



Code of Practice - Education Act 1994

The Code of Practice details the arrangements agreed between the University of Hull and Hull University Union (HUSU) as required by the Education Act 1994.

The purpose of this document is to provide the University with the evidence to allow the discharge of its responsibilities under the Education Act 1994.

This document provides detail for the Relationship Committee between HUSU and the University. It ensures that all changes and improvements can be easily monitored by the University and HUSU.

CODE OF PRACTICE – EDUCATION ACT 1994

Code of Practice Requirements	Yes/No	Supporting Commentary
<p>1. Introduction</p> <p>This Code of Practice is prepared, issued and when necessary revised by the Council of the University pursuant to the requirements of Section 22(3) of the Education Act 1994 and the University and the Union shall comply with the information therein. details the arrangements agreed between the University of Hull, hereinafter referred to as the University, and Hull University Union Limited, hereinafter referred to as HUSU, as required by the Education Act 1994 (Clause 22[3]).</p>	YES	This Code of Practice is reviewed by both parties annually for the University Council
<p>2. Status of HUSU</p> <p>HUSU is a company limited by guarantee (Company No 8475916) and a registered charity (1152549), As a Union it is also an integral part of the University, established in accordance with the Royal Charter of the University (Clause 9)and the Ordinances section 19</p>	YES	<p>The University Finance Director attends the HUSU’s Board of Trustees in the capacity of an observer. A Senior Management Accountant from the University of Hull sits on the Finance & HR Committee.</p> <p>The President of Hull University Union presents a progress report to each University Council Meeting.</p> <p>A report from HUSU and the University of Hull are submitted to the Relationship Committee each Trimester. HUSU budgets are presented annually to the University Finance & Investment Committee (FIC).</p>
<p>3. Accountability of the Sabbatical Trustees (Presidents) and of HUSU</p> <p>The Sabbatical Officers (Presidents) as prescribed in the HUSU M&AA part 3 section 33 shall be deemed to be</p>	YES	Following an agreement at Union Council all Sabbatical Trustee Officers are now referred to as Presidents. There are five posts.

<p>"major union office holders" for the purposes of Section 22 of the Education act (M&AA 33.5)</p> <p>In accordance with the relevant regulations as approved from time to time by the Senate and Council of the University, for the operation of HUSU in a fair and democratic manner, and for observance of the University's Code of Practice on Freedom of Speech drawn up pursuant to Section 43, Education (No 2) Act 1986 and the Code of Practice pursuant to the requirements of Part 2, Education Act 1994.</p> <p>The Vice Chancellor will confer Honorary Student status on the Presidents/Sabbatical Officers for their period of office.</p>		<ul style="list-style-type: none"> -President of the Students' Union -President of Activities -President of Sport -President of Education -President of Inclusivity and Diversity <p>HUSUThe HUSU SLT and staff support them in all matters.</p> <p>With regard to democratic processes an independent external returning officer is also appointed as best practice for all referenda and officer elections.</p> <p>HUSU removed the No Platform Policy in 2018.</p> <p>HUSU operates a joint external speaker process with the University ensuring oversight of all speakers invited to attend HUSU student-led events on campus or elsewhere. The Code of Practice is reviewed annually by the University and HUSU. It was formally updated in 2013.</p>
<p>4. HUSU's Articles</p> <p>HUSU's Articles and any amendments thereto are to be approved by the Senate and Council of the University; HUSU's Articles are to be reviewed by those bodies at intervals not exceeding five years.</p> <p>The University authorities will ensure that HUSU's Articles provides, <i>inter alia</i>, for the election of Principal Officers, in terms of the Education Act 1994, to be by secret ballot in which all full members are entitled to vote, and to further ensure that such elections are fairly and properly conducted.</p> <p>Such Principal Officers (Presidents) or those holding paid elected offices shall not hold office for more than two years.</p>	<p>YES</p>	<p>HUSU Memorandum and Articles of Association were reviewed and approved for amendment in February 2013 by the student membership (Hull Trustees April 2012/University Council July 2012).</p> <p>HUSU</p> <p>The Articles of Association were reviewed during 2018-19, the University Council and Senate approved the amendments made by HUSU Trustees. A referendum was held in March 2019 which failed to reach quorate. Further to an amendment to the quorate by the Charity Commission a second referendum was held in October 2019 which passed.</p> <p>HUSU Memorandum and Articles of Association are presented to University Council every 5 years.</p> <p>As detailed in the MAA section 33.1.</p> <p>As is detailed in MAA section 33.3.</p>
<p>5. Membership of HUSU</p> <p>All registered students of the University will be full members of HUSU, unless they choose not to be members. Having opted not to become a member or having withdrawn from membership, a student is not entitled to take up, or renew, membership within the</p>	<p>YES</p>	<p>This is detailed in MAA section 10.1, the HUSU Byelaws and the Code of Practice; all documents are on the HUSU web site.</p>

<p>same academic year. Students who have opted out of membership of HUSU will be entitled to equal access to the services and activities subject to the following conditions:</p> <p>(a) They will not be permitted to:</p> <p>(i) vote in HUSU elections or referenda;</p> <p>(ii) stand for election to any post in an HUSU election;</p> <p>(iii) hold office in any HUSU club or society.</p> <p>(b) They may be charged a differential rate of membership fee to join a club and society, or to attend a function. Such students who join a club or society, or who use the facilities provided by HUSU, are subject to the same regulations which apply to members of HUSU.</p> <p>Any student wishing to exercise their right not to be a member of HUSU is advised to consult one of the Principal Officers (Presidents) of HUSU before making a decision, in order to ensure that they possesses all the necessary information on which to base the decision.</p> <p>.</p>		<p>Student have the right to opt out of membership of HUSU.</p>
<p>6. Finances – proper conduct of affairs</p> <p>HUSU is responsible for ensuring that funds provided to it by the University are used only in accordance with the Charities Act 2011, the Education Act 1994 and any other statutory requirements or conditions that the University may prescribe from time to time.</p> <p>The Chief Executive is responsible for advising the Principal Officers of HUSU if any action or policy appears incompatible with the terms of the Code of Practice; if in doubt they must take the advice of either the HUSU solicitor or the University auditors, which is the more appropriate.</p> <p>The Chief Executive is also required to satisfy the University authorities that the finances of HUSU comply with all such conditions contained therein.</p>	<p>YES</p>	<p>The University Finance Director sits on HUSU's Board of Trustees in the capacity of Observer.</p> <p>A representative of the University sits on the Finance & HR Committee (FHRC) where HUSU finances are reported and scrutinised.</p> <p>A representative of HUSU's appointed external auditors HUSU attends each Finance & committee meeting.</p>
<p>7. Financial controls</p> <p>HUSU is required to keep accounts and accounting records in accordance with normal professional accounting principles, and to maintain a sound system of internal financial management and control. In particular HUSU is to:</p> <p>(a) prepare budgets for the following financial year and obtain approval of such budgets from the University authorities, at least one month before the commencement of the financial year. The budget is to</p>	<p>YES</p>	<p>HUSU's annual accounts are audited by an external auditor. In addition, another independent auditor has been engaged to perform internal audit checks as directed by FHRC and the HUSU CEO. They report independently to the CEO/FHRC.</p> <p>The University Finance Director attends the HUSU's Board of Trustees in the capacity of Observer. A Senior Management Accountant from</p>

<p>be drawn up so that income is at least sufficient, taking one year with another, to meet the total expenditure;</p> <p>(b) ensure that there is a fair and equitable system for the allocation of resources to clubs and societies and advise all students of the conditions and procedures relating to such allocations;</p> <p>(c) provide periodic reports of income and expenditure for consideration by the University authorities, at such times and for such periods as may from time to time be determined, and to make them available to all students;</p> <p>(d) prepare accounts and financial reports for audit by external auditors; these are to include a list of all external organisations to which HUSU or any of its official bodies have affiliated, together with the details of such expenditure.</p> <p>The University authorities will require HUSU to repay in whole or in part any funds expended contrary to this Code of Practice.</p>		<p>the University of Hull sits on the FARC where HUSU finances are reported and scrutinised.</p> <p>A representative from HUSU's appointed external auditors HUSU attends each FHRC committee meeting.</p> <p>a. Annual budgets are taken to FHRC for review and scrutiny, with FHRC then recommending as appropriate to the Board for formal approval.</p> <p>b. Resources are allocated to clubs and societies</p> <p>Funding for core club and society activities are largely generated from the club and society members. The Societies Grant provides a central fund, top-sliced from society membership, for society activities and development. An AU coaching fund and financial support for students competing in both British University and Colleges Sport (BUCS) (up to 50% of travel costs) and non-BUCS competitions are provided.</p> <p>c. Income and Expenditure Performance against budget and forecast is reported at each FHRC and Board. Annual accounts are published on line and communicated at the AGM, to which all members are invited.</p> <p>d. HUSU annual accounts are to be audited by Armstrong Watson this year. Appointment of Auditors takes place during the HUSU AGM on an annual basis. The annual accounts detail all affiliation fees paid to external bodies.</p> <p>There has been no requirement for HUSU to repay any funds spent contrary to this Code of Practice.</p>
<p>8. Affiliations to external organisations</p> <p>HUSU is required to publish and display on an official HUSU Notice Board any intention to affiliate to an external organisation, stating the name of the organisation and details of the subscription or fees to be paid.</p> <p>A full member of HUSU, if supported by 5% of the Full Time Equivalent voting membership, may request that the question of continued affiliation to an external organisation be decided upon by secret ballot in which all full members are entitled to vote; such a request may only be made once in any academic year.</p>	<p>YES</p>	<p>HUSU publish the annual accounts, with the full detail of the affiliation on the HUSU web site for all members to be able to access. Accounts and affiliations are presented and ratified at the AGM which is open to all members.</p> <p>In 2016, a referendum was called by members to disaffiliate from the NUS; 811 members voted to disaffiliate (476 voted to remain affiliated) A total of 1306 students voted (9.5% FTE members/19 spoilt votes)</p> <p>HUSU disaffiliated from the NUS in December 2016.</p>
<p>9. Complaints procedure Any registered student of the University may make a complaint concerning their</p>		

<p>dealings with HUSU or make a claim of unfair disadvantage, where the student has exercised their right not to be a member.</p> <p>The complaint will be dealt with in accordance with the internal HUSU complaints procedure.</p> <p>In the event of the complainant not been satisfied, they may request that the issue is referred to the University in accordance with the Regulations for the Investigation and Determination of Student Complaints. Recourse to the University is limited to challenging the application of the procedure through which the complaint was investigated by the Students' Union.</p>	<p>YES</p>	<p>HUSU has a complaints policy, which was written and implemented for the Academic year 2019 -20. A complaint can be raised via the HUSU website under Contact us section. The policy can be found on the website under the Governance section.</p>
<p>10. Status and dissemination of this Code of Practice</p> <p>This Code of Practice, as amended by the Council of the University in consultation with the Presidents and Trustees of HUSU, has the status of a University Regulation. It will be brought to the attention of all students once a year and published on HUSU's website and made available in hard copy on request.</p>	<p>Yes</p>	<p>The Code of Practice is reviewed annually by the University and HUSU. It is published on HUSU's website, and will be brought to the attention of students by the President after each annual review. The code of Practice will be presented at HUSU's AGM in March each year.</p>