



The  
University  
Of  
Sheffield.

## **The Council, 19 October 2020**

### **Periodic review of the Students' Union constitution**

#### **1. Background**

- 1.1 The University's governing body is required under the Education Act 1994 to ensure that the Students' Union has a written constitution, and that the constitution is reviewed at intervals of not more than five years. It is also has a responsibility to ensure that the Students' Union operates in a fair and democratic manner and is accountable for its finances.
- 1.2 The Act also requires Council to issue and when necessary revise a Code of Practice setting out in relation to each of the requirements of the Education Act details of the arrangements in place to ensure compliance.
- 1.3 The last review was instigated in October 2015 and reported to Council in February 2016. An external adviser (Dr David Fletcher, former UoS Registrar & Secretary, independent HE consultant and a former member of the NUS Trustee Board) was appointed to advise the review task and finish group on the previous occasion. A Council task and finish group was established to have oversight of it.
- 1.4 Following discussion with the Lay Officers, Vice-Chancellor and others, it is suggested that a similar format would be appropriate for the next review and that an external adviser should again be invited to act.

#### **2. Conduct of the 2020 review**

- 2.1 Smita Jamdar of Shakespeare Martineau has informally confirmed her willingness to act as adviser to the review, subject to approval from the University Council and the Council of the Union.
- 2.2 Following consultation with the Chief Executive of the Students' Union, proposed terms of reference for the review are attached, together with the proposed membership of a task and finish group.

#### **3. Next steps**

- 3.1 Council is invited to approve the terms of reference of the review and the establishment/membership of the task and finish group.
- 3.2 It is envisaged that the review will commence in December 2020 and its outcome reported to Council in February or April 2021.

Dr Tony Strike  
**University Secretary**

### Students' Union constitutional review

#### Council Task and Finish Group: proposed terms of reference and membership

##### (a) Terms of reference

- (i) To review the Students' Union Constitution and governance arrangements in line with the University's responsibilities under the Education Act (1994), also taking into account:
- the Students' Union's continuing objective to simplify its governance structures to encourage further student involvement in democracy;
  - the desire to build on the already strong relationship between the Students' Union and the University;
  - the need for compliance with both the Education Act (1994) and the Charities Act 2011;
  - the formal registration of the Students' Union as a charity under the Charities Act (2006), in particular
    - its impact on campaigning activity on behalf of students
    - the relationship between SU Council and Trustee Board

It has been noted that any changes to the Students' Union constitution will need the support of students confirmed by referenda, and the agreement of the Charity Commission.

- (ii) To report the outcome of the review and any recommendations to University Council, Students' Union Council and the Students' Union Trustee Board.

##### (b) Membership

- Chair: a lay member of the University Council (Mrs Claire Brownlie),
- The Deputy Vice Chancellor,
- The University Secretary,
- The Chair of the Students' Union Council,
- The Students' Union President,
- The Students' Union Chief Executive,
- External Adviser (Smita Jamdar).

The group will consult as necessary with other parties, including the wider Students' Union Executive Committee, the Students' Union Council and Students' Union Trustees.

Support will be available from the University Secretary's Office.