



# THE LOUGHBOROUGH STUDENTS' UNION CONSTITUTION

## The Paragraphs of the Constitution

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REVISION 8.3

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THE PARAGRAPHS OF THE CONSTITUTION



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# THE PARAGRAPHS OF THE CONSTITUTION

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## 1. NAME AND IDENTITY

The name of the Union shall be Loughborough Students' Union (hereinafter referred to as the Union). The Union is the Students' Union of Loughborough University (hereinafter referred to as the University) referred to in the Statutes and Loughborough College (hereinafter referred to as the College).

## 2. OBJECTS AND POWERS

- a. The Union's objects are the advancement of education of Students at the University and College for the public benefit by:
  - i. Enriching and enhancing the educational experience of its members as people as well as intellectuals, and in particular, to provide opportunities for members to develop their personal maturity, leadership, and communications and other skills.
  - ii. Acting as the principal body representing its members' views and interests within their institutions, to the local community and nationally.
  - iii. Enhancing the student community and student wellbeing by providing social, cultural, sporting and recreational activities, and forums for discussions and debate.
  - iv. To ensure that students experiencing problems with student life can get the support and help they need and seek to minimise the likelihood of these problems occurring.
- b. To further its objects, but not to further any other purpose, the Union may:
  - i. Provide services and facilities for members.
  - ii. Establish, support, promote and operate a network of student activities for members.
  - iii. Support any Rag of similar fundraising activities carried out by its members for charitable causes, including, the provision of administrative support, banking facilities and acting as a holding trustee of the any funds raised.
  - iv. Alone or with other organisations
    - a) Carry out campaigning activities.
    - b) Seek to influence public opinion
    - c) Make representation to and seek to influence governmental and other bodies and institutions regarding the reform, development and implementation of the appropriate policies, legislation and regulations provided that all such activities shall be confined to the activities which an English and Welsh charity may properly undertake and provided that the Union complies with the 1994



Education Act and any guidance published by the Charity Commission.

- v. Write, make, commission, print, publish or distribute materials or information or assist in these activities.
- vi. Promote, initiate, develop or carry out education and training and arrange, provide or assist with exhibitions, lectures, meetings, seminars, displays or classes.
- vii. Promote, encourage, carry out or commission research, surveys studies or other work and publish the useful results.
- viii. Provide or appoint others to provide advice, guidance, representation and advocacy.
- ix. Co-operate with other charities and bodies and exchange information and advice with them.
- x. Become a member, affiliate or associate of other charities and bodies.
- xi. Support, setup or amalgamate with other charities with objects identical or similar to the Union's objects, and act as or appoint trustees, agents, nominees or delegates to control and manage such charities.
- xii. Purchase or acquire all or any of the property, assets, liabilities and engagements of any charity with objects similar to the Union's objects.
- xiii. Incorporate and transfer all its assets to a charitable limited liability legal entity, and dissolve at any time following such incorporation and transfer if the Trustees consider it appropriate to do so.
- xiv. Raise funds and invite and receive contributions from any person provided that the Union shall not carry our taxable trading activities in raising funds.
- xv. Borrow and raise money on such terms and security as the Union may think suitable (but only in accordance with the restrictions imposed by the Charities Act 1993).
- xvi. Purchase, lease, hire or receive property of any kind including land, buildings and equipment and maintain and equip it for use.
- xvii. Sell, manage, lease, mortgage, exchange, dispose of or deal with all or any of its property (but only in accordance with the restrictions imposed by the Charities Act 1993).
- xviii. Make grants or loans of money and give guarantees.
- xix. Set aside funds for special purposes or as reserves against future expenditure.
- xx. Invest and deal with the Union's money not immediately required for its objects in or upon any investment, security, or property.
- xxi. Delegate the management of investments to an appropriately experienced and qualified financial expert provided that:
  - a) The investment policy is set down in writing form the financial expert by the Trustees.
  - b) Every transaction is reported promptly to the Trustees.

- c) The performance of the investment is reviewed regularly by the Trustees.
  - d) The Trustees are entitled to cancel the delegation at any time.
  - e) The investment policy and the delegation arrangements are reviewed at least once a year.
  - f) All payments due to the financial expert are on a scale or at a level which is agreed in advance and are notified promptly to the Trustees on receipt.
  - g) The financial expert may not do anything outside the powers of the Trustees.
- xxii. Arrange for investment or other property of the Union to be held in the name of a nominee (being a company or a limited liability partnership registered or having an established place of business in England and Wales) under the control of the Trustees or a financial expert acting under their instructions and to pay any reasonable fee required.
  - xxiii. Lend money and give credit to, take security for such loans or credit and guarantee or give security for the performance of contracts by any person or company.
  - xxiv. Open and operate banking accounts and other facilities for banking and draw, accept, endorse, negotiate, discount, issue or execute negotiable instruments such as promissory notes or bills of exchange.
  - xxv. Trade in the course of carrying out any of its objects.
  - xxvi. Establish or acquire subsidiary companies to carry on any taxable trade.
  - xxvii. Subject to [Paragraph 22](#) (Limitation on private benefits), employ and pay employees and professionals or other advisors.
  - xxviii. Grant pensions and retirement benefits to employees of the Union and to their dependants and subscribe to funds or schemes for providing pensions and retirement benefits for employees of the Union and their dependants.
  - xxix. Pay out of the funds of the Union the cost of any premium in respect of any indemnity insurance to cover the liability of the Trustees (or any of them) which by virtue of any rule of law would otherwise attach to them in respect of any negligence, default, breach of trust or breach of duty of which they may be guilty in relation to the Union provided that no such insurance shall extend to:
    - a) Any claim arising from any liability incurred by the Trustees to pay a fine imposed in criminal proceedings or a sum payable to a regulatory authority by way of a penalty in respect of non-compliance with any requirement of a regulatory nature (however arising).
    - b) Any liability incurred by the Trustees in defending any criminal proceedings in which the Trustees are convicted of an offence arising out of any fraud or dishonesty, or willful or reckless misconduct.



- c) Any liability incurred by the Trustees to the Union that arises out of any conduct which the Trustees knew (or must reasonably be assumed to have known) was not in the interests of the Union or in the case of which they did not care whether it was in the best interests of the Union or not.
- xxx. Do all such other lawful things as shall further the Union's objects.
- c. The Union aims to do this through an open and democratic structure, effective communication with our membership, with emphasis on continual improvement to all our services. Fulfilment of these objectives will thereby enhance the reputation of the institutions with prospective students, potential employers and the local community.
- d. The objectives should be pursued without regard to age, race, gender, sexual orientation, disability, ethnic origin, religion or creed and independent of any party-political organisation or religious body.

### 3. DEFINITIONS

- a. **CONSTITUENT COLLEGES** refer to the University and College.
- b. **THE BOARD** refers to The Board of Trustees as defined in [Paragraph 7](#) of the Constitution.
- c. **EXECUTIVE** refers to the Executive Committee as defined in [Paragraph 10](#).
- d. **SABBATICAL OFFICER** refers to the Sabbatical Officers as defined in **Schedule II**.
- e. **STUDENT FORUM** refers to the body as defined in [Paragraph 8](#), unless expressly stated otherwise.
- f. **UNION AFFAIRS COMMITTEE** refers the body as defined in [Paragraph 9](#) and **Schedule II**.
- g. References to **UNIVERSITY COUNCIL, STATUTES, ORDINANCES, COURT** and **SENATE** will be University structures.
- h. **PRINCIPALS** refer to the Vice Chancellor of the University and the Chief Executive of the College.
- i. **CONNECTED PERSONS** refers to any person falling within one of the following categories and where payment to that person might result in the relevant Trustee obtaining benefit:
  - i. Any spouse, civil partner, parent, child, brother, sister, grandparent or grandchild of a Trustee; or
  - ii. The spouse or civil partner of any person in (i); or
  - iii. Any other person in a relationship with a Trustee which may reasonably be regarded as equivalent to such a relationship; or
  - iv. Any company or LLP or firm of which a Trustee is a paid director, member, partner or employee, or shareholder holding more than 1% of the capital.



#### 4. MEMBERSHIP

- a. The Membership of the Union will consist of:
  - i. Full Members
    - a) all current students who are registered with constituent colleges which have paid grants in accordance with Paragraph 5; and
    - b) who have not exercised their right to opt out of membership of the Union
    - c) all Union sabbatical officers during their term of office.
  - ii. Associate Members
    - a) Life Members – past students who has been registered with a constituent college for the period of no less than six calendar months.
    - b) Honorary Membership – available for life or a specified period determined by the Board of Trustees.
    - c) Union and constituent college staff members
    - d) External Members – If not a student of the University or College, and aged 18 years or over
- b. Privileges of Membership:
  - i. All members and Officers of the Union have the right to use any amenities, facilities and premises provided by the Union as designated by the Executive, and to exercise the rights and privileges that this Constitution confers.
  - ii. Only Full members have the right to hold office and represent the Union internally or externally, through the appropriate structures.
  - iii. Only full members have the right to vote at meetings, ballots and referenda of the Union, as set out in this Constitution and its Standing Orders.
  - iv. All privileges of membership may be suspended according to [Paragraph 5](#), (Annual Grants and Subscriptions) or Discipline Committee.
- c. Rights Afforded to Opted-out Students:
  - i. All Students of constituent colleges who have opted-out under the Education Act 1994 and referred to in [Paragraph 4a\)i](#), are to be entitled access to join LSU student groups such as, AU Clubs and/or Societies as an Associate members, but are not eligible to sit on any committee or to participate in the democratic process of any such club or society.
  - ii. Such other rights as may be required to ensure that such students are not unfairly disadvantaged under the terms of the Education Act 1994.

#### 5. ANNUAL GRANTS AND SUBSCRIPTIONS

- a. An annual grant shall be paid to the Union by the relevant constituent colleges, on behalf of the students, according to budgetary allocation procedures from time to



time agreed between the Union and constituent college authorities. The grant will normally be reviewed on an annual basis.

- b. All other member subscriptions will be determined by the Board, (except for honorary members who will not pay Union subscription).
- c. If after two months written notice from the Board, sent to the last known address, a member of constituent college is in default of payment, they will be suspended from membership of the Union until the current fee or subscription and all arrears have been paid.

## 6. WITHDRAWAL FROM THE UNION

- a. Any of the constituent colleges, other than the University, may at any time cease to be a constituent college by special referendum held in accordance with the appropriate Standing Order.

## 7. THE BOARD OF TRUSTEES

- a. The Board of Trustees will be ultimately responsible for governing the affairs of the Union, but it will have a duty to consult and take full account of matters referred from the Student Forum as a student representative body whenever appropriate.
- b. The Board will consist of the following:
  - i. The Union Executive committee ex-officio:
    - a) President (who will be responsible for communication between the Union Executive committee and the Board).
  - ii. The Chair of Union Affairs Committee, an ex-officio non-voting member
  - iii. Four full members elected in accordance with **Standing Order K** (using the Alternative Transferable Vote method) in May of each year, for a term of office which runs from August 1<sup>st</sup> of the that same year, for one calendar year.
    - a) Any full member of the Union may stand for these positions.
    - b) Trustees in this category must be full members of the Union throughout their term of office.
    - c) None of these full members, nor any Connected Person may be in receipt of any remuneration from the Union by way of payment for services.
  - iv. Three full members elected in accordance with **Standing Order K** (using the Alternative Transferable Vote method) in May of each year, for a term of office which runs from August 1<sup>st</sup> of the that same year, for one calendar year.
    - a) Any full member of the Union may stand for these positions including sabbatical officers.
    - b) Trustees in this category must be full members of the Union throughout their term of office.

- c) These full members may be paid by the Union in accordance with the provisions of [Paragraph 22](#) of this Constitution.
  - v. Three lay members who shall not have been a full member of the Union for at least three years.
    - a) Elected by Union Affairs Committee for three years, one retiring each year.
    - b) The Board may nominate suitable people to address any skill gap.
    - c)
    - d) Eligible to serve for a maximum of two full consecutive term following re-election.
    - e) Elected in accordance with **Standing Order K**.
  - vi. The Chief Operating Officer of the University or his/her nominee (agreed by the Board)
  - vii. The Union Director will normally be in attendance (but will not vote) and will be responsible for servicing the Board.
  - viii. The Chair shall be elected by the Board from amongst the lay members, they shall; in addition to their term as lay member, serve a term of three years and not more than two consecutive terms.
- c. The Board's role and powers shall be to:
  - i. Monitor organisational performance and take actions to ensure objectives are achieved.
  - ii. Develop a financial strategy, set budgets, monitor accounts and ensure financial stability of the Union and to appoint auditors and make arrangements for any borrowings or investments that may be in the best interests of the Union.
  - iii. Land and other assets will be vested in the lay Trustees or the Custodian for Charities as appropriate; the Board may also grant such leases to third parties at commercial rates, as they see fit.
  - iv. Make arrangement for effective delegation to staff and executive officers as set out in a document of delegated powers.
  - v. To act as an appeal body in Staff disciplinary issues.
  - vi. To direct the work of the senior Staff members:
    - a) Through the Union President for the operational activities of the Union.
    - b) Through the Chair of the Board for Governance and Trustee issues.
  - vii. Monitor the performance of the senior Staff member through the Performance Sub-committee and make arrangements for their replacement, should this prove necessary. This work will be led by the President as set out in [Paragraph 11](#).
  - viii. Monitor the performance of Executive officers and where necessary undertake corrective or disciplinary actions in accordance with the procedures set out in [Paragraph 11](#).



- ix. To make appropriate arrangements for a review of sabbatical stipends.
- x. Take key decisions concerning the Union's affairs consulting Student Forum and/or the Union Affairs Committee where practical.
- xi. Ensure legal and regulatory compliance and best practice in respect of the probity of Union staff and officers.
- xii. To establish such Sub-committees or working groups as it sees fit.
- d. The Board will adopt the following standing orders:
  - i. They will normally meet at least five times per year, fixed on a twelve-month calendar, six months in advance.
  - ii. Quorum will be 50% plus 1 or the current members.
  - iii. Agenda will be circulated to all members two weeks before meeting.
  - iv. An exceptional meeting may be called by six or more members giving a minimum of 48 hours notice of the agenda to all members, by email.
- e. Virtual Meetings – A Trustees' meeting may be held by telephone or by televisual or other electronic or virtual means agreed by resolution of the Trustees in which all participants may communicate simultaneously with all other participants.
- f. Trustee decisions without a meeting – The Trustees may take a unanimous decision without a Trustees' meeting by indicating to each other by any means, including without limitation by electronic communication, that they share a common view on a matter. Such a decision may, but need not, take the form of a resolution in writing, copies of which have been signed by each Trustee or to which each Trustee has otherwise indicated agreement in writing.
- g. A Trustees' resolution which is made in accordance with this provision shall be as valid and effectual as if it had been passed at a meeting of the Trustees duly convened and held, provided the following conditions are complied with:
  - i. Approval from each Trustee must be received by one person being either such person as all the Trustees shall have nominated in advance for the purpose or such other person as volunteers if necessary ("the Recipient"), which person may for the avoidance of doubt, be one of the Trustees.
  - ii. Following receipt of responses from all of the Trustees, the Recipient shall communicate to all of the Trustees by any means whether the resolutions has been formally approved by the Trustees in accordance with this Clause.
  - iii. The date of the decision shall be the date of the communication from the Recipient confirming formal approval.
  - iv. The Recipient prepares a minute of the decision.

## **8. STUDENT FORUM**

- a. The role of the Student Forum will be to involve a wide cross section of Union members in guiding the work of the Executive Committee and developing policies and strategies for the Union's general operation.
- b. All members of the Executive Committee are required to attend but may not vote.



- c. The Forum will be chaired in a facilitative role by a member of the Union Executive team, chosen by the Executive Committee.
- d. The Forum will meet at least 5 times a year in accordance with **Standing Order A**.

## 9. UNION AFFAIRS COMMITTEE

- a. The role of the Union Affairs Committee will be to act as a regulating and procedural body for the Union's activities.
- b. It will have the following composition:
  - i. Two sabbatical officers designated for each year by the Executive Committee.
  - ii. The President.
  - iii. Fifteen members elected by online voting in accordance with **Standing Order G** in a single election, by and from all members.
  - iv. The Union Director or his/her nominee in a non-voting advisory capacity.
  - v. At the first meeting of the Union Affairs Committee, the committee itself will elect a Chair from its fifteen student members.
- c. Powers and responsibilities
  - i. To make suitable arrangements for the discipline of Union members and to act as an appeal body.
  - ii. To make suitable arrangements for elections including appointing a returning officer and to act as an appeal and adjudication body in the event of any disputes.
  - iii. To approve arrangements for the selections of people to represent students or hold office where such arrangements are not explicitly set out in this Constitution or its Standing Orders.
  - iv. To consider and investigate any complaints from members concerning breaches of the Union Constitution or other regulations and make recommendations to the Board of Trustees where appropriate.
  - v. To keep the Constitution, its Schedules and Standing Orders under review to ensure that they are fit for purpose and operate effectively and make proposals for change in accordance with [Paragraph 19](#).
  - vi. To consider any proposals referred to it from the Student Forum and report back.
  - vii. To create such Sub-committees and project teams as it sees fit.
  - viii. To seek professional or legal advice when appropriate.
- d. Meetings will be held approximately at least monthly during University term time.



## **10. THE EXECUTIVE COMMITTEE**

- a. The Executive Committee will consist of major Sabbatical Officers elected via secret ballot as set out in Schedule II of this Constitution
- b. The Executive Committee will serve a term of twelve months immediately following a mandatory handover period in same year they were elected.
- c. All members of the Executive Committee are entitled to vote; and
- d. will be accountable to Performance Management Sub-committee, Union Affairs Committee, Student Forum and ultimately the Board.
- e. The role for the Executive Committee shall be to:
  - i. be a forum for discussion on all issues of concern to students; and
  - ii. represent the interests of students to the constituent colleges.
  - iii. where necessary, establish project teams to work on the Union's objectives as agreed by the Board and proposals referred to it by the Student Forum.
  - iv. Lead on all Union activity.
  - v. Co-ordinate representation for students within the Union.
- f. The Executive Committee may call on Institutional Representative Officers and/or any such person as it sees fit to act as an advisor.
- g. Meetings will be minuted and those minutes will be made available upon request.
- h. Full members of the Union may attend the Executive Committee meetings by invitations from the committee. The decision to allow a full member to attend an Executive committee meeting will be decided by a simple majority vote by the voting members of committee.

## **11. PERFORMANCE MANAGEMENT AND DISCIPLINE OF EXECUTIVE OFFICERS AND SENIOR STAFF**

- a. The Board will appoint a Performance Sub-committee with the role of reviewing the performance of the Executive Officers and the Senior Staff member.
  - i. This Sub-committee will be chaired by the President and will include the Chair of the Board (ex officio) along with three Board members.
- b. At all times the emphasis should be on taking actions that will assist Executive Officers in being successful in their role and this should follow best human resource practice as far as compatible with the democratic context.
- c. If, the Student Forum, an Executive Officer's committee, the Union Affairs Committee, or the Executive Committee feel that an Executive Officer is significantly underperforming in their role they should refer the matter to the Performance Management Sub-committee for appropriate action. They should always afford the Officer in question a full opportunity to put across their side of the case.



- d. When the Performance Management Sub-committee believes that an Officer has irreversibly lost the confidence of the Union's full members and their continued holding of office is no longer in the interests of the Union they shall have the power to dismiss the Officer.
- e. An Officer may appeal to the full Board and will be deemed to have resigned if less than 33% of those eligible to vote support the Officer's motion of confidence.
- f. Where the Officers is a sabbatical, arrangements for notice and compensation will be set out in the Officer's contract of employment as periodically reviewed and approved by the Board.
- g. The President will be advised on the direction and performance management of the Senior Staff Member by the Chair of the Board.

## 12. REFERENDUM

- a. A referendum may be called on issues of such importance that the Board feels that the views of all members should be formally sought. The referendum will be run in accordance with **Standing Order B**.
- b. The outcome will be taken full account of by the Executive Committee and the Board.

## 13. CONSTITUENT EXECUTIVE COMMITTEES

- a. There will be a Constituent Committee for the College, which discuss matters relating to it constituents, particularly academic affairs in relation to the objectives of the Union. They will act as a direct line of communication between the Constituent College members and the Executive Committee.
- b. The Constituent Committee shall run in accordance with **Schedule III** and **Schedule IV**.

## 14. SECTIONS

- a. The sections of the Union shall undertake and direct an area of work which is fundamental to achieving the core objectives of the Union. This work will be led by a designated member of the Executive Committee as set out in the relevant Schedules of the Constitution.
- b. They will be allocated appropriate resources to undertake this work by the Board.
- c. Plans will be approved by the Board taking full account of the views of the volunteers involved in these areas expressed through their respective democratic structures.

## 15. CLUBS AND SOCIETIES

- a. The Union shall provide clubs and societies which promote the sporting, recreational and cultural interests of its members. They shall receive funding in accordance with the University Statutes arising from law.



- b. A club or society shall be affiliated to the Union when the Union Affairs Committee approves its application for affiliation and initial code of practice. The procedure for this is subject to change following periodic review by the Union Affairs Committee.
- c. An affiliated club or society must use the name Loughborough Students' in its official title. As a subservient part of the Union the club or society is a Charity and subject to charity law. Each club or society must comply with the mission statement, health and safety and financial policies currently set by the Board.
- d. On the disbanding or inactivity of a club or society for more than one year, funds and assets from that club or society are returned to central Union funds.
- e. No club or society may enter into any contract, loan or other legally binding arrangement. All such arrangements must be undertaken by the Union on the club or society's behalf.
- f. Each club or society shall be governed by the rules laid out in **Schedule VIII** and **Schedule XI**

## **16. ASSOCIATIONS**

- a. Associations of the Union will promote the interests of under-represented groups within the student membership. Any full member who falls within the category of one of these groups automatically become a member of that Association.
- b. Each Association will elect a committee to plan and implement programs of activity to promote the interests of its members.
- c. The Associations will meet regularly and make policy recommendations through Student Forum.
- d. Associations may be established and dissolved by the Board on the recommendation of the Union Affairs Committee.
- e. Meetings of Associations will be open only to members of the Association and the representatives of the Executive Committee designated to sit on the Associations' Committee.
- f. The Associations will run in accordance with the Schedules of this Constitution.

## **17. REMOVAL OF UNION COMMITTEE MEMBERS**

- a. Any elected full member of a Union Committee (except for the Executive Committee), or other body who fails to attend two consecutive meetings without offering a written explanation to the Chair, which is then accepted by the meeting, shall normally be deemed to have resigned and there shall be casual vacancy.
- b. A vote of No Confidence may be called by at least 15% or 3 people (whichever is bigger) of the committee membership, which will result in;
  - i. An EGM being called within ten days. A vote of No Confidence can only be carried in a minuted meeting and:
    - a) Two-thirds of voting members present uphold the motion of No Confidence.



- ii. Where the vote of No Confidence is against the Chair, the committee will select from amongst its members an acting Chair.
- iii. The Chair shall inform the Officer responsible for the section/department of the casual vacancy.

## **18. CASUAL VACANCIES**

- a. In the case of any officer of the Union ceasing to hold office before the end of the stipulated term, there shall be a casual vacancy.
- b. Casual vacancies shall be filled in accordance with **Schedule III**.

## **19. AMENDMENTS TO THE CONSTITUTION, PARAGRAPHS, STANDING ORDERS AND SCHEDULES**

- a. The Board and Constituent Colleges shall review this Constitution every five years, with effect from the date that this constitution comes into effect.
- b. No amendment of this Constitution shall be made which would have the effect of the Union ceasing to be a Charity.
- c. [Paragraph 2](#), (Objects and Powers) and [Paragraph 22](#), (Limitation on Private Benefit) may not be amended without the prior written consent of the Charity Commission.
- d. Save where the amendment to the Constitution is a consequential amendment due to a change in the Schedules (for example, the number or heading name of Clauses), the Constitution may be amended by:
  - i. Proposed amendments to the core Paragraphs of this Constitution will be drafted and approved by the Union Affairs Committee. They must then be passed by the Board before adoption.
  - ii. Following such amendments being passed, a member of the Executive Committee shall inform the Chief Executive Officers of the constituent colleges to seek their approval of the changes in accordance with the 1994 Education Act.
  - iii. The Constitutional change will then be referred back to the Board for confirmation of any minor amendments proposed by Constituent Colleges and final approval; a simple majority will be required at this stage.
- e. No amendment to the Constitution will be valid until this procedure has been completed.
- f. Changes to the Standing Orders and Schedules may be made following a two-thirds majority at the Union Affairs Committee and final approval from the Board.

## **20. FINANCE AND INDEMNITY**

- a. The Board will be responsible for the proper management of Union finances and resources.
- b. The Executive Officer responsible for finance shall present outline financial budgets to the Board by the end of March for the following financial year and by November



they will present a revision, detailing the allocation of funds to all areas of Union activity.

- c. The Executive Committee will ensure that all Union funds are properly recorded and accounted for and that all spending is duly authorised in line with the budgets approved by the Board.
- d. The Executive shall publish annually the criteria used to allocate funding and grants to clubs, societies, and associations. This information is to be made available to all students upon request.
- e. The Board may authorise the Union taking out such unsecured loans or overdrafts as it sees fit in the effective management of the Union's business.
- f. Every Trustee, Officer, appointee or member of Union staff shall be entitled to be indemnified out of the assets of the Union against all losses or liability which they may sustain or incur, in or about, the lawful and proper execution of their office. No Trustee, Officer, appointee or member of Union staff shall be liable for any loss, damage or misfortune which may be incurred by the Union in the execution of the duties of their office, provided that nothing in this Clause shall affect their liability for the consequences of any unconstitutional, negligent or unlawful act on their part.

## **21. STUDENT REPRESENTATION**

- a. All student representatives on Institutional Committees must be registered students of that institution or sabbatical officers of the Union who have studied at that institution.
- b. Should any student representative be unable to attend an Institutional Committee due to academic commitments or incapacity through illness another elected representative may attend in their place.

## **22. LIMITATION ON PRIVATE BENEFITS**

- a. The income and property of the Union shall be applied solely towards the promotion of its objects.
- b. Except as provided below no part of the income and property of the Union may be paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to any member of the Union. This shall not prevent any payment in good faith by the Union of:
  - i. Any payment made to any member in their capacity as a beneficiary of the Union;
  - ii. Reasonable and proper remuneration to any member for any goods or services supplied to the Union provided that if such member is a Trustee **Paragraph 7c iii** shall apply;
  - iii. Interest on money lent by any member of the Union at a reasonable and proper rate; and

- iv. Any reasonable and proper rent for premises let by any member of the Union.
- c. Except as provided below no Trustee may sell goods, services or any interest in land to the Union; be employed by, or receive any remuneration from, the Union; or receive any other financial benefit from the Union. This shall not prevent any payment in good faith by the Union of:
  - i. Any payments made to any Trustee or Connected Person in their capacity as a beneficiary of the Union.
  - ii. Reasonable and proper out of pocket expenses of the Trustees.
  - iii. Reasonable and proper remuneration to any Officer, Trustee or Connected Person for any goods or services supplied to the Union on the instructions of the Trustees provided that:
    - a) For the avoidance of doubt, the authorisation under this provision shall extend to the remuneration of Officer Trustees and Connected Persons under contracts of employment with the Union; although the authorisation under this provision shall not extend to the service of acting as Trustee.
    - b) If the person being remunerated is a Trustee, they must give due consideration to the need to avoid conflicts of interest in relation to any decisions regarding the remuneration authorised by this provision.
    - c) This provision may not apply to more than half of the Trustees in any financial year (and for these purposes such provision shall be treated as applying to a Trustee if it applies to a person who is a Connected Person in relation to that Trustee).
    - d) At all times the provisions of the Education Act are complied with.
- d. Interest on money lent by any Trustee or Connected Person to the Union at a reasonable and proper rate.
- e. Any reasonable and proper rent for premises let by any Trustee or Connected Person to the Union.
- f. Reasonable and proper premiums in respect of indemnity insurance effected in accordance with **Clause b**
- g. Any payments made to any Trustee or Officer under the indemnity provision set out at **Paragraph 20f**.
- h. Any payment authorised in writing by the Charity Commission.
- i. In **Clause b and Clause c**, reference to the Union shall be read as references to the Union and/or subsidiary company.
- j. For any transaction authorised by **Clause c [or Clause i]**, the Trustee's duty (arising under the Companies Act 2006) to avoid a conflict of interest with the Union shall be dis-applied provided the relevant provisions of **Clause c [or Clause i]** have been complied with.



- k. Where a vacancy arises on the Board with the result that **Paragraph 22b ii** applies to more than half of the Trustees, the Union may continue to pay remuneration to its Officer Trustees and any Connected Persons receiving remuneration in accordance with **Paragraph 10** provided that the Union uses all reasonable endeavours to fill the vacancy as soon as possible.

### 23. STANDING ORDERS AND SCHEDULES

- a. Standing Orders and Schedules which will form a subsidiary part of the Constitution as complimentary instruments.
- b. Nothing in the Standing Orders or Schedules shall have the power to supersede or override the Paragraphs of this Constitution. The Standing Orders and Schedules may be amended by the process set out in [Paragraph 19](#).

## REVISION HISTORY

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### CONSTITUTION 8.3

<i>Author Description</i>	<i>Union Affairs Committee</i>	<i>Date</i>
Elliya Gemili Paragraph 10 – The Executive Committee	2017-18	June 2018
Matt Gill Paragraph 7Viii – Chair of Board Standing Order D – Election at Union meetings Standing Order H – Conduct of Union meetings Standing Order K - Election to the Board of Trustees Schedule I – Union Affairs Committee Schedule IV – Student Forum Schedule V – Hall Students Federation Schedule XI – LSU Societies Schedule XII – Programme Presidents Schedule XVI – Department Students Federation Schedule XVII – Loughborough College Committee Schedule XIX – The Hall Social Secretaries Committee	2016-2017	June 2017



## CONSTITUTION 8.2

<i>Author Description</i>	<i>Union Affairs Committee</i>	<i>Date</i>
Max Crawford	2015-2016	June 2016
Paragraph changes – awaiting approval		
Amendments to Schedules		

## CONSTITUTION 8.1

<i>Author Description</i>	<i>Union Affairs Committee</i>	<i>Date</i>
Liam Peoples	2014-2015	June 2015
Standing Order B - Referendum		
Standing Order E – Eligibility to stand in an election.		
Standing Order J - Planning and reporting		
Amendments to Schedules 1 - 17		

## CONSTITUTION 8.0

<i>Author Description</i>	<i>Council Paper</i>	<i>Date</i>
Hannah Chrisp	2013-2014	March 2014

## CONSTITUTION 7.0

<i>Author Description</i>	<i>Council Paper</i>	<i>Date</i>
Ali Cole	2012-2013	March 2013
Standing Order C – Executive Elections		
Standing Order F – UC Elections		
Standing Order G – Online Voting		
Standing Order K – BoT Elections (new)		
Standing Order L – Counting Methods		
Standing Order M - Affiliations		

## CONSTITUTION 3.0

<i>Author Description</i>	<i>Council Paper</i>	<i>Date</i>
Jamie Morgado	2009-2010	October 2009
Reformat – New Schedule structure.		
Updated Standing Orders.		
Updated Schedules.		

## CONSTITUTION 2.0

<i>Author Description</i>	<i>Council Paper</i>	<i>Date</i>
Oliver Folklerd	Unknown	18.06.2008
Document Created		

