- (v) Class Act Campaign.
 - (d) Under Bye-Law 9.1(e), Council must appoint as Divisional Board Representatives,
 - (i) four Student Members who are undergraduates, and
 - (ii) four Student Members who are Graduates,and provide each representative with a statement of their responsibilities.²⁹
- 9.3 The following provides for voting by members in Council.
- (a) The Chair of Council does not have a vote, other than a casting vote in the event of a tie.
 - (b) All other members (whether Sabbatical Trustees or members under Bye-Law 9.2) have one vote each.
- 9.4 Council may establish, regulate and wind up procedural or advisory committees.
- 9.5 The Steering Committee has particular responsibility for compiling the agenda for Council meetings, and considering proposals relating to Oxford SU's governing documents. Its members are the Chair of Council, the Returning Officer, the President and two Student Members (other than a member of the Executive).
- 9.6 The Scrutiny Committee has particular responsibility for scrutinising the work of the Sabbatical Trustees. Its members are two Student Members (other than a member of the Executive).³⁰
- 9.7 Council may from time to time make, repeal or amend Rules relating to Council's functions and the proceedings and procedure of Council, its meetings and its committees.
- 9.8 The Chair of Council's responsibilities include the proper functioning of Council, ensuring democratic debate and maintaining good order.
- 9.9 The quorum for meetings of Council is 35 Council members.
- 10 Scrutiny of Sabbatical Trustees**
- 10.1 Council must hold each Sabbatical Trustee to account, and scrutinise their activities, through
- (a) questions at Council meetings, and
 - (b) termly reports to Council from the Scrutiny Committee.³¹

²⁹ Appoint includes elect or otherwise select: see paragraph 2 of Schedule One.

³⁰ This Bye-Law was amended in MT 2016.

³¹ See Bye-Law 9.6. Bye-Laws 10.2 and 10.3 were amended in MT 2016.

- 10.2 The Scrutiny Committee may require a Sabbatical Trustee to supply it with such documents as the committee may reasonably require. A document may be edited before submission to ensure confidentiality.
- 10.3 A Sabbatical Trustee, in consultation with the Scrutiny Committee, must attend one or more meetings as the committee may reasonably require.
- 10.4 Council must from time to time provide the Scrutiny Committee with guidance on the exercise of the committee's responsibilities.

11 Budget and accounts

- 11.1 The Finance Committee must send to Council
- (a) each proposed Oxford SU budget, on which Council may make recommendations to the Committee, and
 - (b) Oxford SU's audited accounts, annually, for information.³²

12 External affiliations

- 12.1 Oxford SU may only affiliate to an External Organisation following a Council or Referendum decision to that effect.³³

13 Council's Executive³⁴

- 13.1 The members of the Executive are
- (a) the Sabbatical Trustees,
 - (b) a representative of each Campaign, and
 - (c) two Constituent Organisation representatives.
- The President is the chair.³⁵
- 13.2 Under Bye-Law 13.1(b), the representative must be the chair (or one of the co-chairs) of the Campaign or their delegate.
- 13.3 Under Bye-Law 13.1(c),
- (a) the two representatives, and those appointing them under paragraphs (b) and (c), must all be Constituent Organisation presidents (or their equivalent),
 - (b) one representative must be an undergraduate appointed by undergraduates, and

³² In addition, Article 38.3 requires Council to be sent: Oxford SU's statutory annual report, a summary of the annual impact report to the University, and the statutory information relating to external affiliations. See Bye-Laws 29.1 to 29.4 for the Finance Committee.

³³ An External Organisation is defined in paragraph 5 of Schedule One.

³⁴ Bye-Law 13 was amended in MT 2018.

³⁵ A member of the Executive (other than a Sabbatical Trustee) is subject to a Motion of No Confidence under Bye-Law 28.1 which, if successful, will result in removal from the Executive: and see Bye-Law 28.2(a).

- (c) the other representative must be a Graduate appointed by Graduates.³⁶

14 Making Oxford SU Policy

14.1 Oxford SU Policy comprises

- (a) resolutions or decisions of Council
 - (i) about policy or campaigning,
 - (ii) mandating Sabbatical Trustees and others, and
 - (iii) concerning Oxford SU governance,declared by Council to be Oxford SU Policy,
- (b) the results of effective Referenda called under Article 12.1(a) (i) or (ii) which are binding under Bye-Law 6.3,
- (c) the results of effective Referenda called under Article 12.1(a) (iii) or (iv), and
- (d) decisions of the Executive under Bye-Law 14.2.

14.2 The Executive may make Oxford SU Policy when at least two-thirds of its total membership decides that the need for prompt action so requires. Oxford SU Policy made by the Executive lapses at the next Council meeting unless ratified by Council at that meeting.

14.3 At least once in each Academic Year, the Chair of Council must publish Oxford SU Policy current at the date of publication.³⁷

15 Validity and effect of Oxford SU Policy

15.1 Oxford SU policy, once made, is valid and of immediate effect.

15.2 The following provides for the duration of the validity of Oxford SU Policy.

- (a) Oxford SU Policy is valid and effective for the remainder of the Academic Year in which it is made, amended, or renewed under paragraph (b), and for the three subsequent Academic Years ('the period of validity'), unless cancelled during the period of validity.³⁸
- (b) Oxford SU Policy (however made) lapses at the end of the period of validity unless renewed by Council in the final Term of that period.
- (c) The Chair of Council must inform Student Members of Oxford SU Policy which is due to lapse no later than the start of that final Term.

³⁶ Appoint includes elect or otherwise select: see paragraph 2 of Schedule One.

³⁷ Oxford SU publishes an annual 'Policy Book' which includes all the current Oxford SU Policy.

³⁸ This paragraph means that the 'Three Years plus' period of validity starts again in the event of an amendment or renewal (but not Council ratification under Bye-Law 14.2). Renewed Oxford SU Policy can continue indefinitely if renewed continuously.

- 15.3 The following are not required to observe Oxford SU Policy:³⁹
- (a) Liberation Campaigns,
 - (b) the Media Services, and⁴⁰
 - (i) the editor of *The Oxford Student* newspaper,⁴¹
 - (ii) the online editor of *The Oxford Student* website, and
 - (iii) the station manager of *Oxide Radio*; and
 - (c) any Oxford SU employee (other than a Sabbatical Trustee).

Membership

16 Removal of membership⁴²

- 16.1 To pass a resolution removing a Student Member from membership under Article 7.1(c),
- (a) Council must be satisfied that the Student Member's continued membership is harmful to, or is likely to become harmful to, Oxford SU's interests, and
 - (b) at least three-quarters of those voting in Council vote in favour of the resolution.

17 Suspension of membership

- 17.1 To pass a resolution suspending a Student Member from membership under Article 7.2,
- (a) Council must be satisfied that the Student Member's conduct is prejudicial to Oxford SU's interests, and
 - (b) at least two-thirds of those voting in Council vote in favour of the resolution.

- 17.2 The period of suspension in a resolution passed by Council under Bye-Law 17.1 must not exceed one Term.⁴³

18 Associate Members

- 18.1 A person included in a class of associate membership established by the Board under Article 8.1, and who is not a Student, is an Associate Member. Classes are:
- (a) persons admitted by the University to
 - (i) the *Register of Visiting Students*, or
 - (ii) the *Register of Recognised Students*,
 - (b) persons studying for a certificate or diploma of the University, and

³⁹ Bye-Law 15.3 was amended in MT 2018.

⁴⁰ These are *the Oxford Student* and *Oxide Radio*: paragraph 5 of Schedule One.

⁴¹ There are usually two joint editors each Term.

⁴² Article 7.3 provides the Student Member with a right to reply. Article 7.4 provides that neither the power to remove nor the power to suspend membership applies to Trustees.

⁴³ Neither Article 7.2 nor these Bye-Laws prevent a further period of suspension under a new resolution.

(c) such other classes as the Board (having consulted the University) may establish.⁴⁴

18.2 An Associate Member ceases to be an Associate Member,

- (a) when they are no longer included in a class referred to in Bye-Law 18.1,
- (b) on removal of associate membership under Bye-Law 18.3, or
- (c) on giving notice to Oxford SU requesting withdrawal of associate membership.

18.3 The Board may remove an Associate Member from associate membership in the same manner, and subject to the same requirements, as Council may remove a Student Member from membership under Article 7.1(c) and Bye-Law 16.1, on the ground that continued associate membership is harmful to, or is likely to become harmful to, Oxford SU's interests.⁴⁵

18.4 An Associate Member has such rights and obligations as the Board may from time to time decide. Those rights must not include the right to vote or participate in any election, Referendum or other decision-making process.

19 General meeting poll

19.1 For the purposes of Article 51.1, a poll on a resolution may be demanded

- (a) in advance of the general meeting where it is to be put to the vote, or
- (b) at a general meeting, either before a show of hands on that resolution, or immediately after the result of a show of hands on that resolution is declared.

19.2 A poll may be demanded by

- (a) the chair of the general meeting,
- (b) two or more persons having the right to vote on the resolution, or
- (c) any person who, by virtue of being appointed proxy for one or more Student Members having the right to vote at the meeting, holds two or more votes.

19.3 A demand for a poll may be withdrawn if

- (a) the poll has not yet been taken, and
- (b) the chair of the general meeting consents to the withdrawal.

19.4 Polls must be taken immediately and in a manner directed by the chair of the general meeting.

Trustees⁴⁶

⁴⁴ Article 8.1 requires Bye-Laws to provide for admission and removal. There are, in fact, no formal admission requirements and qualifying persons automatically become Associate Members of Oxford SU. Student is defined in Article 53.1. (Bye-Laws 18.1 and 18.2 were amended in TT 2016.)

⁴⁵ Article 7.3 can, therefore, be relied by the Associate Member to make representations. There is no power to suspend an Associate Member.

⁴⁶ Articles 19 to 22 provide for the suspension, removal etc of Trustees and Article 18 for filling vacancies.

20 Sabbatical Trustees

20.1 There are six Sabbatical Trustees, namely the President and the

- (a) Vice-President, (Activities and Community)
- (b) Vice-President, (Liberation and Equality)
- (c) Vice-President, (PG Education and Access)
- (d) Vice-President, (Welfare) and
- (e) Vice-President (UG Education and Access).

20.2 A Sabbatical Trustee elected at

- (a) Annual Elections serves in office from the start of 10th Week of Trinity Term following election to the end of 9th Week of Trinity Term in the following Academic Year.
- (b) a By-election serves for the remaining portion of the term of office of the Sabbatical Trustee whose vacancy is being filled.

For the purposes of (b), one or more vacancies are deemed to have occurred when not all the required Sabbatical Trustees are elected at Annual Elections.⁴⁷

21 Sabbatical Trustee Remits

21.1 Each Sabbatical Trustee

- (a) is directly accountable to Council for the discharge of their Remit, and
- (b) must discharge their Remit consistently with any current strategy, business plan, or policy agreed by the Board.

21.2 Council must set the Remit of each Sabbatical Trustee on a motion approved by a two-thirds majority vote.

21.3 Council may from time to time amend the Remit of each Sabbatical Trustee on a motion approved by a two-thirds majority vote.

21.4 In setting a Remit under Bye-Law 21.2, or amending it under Bye-Law 21.3, Council must act consistently with any current strategy, business plan, or policy agreed by the Board.

22 Student Trustees

22.1 A Student Trustee elected at

- (a) Annual Elections serves in office from the start of 9th Week of the Term in which the election was held to the end of 8th Week of the same Term in the following Academic Year.
- (b) Sabbatical Trustees must publicly declare any current roles within any relevant organisations as set out in Regulation 17 as well as any new roles they take on. This

⁴⁷ The reference to 'required' here and in Bye-Law 22.1 is to the number decided from time to time by the Board.

includes appointments to new positions within an organisation with which they have previously declared a role. These declarations shall be announced in Student Council and shall be listed on the Oxford SU website

- (c) a By-election serves for the remaining portion of the term of office of the Student Trustee whose vacancy is being filled.

For the purposes of (b), one or more vacancies are deemed to have occurred when not all the required Student Trustees are elected at Annual Elections.

23 External Trustees

23.1 An External Trustee's term of office (whether the first or second term) commences on election.⁴⁸

23.2 The Nominations Committee members are

- (a) a Sabbatical Trustee (as chair),
- (b) a second Sabbatical Trustee,
- (c) an External Trustee,
- (d) a member of the Executive (other than a Sabbatical Trustee),
- (e) two Student Members (other than a member of the Executive), and
- (f) the Registrar of the University (or nominee).

23.3 The members of the Nominations Committee under Bye-Law 23.2(a) to (c) must be appointed by the Board, under Bye-Law 23.3(d) by the Executive, and under Bye-Law 23.2(e) by Council.

23.4 The Nominations Committee must from time to time determine

- (a) the criteria against which potential nominees for External Trustee must be considered, and
- (b) the procedure for identifying potential nominees.

23.5 For each vacancy, or future vacancy, the Nominations Committee must follow the procedure under Bye-Law 23.4(b). It must then identify and put forward to Council a nominee to fill the vacancy, or future vacancy.⁴⁹

23.6 The Nominations Committee may act without holding a meeting. A determination or decision is valid and effective if

⁴⁸ This will be the date of the Council meeting at which the Trustee is elected.

⁴⁹ The reference to a future vacancy allows the committee to begin work, and, if thought fit, put forward a nominee to Council, before an External Trustee leaves office.

- (a) in the reasonable opinion of the Nominations Committee members, it is unable to meet within a reasonable time, and
- (b) members have had a reasonable opportunity to communicate their views on the matter to each other.

23.7 Except where Bye-Law 23.8 applies, a nominee put forward under Bye-Law 23.5 is elected by a simple majority vote of Council.

23.8 If Council does not approve the nominee put forward under Bye-Law 23.5, the Nominations Committee must put forward two nominees (one of whom may be the nominee not approved). Council must then decide between the nominees and elect by a simple majority vote.

Board vacancies and chair

24 Vacancies⁵⁰

24.1 Bye-Laws 24.2 and 24.3 apply to the filling of a vacancy as

- (a) Sabbatical Trustee,
- (b) Sabbatical Trustee-elect, and
- (c) Student Trustee,

including any vacancy arising as a result of the provisions of Bye-Laws 20.2 or 22.1, or where Regulations provide for a re-open nominations option.⁵¹

24.2 Except where Bye-Law 24.3 applies, Council must make arrangements for the vacancy to be filled at a By-election.⁵²

24.3 Where a vacancy arises more than half-way through the term of office of a Sabbatical Trustee or Student Trustee, Council and the Board (acting jointly) may decide to keep the vacancy open and not call a By-election.⁵³

25 Co-option

25.1 Where the Board co-opts a Trustee under Article 18.2, the co-opted Trustee holds office for

- (a) the period of time until the close of the election called to fill the vacancy, or
- (b) the remaining portion of the term of office of the Trustee whose vacancy is being filled,

⁵⁰ For External Trustee vacancies see Article 16 and Bye-Laws 23.4 to 23.8, and for Delegates see Bye-Law 4.4.

⁵¹ The Bye-Law references are to vacancies and deemed vacancies in the offices of Sabbatical Trustee or Student Trustee. A re-open nominations option may lead to a deemed vacancy.

⁵² See the definition of By-election in paragraph 5 of Schedule One.

⁵³ Co-option is likely following such a decision, and will be required if the number of paid Trustees exceeds the limit set out in Article 44.3(c)(iii). Note that this Bye-Law does not apply to Sabbatical Trustees-elect.

whichever is the shorter. In this Bye-Law, election means a By-election (to fill a Sabbatical Trustee or Student Trustee vacancy), or Council election (to fill an External Trustee vacancy).⁵⁴

26 Eligibility for election

- 26.1 In accordance with Articles 14 to 16 and 18, and for the avoidance of doubt,
- (a) a Sabbatical Trustee elected at a By-election is not eligible to stand again for election as a Sabbatical Trustee,
 - (b) a co-opted Sabbatical Trustee is eligible to stand for election as a Sabbatical Trustee,
 - (c) a Student Trustee elected at a By-election (for a first term of office) is eligible to stand for election (for a second term of office) as a Student Trustee,
 - (d) a Student Trustee elected at a By-election (for a second term of office) is not eligible stand again for election as a Student Trustee,
 - (e) a co-opted Student Trustee is eligible to stand for election as a Student Trustee (for a first or second term, as appropriate), and
 - (f) a co-opted External Trustee is eligible to be nominated for election as an External Trustee (for a first or second term, as appropriate).

27 Board chair and deputy chair

- 27.1 The Board must appoint
- (a) a Sabbatical Trustee as its chair, and
 - (b) a Student Trustee or an External Trustee as its deputy chair,
- as soon as there is a vacancy.⁵⁵
- 27.2 The Board may at any time, by a majority vote of the other Trustees, remove a chair or deputy chair from that position.
- 27.3 The chair and deputy chair serve until
- (a) ceasing to be a Trustee, or
 - (b) removal as chair or deputy chair (as the case may be) under Bye-Law 27.2,
- whichever is the sooner.

Motions of No Confidence⁵⁶

28 Motions of No Confidence

- 28.1 In Bye-Laws 28.2 to 28.6, a Motion of No Confidence means
- (a) a proposal to remove from office any of the following:

⁵⁴ Article 18.3(a) limits co-option to one year. See Bye-Laws 23.4 to 23.8 for the election of External Trustees.

⁵⁵ This Bye-Law was amended in TT 2016.

⁵⁶ Bye-Law 28 does not cover motions of no confidence in Trustees: see Article 20.

- (i) a Sabbatical Trustee-elect,
 - (ii) a member of the Executive under Bye-Law 13.1 (b) or (c),
 - (iii) the Chair of Council,
 - (iv) the Returning Officer, or
 - (v) any other elected officer of Council, or
- (b) a proposal to remove from committee membership any Student Member appointed by Council to serve on any committee.⁵⁷
- 28.2 For the avoidance of doubt,
- (a) removal from office or committee membership under Bye-Law 28.1 does not affect the holding of any other office or position by the same person, and
 - (b) Bye-Laws 28.1 to 28.6 do not apply to any Oxford SU employee.⁵⁸
- 28.3 Any Student Member may submit a Motion of No Confidence. The Motion must include a reasoned statement, and be submitted to and considered by Council.
- 28.4 A Motion of No Confidence in a Sabbatical Trustee-elect must be passed, by a two-thirds majority vote, in each of two successive Ordinary Meetings of Council, followed by ratification of that vote, by a simple majority vote, in a Referendum (called by Council).
- 28.5 Only a Student Member who is a woman may vote in a Referendum to remove the Vice-President (Women)-elect from office
- 28.6 Except where Bye-Law 28.4 applies, a Motion of No Confidence must be passed, by a two-thirds majority vote, in an Ordinary Meeting of Council.

Board Committees

29 Finance Committee⁵⁹

- 29.1 The Finance Committee members are
- (a) an External Trustee (as chair),
 - (b) the President,
 - (c) another Sabbatical Trustee,
 - (d) a Student Trustee, and
 - (e) if the Finance Committee so decides, a Student Member.

⁵⁷ See paragraph 2 of Schedule One for the meaning of appointed.

⁵⁸ For example, under Bye-Law 28.2(a), removal of an Campaign chair from membership of the Executive does not remove that person from being chair of the campaign.

⁵⁹ This Bye-Law was amended in MT 2017.

The members of the Finance Committee under (c), (d) and (e) of this Bye-Law must be appointed by the Board.⁶⁰

29.2 The Chief Executive Officer is entitled to attend, but not vote at, each meeting of the Finance Committee.

29.3 The Finance Committee is the remuneration committee for Oxford SU and must agree a remuneration policy with the Board.

29.4 The Finance Committee must establish a process for the proper authorisation of expenditure from Oxford SU funds. The process must provide for payments permitted under Articles 44.2 and 44.3 to be authorised by the Finance Committee.⁶¹

30 Other committees

30.1 The Board may establish other Board Committees as it sees fit.⁶²

30.2 The Board must use reasonable efforts to ensure that at least one member of each Board Committee (including the Finance Committee) is a Trustee who is a woman.

30.3 The Board must approve the terms of reference, membership, and manner of appointment, of each Board Committee. Each Board Committee must determine its procedure, including appointing its chair and the frequency of any meetings.

Media Services⁶³

31 Media Services

31.1 The Chief Executive Officer is responsible, and accountable to the Board, for the day-to-day management of the Media Services and their output.⁶⁴

31.2 The Media Board has the following membership:

- (a) a Sabbatical Trustee (as chair),
- (b) a Student Trustee,
- (c) a representative of the Chief Executive Officer,
- (d) up to three additional members, and

⁶⁰ The Board may request a recommendation from the Finance Committee for the appointment under (e)

⁶¹ Articles 44.2 and 44.3 cover payments to Trustees and Members, including remuneration for Sabbatical Trustees.

⁶² See Articles 24 and 25.

⁶³ Bye-Law 31 was amended in HT 2020.

⁶⁴ Media Services are defined in paragraph 5 of Schedule One as *the Oxford Student* newspaper and website, and *Oxide Radio*. That paragraph also defines the Media Board. (Bye-Laws 33.1 to 33.5 were amended in HT 2017.)

(e) if the Media Board so decides, a Student Member or External Trustee.

The members of the Media Board under (a), (b), (d), and (e) of this Bye-Law must be appointed by the Board. Board members under (d) must be former post-holders.

31.3 Each member of the Media Board has one vote. The Media Board must determine its procedure on other matters, with the approval of the Trustee Board.

31.4 In Bye-Laws 31.5 to 31.7, a post-holder is (as the case may be)

- (a) the editor (or one of joint editors) of The Oxford Student newspaper, or
- (b) the station manager of Oxide Radio.

The post holders are entitled to attend each meeting of the Media Board as non-voting members.

31.5 The Media Board's responsibilities are

- (a) to provide a procedure for the appointment and, if necessary, suspension and removal of each post-holder,
- (b) to agree a memorandum of understanding between the Chief Executive Officer and each post-holder within seven days of appointment,
- (c) to arrange for training for post holders as appropriate,
- (d) to provide a procedure for dealing with complaints and disputes arising from the operation of the Media Services,
- (e) to set out the principles of editorial independence as they apply to the Media Services, post-holders, and others, and,
- (f) to manage the long-term strategy for and development, including digital development, of the Media Services
- (g) matters relating to high-level data protection breaches and reporting,
- (h) to manage the finances and budget of the Media Services, and
- (i) such other responsibilities as the Board may from time to time confer on the Media Board

31.6 A memorandum of understanding, under Bye-Law 31.5(b), must include

- (a) the functions and responsibilities of the relevant post-holder,
- (b) the circumstances which may give rise to the Media Board suspending or removing that post-holder under Bye-Law 31.5(a), and
- (c) the post-holder's agreement to the terms of the memorandum of understanding, and may include such other matters as the Media Board thinks fit.

- 31.7 The Media Board may require a post-holder to remove content from one or more of the Media Services, before publication or broadcast, which the Media Board considers to be defamatory of otherwise unlawful.

Campaigns and projects⁶⁵

32 Campaigns⁶⁶

- 32.1 A Campaign is
- (a) a Liberation Campaign, or
 - (b) a Sectional Campaign.
- 32.2 Council may establish a new Liberation Campaign or Sectional Campaign if it is satisfied that the proposed Campaign will represent one or more self-identifying demographics which are not, or not sufficiently, represented by an existing Campaign.
- 32.3 A Campaign must have a constitution, approved by Council, which provides for
- (a) the Campaign's name, and its aims and objectives,
 - (b) membership of the Campaign being open to
 - (i) all Student Members and Associate Members, or
 - (ii) those Student Members and Associate Members who self-identify with one or more of the demographics of the Campaign,
 - (c) Campaign members to fully participate in the activities of the Campaign, except as provided for in the constitution or Bye-Law 18.4,⁶⁷
 - (d) a committee to run the Campaign, including the following officers: chair (or two co-chairs), treasurer and secretary,
 - (e) the procedures of the committee and open meetings of Campaign members,
 - (f) the resignation of a committee member,
 - (g) the removal of a committee member by a two-thirds majority vote at an open meeting of Campaign members, and
 - (h) any other matter which the committee considers appropriate.
- Any amendment to a constitution must be approved by Council by a two-thirds majority vote.
- 32.4 The following applies to elections under Bye-Law 32.3(d).
- (a) The chair (or two co-chairs), treasurer and secretary must be elected annually from and by Campaign members who are Student Members.

⁶⁵ Bye-Law 35 deleted, Bye-Law 34 amended and renumbered Bye-Law 32, and new Bye-Law 33 inserted in MT 2018.

⁶⁶ Paragraph 5 of Schedule One defines a Campaign as an officially recognised association which is a Liberation Campaign or Sectional Campaign (each also defined in that paragraph) and which meets the requirements of Bye-Law 32.3.

⁶⁷ Bye-Law 18.4 provides that Associate Members may not participate in any decision-making process (including voting in any elections).

- (b) Elections shall be held, either;
 - (i) within two full term weeks of the establishment of the Campaign,
 - (ii) within two full term weeks of a position becoming vacant, or
 - (iii) in 5th Week Hilary Term annually,
- (c) The Returning Officer must provide each Campaign with an election procedure which may be counter to 32.4(b) if, in their reasonable opinion, an election is unlikely to be fairly or properly conducted without such a change.

32.5 A Campaign's committee must ensure that the Campaign

- (a) promotes the expressed wishes of Campaign members,
- (b) complies with the Bye-Laws and Oxford SU's policies and procedures,⁶⁸ and
- (c) follows guidance provided by the Chief Executive Officer.

32.6 A committee member must not be removed from the committee, under Bye-Law 32.3(g), unless they have been given notice, specifying the reasons for the proposed removal, and have been afforded a reasonable opportunity of making oral or written representations.

32.7 Where a committee member ('the member concerned')

- (a) fails to comply with a provision of the Campaign's constitution, or
- (b) acts in a manner which is, or is likely to become, harmful to the interests of that Campaign,

Council may direct the committee to hold a recall election at which the member concerned may be a candidate.

32.8 Council must receive a report on a Campaign's activities every eight weeks of full term. Council may extend this period by two weeks of full term.

32.9 The following applies to the winding-up of a Campaign.

- (a) Council may wind-up a Campaign,
 - (i) on being informed that the Campaign's committee has resolved that the Campaign should be wound-up, or
 - (ii) by passing a motion to that effect by a two-thirds majority vote in two consecutive Ordinary Meetings.
- (b) Council must wind-up a Campaign if the Campaign fails, with an extension of two weeks of full term, to comply with Bye-Law 32.8.

33 Projects

⁶⁸ On expenditure, see *Oxford SU's Financial Procedures for Student Groups and Student-led Activities*.

- 33.1 Council may establish a new project if it receives and approves (by a two-thirds majority vote) a project proposal from the proposed project leader (who must be a Student Member).⁶⁹ The document must include;
- (a) the project's name, aims and objectives,
 - (b) a budgeted plan, and
 - (c) the name of the project leader.
- 33.2 A project leader must ensure that the project complies with the Bye-Laws and Oxford SU's policies and procedures.⁷⁰
- 33.3 The following applies to reports on a project's activities.
- (a) Council must receive a report every eight weeks of full term.
 - (b) Council may extend this period by two weeks of full term.
 - (c) The report must include updates on the project's objectives and budgeted plan, and proposed targets for the following eight weeks of full term.
- 33.4 With respect to a report under Bye-Law 33.3, Council
- (a) may amend the objectives, the proposed targets or (with the Chief Executive's approval) the budgeted plan as set out in the report, and
 - (b) must approve or reject the report by a two-thirds majority vote.⁷¹
- 33.5 The following applies to the winding-up of a project.
- (a) Council may wind-up a project
 - (i) on being informed by the project leader that the project should be wound-up,
 - (ii) by passing a motion to that effect by a two-thirds majority vote, or
 - (iii) following Council's rejection under Bye-Law 33.4(b) of a project's report.
 - (b) Council must wind-up a project if it fails to comply with Bye-Law 33.3(a)(b).

Complaints

34 Complaints procedure⁷²

- 34.1 The following applies to the complaints procedure required by Article 23.3(e).
- (a) The Board must establish, publish and administer the procedure.
 - (b) The Board must consult the University on the provisions of, and any amendments to, the procedure before publication.
 - (c) The procedure, and any amendments, take effect on publication.

⁶⁹ The document will need to follow a template which can be downloaded from Oxford SU's website.

⁷⁰ On expenditure, see *Oxford SU's Financial Procedures for Student Groups and Student-led Activities*.

⁷¹ Rejection may lead to the project's winding-up: see Bye-Law 33.5(a)(iii).

⁷² Section 22(2)(m)(n) of the 1994 Act requires Oxford SU to have a complaints procedure. Bye-Law renumbered in MT 2018.

- (d) The Board must review the procedure at least once in each Academic Year.

Schedule One: Interpretation

Interpretation: periods of time

- 1 A reference in these Bye-Laws, to a Week, in relation to a Term, is to the period of seven days from the beginning of Sunday to the end of the following Saturday.

Interpretation: election, appointment, selection etc.

- 2 Except where expressly stated otherwise or where the context otherwise requires, a reference in these Bye-Laws to a person being appointed (including as a member of a committee or other body) is a reference to that person being elected, appointed or otherwise selected.

Interpretation: woman

- 3 In these Bye-Laws, a reference to a woman is to a person who, wholly or partly, self identifies as a woman or as transfeminine.

General Interpretation

- 4 Words and phrases which are defined in Article 53 have the same meaning in these Bye-Laws as in Article 53.

- 5 In addition,

the 1994 Act ... means the Education Act 1994.

Annual Elections ... means the elections described in Bye-Law 4.2, and a reference to an Annual Election, in the singular, is a reference to one of the elections under (a) to (c) of that Bye-Law.

Articles ... means the Articles of Association (in the Memorandum and Articles), and Article means one of them.

Associate Member ... means a person described in Bye-Law 18.1.

Board Committee ... means a committee of the Board and includes the Finance Committee.

By-election ... means an election, called in accordance with Regulations, to fill a Sabbatical Trustee, Sabbatical Trustee-elect, Student Trustee, or Delegate vacancy arising between two Annual Elections.

Campaign ... means an officially recognised association which is a Liberation Campaign or Sectional Campaign, and which meets the requirements of Bye-Law 32.3.

Chair of Council ... means a Student Member elected to that office each Term, to hold office for the duration of the subsequent Term.

College ... means a college, society or permanent private hall recognised under Statute V of the University Statutes.

Constituent Organisations ... means those junior common rooms, middle or graduate common rooms, and equivalent organisations of the Colleges which choose to affiliate to Oxford SU, and Constituent Organisation means one of them.

Delegate ... means a delegate to any External Organisation to which Oxford SU is affiliated.

Deputy Returning Officer ... means the person described in Bye-Law 7.3.

Divisional Board Representative ... means a person appointed by Council under Bye-Law 9.2(d) to represent Students on a divisional board or other divisional committee.

Election in Council ... means an election by Council members at a Council meeting.

Elections Committee ... means the committee described in Bye-Law 7.5.

External Appeals Officer ... means the person described in Bye-Laws 8.4 and 8.5.

External Organisation ... means an organisation defined in Section 22(2)(j)-(l) and (8) of the 1994 Act.

Finance Committee ... means the Board Committee described in Bye-Law 29.1.

Graduate ... means any Student Member registered by the University on a postgraduate taught or research programme.

Liberation Campaign ... means a Campaign which represents one or more self-identifying liberation demographics of the student body, including (but not limited to)

(a) working class, low income, state comprehensive school educated, and first-generation students,

- (b) lesbian, gay, bi, trans, asexual, aromantic, pan, intersex, queer, genderqueer, gender non-binary, or LGBTQ students,
- (c) students of Arab, Asian, African or Caribbean descent, or people of colour, black, or ethnic minority students,
- (d) disabled students,
- (e) woman or transfeminine students.

Media Board ... means the board described in Bye-Law 33.2.

Media Services ... means *the Oxford Student* and *Oxide Radio*.⁷³

the Memorandum and Articles ... means the Memorandum and Articles of Association of Oxford SU dated 14 July 2010 (as amended on 2 December 2015) and as may be further amended.

a Motion of No Confidence ... means a proposal to remove as defined in Bye-Law 28.1.

Ordinary Meeting ... means a meeting of Council as provided for in Rules.

Oxford SU ... means the company limited by guarantee incorporated on 14 July 2010 as OUSU, the name of which was changed to Oxford University Student Union on 14 September 2010.

Oxford SU Policy ... means OUSU Policy, as defined in Article 53.1.

Oxford Student (The) ... means either

- (a) the Oxford Student newspaper together with its website *oxfordstudent.com*,
or
- (b) one or other of the newspaper and the website,
as the context requires.

Oxide Radio ... means the student radio service known as Oxide Radio.

President ... means the president of Oxford SU.

Regulations ... means regulations made or amended in accordance with Bye-Laws 2.1 to 3.8.

⁷³ *Oxford Student (The)* and *Oxide Radio* are themselves defined in this paragraph.

Remit ... means the policy responsibilities of the officer in question. For the avoidance of doubt, a Sabbatical Trustee's Remit excludes any responsibilities set out in that officer's employment contract.

Returning Officer ... means the person described in Bye-Law 7.1.

Rules ... means rules made by Council under Bye-Law 9.7.

Sabbatical Trustee-elect ... means a person elected to succeed a Sabbatical Trustee then currently in office.

Scrutiny Committee ... means the committee described in Bye-Law 9.6.

Sectional Campaign ... means a Campaign which represents one or more self-identifying sectional demographics of the student body, including (but not limited to)

- (a) international students,
- (b) mature students, part-time students, and student parents and carers,
- (c) students who suspend their studies.

Steering Committee ... means the committee described in Bye-Law 9.5.

Term ... means one of the University Terms of Michaelmas, Hilary and Trinity.

Vice-President ... means one of the vice-presidents of Oxford SU listed in Bye-Law 20.1.