



Code of Practice - Education Act 1994

The Code of Practice details the arrangements agreed between the University of Hull and Hull University Union (HUU) 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 an agenda for the annual meeting between HUU and the University's Appointed Officer. It ensures that all changes and improvements can be easily monitored by the University and HUU.

CODE OF PRACTICE – EDUCATION ACT 1994

| Code of Practice Requirements | Yes/No | Supporting Commentary |
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| <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 HUU, 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 HUU</p> <p>HUU 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 CFO attends the HUU’s Board of Trustees in the capacity of an observer. A Senior Management Accountant from the University of Hull sits on the Finance Audit and Risk Committee.</p> <p>The President of Hull University Union presents a progress report to each University Council Meeting.</p> <p>A quarterly report sponsored by the CFO from HUU is also submitted to the University Leadership Team (ULT) from the CEO and President.</p> <p>HUU budgets are presented annually to the University Finance & Investment Committee (FIC).</p> |
| <p>3. Accountability of the Sabbatical Trustees (Presidents) and of HUU</p> <p>The Sabbatical Officers (Presidents) as prescribed in the HUU M&AA part 3 section 33 shall be deemed to be “major union office holders” for the purposes of Section 22 of the Education act (M&AA 33.5)</p> | YES | <p>Following an agreement at Union Council all Sabbatical Trustee Officers are now referred to as Presidents. There are five posts</p> <p>-President of the Students’ Union</p> |

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| <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 HUU 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> | | <p>-President of Activities</p> <p>-President of Sport</p> <p>-President of Education</p> <p>-President of Inclusivity and Diversity</p> <p>They are supported in all matters by the HUU SMT and staff.</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>HUU removed the No Platform Policy in 2018.</p> <p>HUU operated a joint external speaker process with the University ensuring oversight of all speakers invited to attend HUU student-led events on campus or elsewhere. The Code of Practice is reviewed annually by the University and HUU. It was formally updated in 2013.</p> |
| <p>4. HUU's Articles</p> <p>HUU's Articles and any amendments thereto are to be approved by the Senate and Council of the University; HUU's Articles are to be reviewed by those bodies at intervals not exceeding five years.</p> <p>The University authorities will ensure that HUU'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>HUU 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>There were no amendments to HUU's M&AA during the 2017-18 session.</p> <p>HUU 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 HUU</p> <p>All registered students of the University will be full members of HUU, 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 same academic year. Students who have opted out of membership of HUU will be entitled to equal access to the services and activities subject to the following conditions:</p> <p>(a) He or she will not be permitted to:</p> <p>(i) vote in HUU elections or referenda;</p> | <p>YES</p> | <p>This is detailed in MAA section 10.1, the HUU Byelaws and the Code of Practice; all documents are on the HUU web site.</p> <p>Students have the right to opt out of membership of HUU.</p> |

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| <p>(ii) stand for election to any post in an HUU election;</p> <p>(iii) hold office in any HUU club or society.</p> <p>(b) He or she 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 HUU, are subject to the same regulations which apply to members of HUU.</p> <p>Any student wishing to exercise his or her right not to be a member of HUU is advised to consult one of the Principal Officers of HUU before making a decision, in order to ensure that he or she possesses all the necessary information on which to base the decision.</p> <p>If a student chooses not to be a member of HUU, he or she must inform the HUU President and the Registrar and Secretary in writing.</p> | | |
| <p>6. Finances – proper conduct of affairs</p> <p>HUU 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 HUU if any action or policy appears incompatible with the terms of the Code of Practice; if in doubt he or she is to take the advice of either the HUU 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 HUU comply with all such conditions contained therein.</p> | <p>YES</p> | <p>The University CFO sits on HUU’s Board of Trustees in the capacity of Observer.</p> <p>A representative of the University sits on the Finance Audit and Risk Committee (FARC) where HUU finances are reported and scrutinised.</p> <p>A representative of Armstrong Watson (HUU’s external auditors) now attends each Finance Audit & Risk committee meeting.</p> |
| <p>7. Financial controls</p> <p>HUU 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 HUU 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 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</p> | <p>YES</p> | <p>HUU’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 FARC and the HUU CEO. They report independently to the CEO/FARC.</p> <p>The University CFO attends the HUU’s Board of Trustees in the capacity of Observer. A Senior Management Accountant from the University of Hull sits on the FARC where HUU finances are reported and scrutinised.</p> <p>A representative of Armstrong Watson (HUU’s external auditors) attends each FARC committee meeting.</p> |

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| <p>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 HUU or any of its official bodies have affiliated, together with the details of such expenditure.</p> <p>The University authorities will require HUU to repay in whole or in part any funds expended contrary to this Code of Practice.</p> | | <p>a. Annual budgets are taken to FARC for review and scrutiny, with FARC 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 FARC and Board. Annual accounts are published on line and communicated at the AGM, to which all members are invited.</p> <p>d. HUU annual accounts are to be audited by Armstrong Watson this year. Appointment of Auditors takes place during the HUU AGM on an annual basis. The annual accounts detail all affiliation fees paid to external bodies.</p> <p>There has been no requirement for HUU to repay any funds spent contrary to this Code of Practice.</p> |
| <p>8. Affiliations to external organisations</p> <p>HUU is required to publish and display on an official HUU 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 HUU, 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>HUU publish the annual accounts, with the full detail of the affiliation on the HUU 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>HUU disaffiliated from the NUS in December 2016.</p> |
| <p>9. Complaints procedure (See SO 8007)</p> <p>Any registered student of the University may make a complaint concerning his or her dealings with HUU or make a claim of unfair disadvantage, where the student has exercised his or her right not to be a member.</p> <p>The complaint will be dealt with in accordance with the internal HUU complaints procedure (SO 8007).</p> | <p>YES</p> | <p>HUU has a complaints procedure as detailed in SO 8007.</p> |

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| <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>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 Principal Officers of HUU, has the status of a University Regulation. It will be brought to the attention of all students once a year and published on HUU'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 HUU. It is published on HUU's web site, and will be brought to the attention of students by the President after each annual review. The code of Practice will be presented at HUU's AGM in March each year.</p> |