

Democracy & Scrutiny Committee & Standards Board
Terms of Reference

1.0 Constitution

1.1 The Board of Trustees hereby resolves to establish a standing committee of the Board of Trustees to be known as the Democracy & Scrutiny Committee (the Committee)

2.0 Membership

2.1 The Committee shall be made up of a number of representatives and members of the Union. This shall include up to:

- Four sabbatical officers (see paragraph 3.2)
- Two Senior Academic Reps to be chosen amongst themselves
- Two Equality and Campaign Reps, to be chosen amongst themselves
- Six students that hold leadership status within the Students' Union (club or society committee members, course or other reps). They will nominate themselves and then be selected at random.
- Four student members elected by cross campus ballot

2.2 When vacancies occur for non-sabbatical, elected members of the Committee (e.g. where there are insufficient nominations or a Committee member resigns), nominations will be taken from student members and voted on by the existing members of the Democracy and Scrutiny Committee.

2.3 The quorum for meetings shall be half of the membership (including Sabbatical Officers) plus one.

2.4 Where the resolution or issue under discussion concerns a matter in respect of which some of the members present have a conflict of interest, the quorum shall be half of the total committee membership that do not have a conflict of interest, plus one.

2.5 Should quorum not be reached for an item on the agenda, then the item shall be removed and submitted to the next meeting.

2.6 Any ordinary member of the Union may attend any meeting of the Committee and submit motions for consideration by the Committee.

2.7 It shall be permitted for Democracy and Scrutiny Committee or its' working groups to exclude non-committee members from discussion of matters of a confidential nature. Minutes of decisions shall be kept. It shall not be able to go into closed session to discuss motions of censure.

2.8 The Chair and Vice Chair of the meeting will be chosen from the membership but must not be a Sabbatical Officer.

2.9 Guests or observers can attend and speak at meetings of the Committee at the discretion of the Chair. However, guests or observers may not play any part in the democratic processes within the meeting.

3.0 Attendance at meetings

3.1 All members of the Committee MUST have had a briefing about the role provided to ensure that they are equipped to undertake their role.

3.2 All Sabbatical Officers will be expected to attend each meeting to present reports and items for discussion, but will not be voting members of the Committee during consideration of reports to the Committee or regarding their work. Conflict of interests (e.g. policy changes proposed by themselves) should be declared as normal.

3.3 The Chief Executive and Deputy Chief Executive shall normally attend meetings to provide advice and administrative support to the meeting.

3.4 The Committee may obtain independent, professional advice and secure attendance at its meetings of non-members with relevant experience and expertise, if the Committee considers this necessary.

4.0 Frequency of meetings

4.1 The Committee shall meet at such times and in such places as the Chair thinks appropriate, but not less than 3 times a year.

5.0 Authority

5.1 The Board of Trustees delegates to the Committee the responsibility for all policies, planning, scrutiny and reporting involving the democratic procedures and student focused activities of the Union.

6.0 Duties

6.1 Democracy and Scrutiny Committee is responsible for the oversight and development of:

- I. The policies and by-laws of the Union, jointly with the Board of Trustees
- II. Ensuring that the Union has equality, diversity and inclusion at the heart of its strategy and operations
- III. Ensuring the Union operates ethically
- IV. Ensuring the Union and its officers are accountable to students
- V. Ensuring an equality of representation for all students

6.2 The duties of the Committee shall be:

6.2.1 Executive Responsibilities:

- I. Make, repeal and amend the policies and by-laws of the Union jointly with the Trustees, in accordance with the Constitution.
- II. Confirm the appointment of Trustees in accordance with the Constitution.
- III. To consider and vote upon a motion of no-confidence in an elected Officer, Trustee or Representative. Such a motion shall only be triggered by a Secure Petition of no confidence signed by at least 60 Union members or referral from the Standards

Board. A Vote of No Confidence would remove the officer or representative from office.

- IV. To establish a Standards Board to consider complaints against an elected officer or representative.
 - V. To delegate its powers to working groups, and be able to recall such delegated powers.
 - VI. To seek advice, where appropriate, from other Committees of the Board.
- 6.2.2 The Board of Trustees shall have the right to revoke a decision of the Committee if the decision is not within the powers of the Committee, it is not within the powers of the Union, or is likely to affect the charity status of the Union or have a significant affect upon the finances of the Union or its ability to deliver its strategic objectives.
- 6.2.3 Monitory Responsibilities
- I. Receive a report at each meeting from Sabbatical Officers outlining their activities.
 - II. At each meeting, to review the latest activity reports from each of the Sabbatical Officers.
 - III. Provide feedback and affirmation to the Officers.
 - IV. Oversee the development and implementation of the Union's Equalities Action Plan

6.2.4 Advisory Responsibilities

To represent the interests of students to the Board of Trustees, Union and University

7.0 Reporting Procedures

- 7.1 The Committee will provide minutes of all meetings for review at the next meeting of the Board of Trustees.

8.0 Standards Board

- 8.1 A function of the Democracy and Scrutiny Committee is to ensure that elected officers and representatives undertake their responsibilities and are accountable to the student body.
- 8.2 In the event of a serious complaint against an elected officer or representative or a perceived failure by the Democracy and Scrutiny Committee that an officer is failing to carry out their elected role; the Committee will have the power to establish a Standards Board to consider the matter.
- 8.3 The Standards Board will include the following members from the Democracy and Scrutiny Committee:
- Two of the Equality Reps and/or Senior Academic Reps
 - Two other student members of the committee
 - The President or, where the matter involves the President, another Sabbatical Officer
 - The Chief Executive will attend the meeting in an advisory capacity

- An External trustee (where the matter under discussion involves a possible breach of employment contract by a Sabbatical Officer).
- 8.4 Whether a report from an individual Sabbatical Officer or complaint received demonstrates a failure to represent the views of students to the University by the non-attendance at meetings without adequate explanation or failing to represent the views expressed by student forums, referenda or other means.
- 8.4.1 The Board will seek to find consensus on:
- The reasons for the dissatisfaction
 - The actions to be taken to overcome the dissatisfaction
 - The timescales to overcome the dissatisfaction
- 8.4.2 Progress against recommendations will be reported to the next meeting of the Democracy & Scrutiny Committee.
- 8.5 Where the Committee agree that sufficient progress has not been achieved, a vote of no confidence will be taken, which, if upheld, would remove the Officer or Representative from their position.
- 8.6 The Standards Committee will also be formed to consider the following:
- I. allegations of a breach of the Members Code of Conduct; or
 - II. allegations of a breach of the Trustees Code of Conduct
 - III. allegations of alleged criminal activity or employment breaches which may bring the Union in to disrepute
- 8.7 Where an allegation is upheld, the Standards Board will take a vote of no confidence in the officer or representative and refer the matter to a vote by the Democracy & Scrutiny Committee.
- 8.8 Where the Standards Board consider there may have been a breach of employment contract by a Sabbatical Officer, the matter will be referred to the Union's Disciplinary Policy.
- 8.9 Where a serious allegation is upheld which is of a personally sensitive nature or which may have the potential to damage the reputation of the Union, the Standards Board and Democracy & Scrutiny Committee members must ensure confidentiality is maintained at all times during and after consideration of the matter.
- 8.10 Any Officer or Representative removed from their position through a vote of no confidence would have the right to appeal in line with the Constitution.
- 8.11 A flow diagram outlining the process for decision making by the Standards Board is attached at Appendix 1.
- 9.0 Amendments to Committee Terms of Reference**
- 9.1 Details of any alterations shall take the form of a motion and shall be passed by a majority vote of Democracy and Scrutiny Committee. Any such amendments must be ratified by the Trustees before they are implemented.

9.2 No amendments may be made that would contradict references made within the Constitution, or alter the powers of the Committee delegated to it by the Trustees.

Approved by Democracy and Scrutiny Committee - May 2020

Approved by Board of Trustees - October 2020

Appendix 1: Standards Board Referral Process

