

## **Minutes for Democratic Procedures Meeting 14<sup>th</sup> May 2018**

(LG9 Trent Building, Uni Park – 17:30 – 19:30)

### **In attendance:**

#### **DPC Panel Members:**

Student Members:

Daniel Bateman (DB), \* Bryony Kirby (BK).

Officer Members:

Chris Smith (CS), Cassie O'boyle (CO'b), Laura Bealin-Kelly (LB-K).

Apologies:

Tala Alhreish (TA), Shannon Mills (SM), Nathan Penney (NP),

#### **Chair:**

Chris Smith (CS)

#### **Proposers:**

Dimitrios Potsos (DP), Laura Bealin-Kelly (LB-K), Adam Pratchett (Sports Officer).

**Staff in Attendance:** Ella Hubbard (Representation Coordinator), Lee Mundell (Administrative Assistant).

#### **Agenda:**

- 1) Update to Sports Bye-Laws and Guidance Document and proposed creation of the new Sports Executive Committee – Proposed by Adam Pratchett.
- 2) Scrutiny Panel Review Amendment to the Bye-Laws and the Officer Accountability Guidance Document – Proposed by Dimitrios Potsos and Laura Bealin-Kelly
- 3) Amending “Hall of Residence Student Committee Constitution” – Proposed by Alan Holey – To be ratified over email.
- 4) BME network constitution – Proposed by Florence Nwude - To be ratified over email.
- 5) MedSoc Constitution – Proposed by Holly Richardson - To be ratified over email.
- 6) Changes to Education Network – Proposed by Cassie O'Boyle.
- 7) National Union of Students Bye-Laws – Proposed by Scott Jennings.
- 8) Changes to Postgraduate Network Constitution – Yolanda King.
- 9) AOB –

**The meeting was inquorate for the first 30 minutes until \*BK arrived (all votes were undertaken once the meeting was quorate).**

## Minutes:

- 1.0 The Chair (CS) introduced the meeting
- 2.0 CS detailed the outcome of the motions voted on by DPC over email:
  - Motion: Amending “Hall of Residence Student Committee Constitution” – Proposed by Alan Holey – received 4 votes to ratify the motion without any edits and 1 request to discuss it in the meeting.  
Outcome – Motion ratified without any edits.
  - Motion: BME network constitution – Proposed by Florence Nwude - received 4 votes to ratify the motion without any edits and 1 request to discuss it in the meeting.  
Outcome – Motion ratified without edits.
  - Motion: MedSoc Constitution – Proposed by Holly Richardson – received 5 votes to ratify the motion without any edits.  
Outcome – Motion ratified without edits.
- 3.0 CS deferred voting on the first motion: Update to Sports Bye-Laws and Guidance Document and proposed creation of the new Sports Executive Committee, which was discussed at length in the previous DPC meeting on 22<sup>nd</sup> March 2018, until the meeting becomes quorate upon BK’s arrival. He asked for the next motion to be presented.
- 4.0 **DP presented: Scrutiny Panel Review Amendment to the Bye-Laws and the Officer Accountability Guidance Document (details from previous cover sheet).**

### **What is the motion asking? (*Please summarise any key points or major changes in bullet points below*)**

- To change the current Scrutiny Panel feedback from that of rating-based to a review-based system.
- To add a confidentiality section to ensure that information is not misrepresented prior to an official release.
- To reduce the number of Scrutineers to 5, an odd number, to avoid ties.
- Ensure consistency between the Bye-laws and the Guidance Document
- Change the word limit to a general ‘clear and concise’.
- To reduce ambiguity.

### **Why are you proposing this motion?**

- *Some reasons described above.*
- The current system is too competitive and creates an air of distrust between officers and scrutineers. By reviewing rather than rating, Officers can make more meaningful change.
- Removing the word limit to allow Officers to fully explain their ideas.

### **Do you have any evidence or supporting information you would like to add?**

- Both myself and LBK, who has served as Facilitator for two years prior, have met several times to ensure that this document is fit for its purpose.
- I have also run these changes by the current Scrutineers to get their opinion and input. They were happy with this final version.
- Additionally, I met with members of Rep Dev to ensure that they were happy with the changes and that the new version met SU standards.

- 4.1** DP detailed the changes made to the Officer Accountability Guidance Document since the last meeting and said he followed the Committee’s advice and gathered feedback from the Full Time Officer team. He received feedback from all but one of the officer team and made changes to the document based on that feedback. The officers decided that keeping the rating system was more favourable, but they also decided that the previous rating system was a bit vague. Adam Pratchett also mentioned that they would like consistency from year-to-year, so they can compare themselves to previous officers. They are therefore keeping the rating system established by this year’s Scrutineers, which uses a fail, pass, high-pass and distinction format. They chose this over a number based system as mark out of ten can feel very arbitrary. This system gives more defined borders for each rating. He added there were a few things he was asked to change for the sake of consistency.
- 4.2** LB-K said that was the only major change since the previous DPC. The cover sheet still explains the basic principle behind the changes.
- 4.3** CS asked if all the officers gave feedback and are happy with this.
- 4.4** LB-K said all the officers they spoke to were happy, although CO’B mentioned that – in the section called “Performance and Report Reviews” – the feedback, whether positive or negative, should only be where applicable. The panel does not have to give positives if there are genuinely no positives, and likewise they don’t have to give negatives or suggest improvements if they think there aren’t any. That is the only other thing they slightly amended based on officer feedback.
- 4.5** DP said that by including that in the document, it encourages the panellists to not just give a rating but justify that rating and provide clear reasoning.
- 4.6** CS asked if there are any questions.
- 4.7** DPC had no questions.
- 4.8** CS said he think it looks great. However, they cannot vote on the motion until BK arrives and the meeting becomes quorate.
- 4.9** EH reminded CS that abstaining members of the committee still count towards quoracy.
- 4.10** CS asked if there are any other changes to the bye-laws.

- 4.11 DP detailed that the only additional change is for Point 11 in the Officer Accountability Section of the bye-laws. He said they previously agreed to change 'rate' to 'review' but would like it to revert back to 'rate'.
- 4.12 DPC agreed.
- 4.13 DP asked CO'B if she has any other concerns.
- 4.14 CO'B said she has already raised her concerns with LB-K.
- 4.15 CS said DPC will return to vote on this motion once BK arrives.
- 4.16 CS asked for the next motion to be presented.

## 5.0 CO'B presented: Changes to the Education Network

**What is the motion asking? (Please summarise any key points or major changes in bullet points below)**

Changes to the names of Education Reps in the Education Network as per changes to the Universities departments/school

Introduction of a clinical and a pre-clinical representative for Medicine and Veterinary, Derby Medical Sciences Education Reps. To support students specifically on placement and share workload between these courses/

Introduction of a clinical faculty rep for Medicine and Health Sciences to ensure our students on clinical placements are sufficiently represented at Faculty level.

Changes to the time of year Education Reps and Faculty are elected to avoid confusing messages around EP3.

### **Why are you proposing this motion?**

To ensure there is no longer confused messaging around the Election Period 3 and ensure better engagement with the election of academic representatives.

To ensure all students in the Medical and Health Science faculty are represented at faculty and school/department level.

To ensure there is no confusion around academic representatives because of changes to the names of schools/departments in the University.

### **Do you have any evidence or supporting information you would like to add?**

Consultation with MedSoc and discussions with Education Reps.

- 5.1 CO'B detailed the changes to some of the names of the roles as per the mergers of certain Schools/Departments. For example: Classics and Archaeology are now one department; a new department has been formed, called the Department of Culture, Media and Visual Studies, which will encompass Culture, Film and Media and Art

History, which were previously two separate departments; and there is now a Department of Modern Languages and Cultures, comprised of departments that were previously separate in accordance with their language. These changes are more to do with admin and keeping them up to date with what the SU call them and what the University call them.

There are also some additions. CO'B said they have added clinical and pre-clinical representatives to Medicine, and Veterinary Medicine and Science. In the previous document they also had a clinical and pre-clinical representatives for Medical Sciences, but they no longer need that position splitting, because they are only clinical. The Division of Nursing have had representatives for clinical and taught for a few years, so it was decided to do the same for Medicine, and Veterinary Medicine and Science. Previously you could have a student who hadn't been on placement yet representing students who had. The Vets have been requesting this for a couple of years without anything being done; therefore it was decided to make these changes collectively rather than bring them to DPC separately. Hopefully it will also mean that the clinical students who are not in Nottingham will feel better represented by the SU, as there will obviously be people on placement, in the likes of Lincoln and Boston, who also need more opportunity to provide feedback on their experiences.

CO'B said they have also changed elections timings. Previously the bye-laws said that they had to run Education Network elections during EP3, which is the same time as the Officer Elections. Therefore they have taken out the time scales so Representation Development can run the elections when they think it is best, with the view that they will run in EP4. This provides some flexibility. Although there is a huge turnout in EP3, no one is the SU promotes the Education Network elections, as they are primarily focused on the Officer Elections. There is also an issue around mixed messaging during EP3, with so many different elections running, which can lead to some confusion. They would like to concentrate on the Education Network elections during EP4, so that it can be better developed and better hyped. It also gives people more time to consider whether they wish to run. For people who are current representatives, if the election happens in February, then they have only been in the role five months, and therefore the extra time will give them more chance to consider whether to re-run.

- 5.2** LB-K said she has two questions. The first is: how do the changes to the representative positions affect those representatives who have already been elected.
- 5.3** CO'B said they have already run the election with the changed name positions, as this is what makes sense to people. They haven't yet gone out with the changes to the Faculty Reps or specifically adding a clinical Faculty Rep for Medicine and Health Sciences, as it represents a more significant change. They have used this as the new model. However, they haven't filled all of the positions. They may look to fill these remaining positions before EP1 and the Course Rep elections next year. Because the change to the elections timing was in place for this year, the vacant Education Rep positions will be filled via co-opt in September. Technically they have already run two

elections for these positions. Next year, the elections will happen in EP4 and the by-elections in EP1. But the name changes do affect this year.

- 5.4 LB-K was happy with the explanation and said that CO'B has also answered what would have been her second question, about whether future by-elections for Education Reps and Faculty Reps would take place in EP1 or the following academic year. She asked whether that would also mean that you would potentially co-opt in EP2.
- 5.5 CO'B said you can co-opt outside of election periods to make sure the positions are filled as soon as possible.
- 5.6 LB-K is happy with the explanation.
- 5.7 CO'B said the hope is that they will fill more positions first time around by holding the elections in EP4. She said this is very much a trial to see if it will work. If they decide to run the elections in EP3 in future they still can. These changes give them the flexibility to do this.
- 5.8 CS asked how many representatives are there for each role.
- 5.9 CO'B said there is one for each of the positions listed.
- 5.10 CS queried the wording of Point 13, as it insinuates there might be more than 1 rep for a position.
- 5.11 CO'B said she would be happy to change this point for extra clarity.
- 5.12 LB-K suggested for the sake of continuity that Point 13 could read: "There shall be one Education Representative for the following positions".
- 5.13 DPC agreed.
- 5.14 CS asked if DPC have any more questions.
- 5.15 No more questions.
- 5.16 CS said the meeting is still not quorate, so they will move onto the next motion.

**Summary of proposed changes:**

Point 13 to read: There shall be one Education Representative for the following positions.

- 6.0 SJ presented: National Union of Students Bye-Laws.

**What is the motion asking? (Please summarise any key points or major changes in bullet points below)**

Re-insertion of NUS bye-laws.

**Why are you proposing this motion?**

The motion passed a prior DPC with officer support and was repealed in a subsequent year and not replaced.

Having discussed the issues that were raised with staff the issues can be mitigated.

There fundamentally should be bye-laws about how we interact with the NUS.

**Do you have any evidence or supporting information you would like to add?**

Only evidence would be the prior minutes of DPC.

- 6.1 SJ gave a bit of backstory and said it took him and Rep Dev a bit of work to figure out what exactly happened. This motion was put in about two years' ago in the final DPC meeting of that year. It was non-quorate but it was ratified in the next meeting the subsequent year. Then it was subsequently taken as a block back out. He said he doesn't have access to the minutes. He asked EH if she has the minutes and could explain what happened.
- 6.2 EH said there were some things in the motion that could not work because of timings, which have been addressed, but since there was no one from DPC willing to take the motion back on and carry on working with it to get it ratified, the whole section had to be taken out again. SJ has taken it away and worked on it some more and is presenting it again today.
- 6.3 SJ said there are no changes, it's an entirely new section to insert where appropriate into the bye-laws. It basically defines the role of an NUS delegate. There is a basic description of the delegation and what happens if the President can't attend conference (we basically send another officer). Then there is a bit about Zone Conferences, which are usually held around October time. These are conferences that give networking opportunities to various officers, where they also learn a lot about what NUS is doing etc. They never used to go to these conferences, but SJ said if the SU is paying affiliation fees, they should probably attend their conferences, network with them and learn best practices etc.

There is a section on Sections Conferences, which is basically the same. The Postgrad Officer is a full-time position, so they should be attending that conference. The International Students' Officer and the Mature Students' Officer are part-time positions, so they don't have to attend but they are entitled to attend. That is what this section is mainly about. Then there is a little bit about if there is a job share you can decide between you which one of you should go, and if no decision can be reached then the network can decide.

There is a section on Campaign Conferences where the same basic principles apply. There is also a point about the President of the Union, and the Equal Opps and Welfare Officer, ensuring that there is funding and access for the Liberation Network to attend Campaign Conferences, unless the network choose not to attend. It is entirely their choice.

There is a basic section about the conduct of NUS delegates. We should be abiding by our own policy. There is also a point about what would happen if officers don't abide by this, and the same with student delegates.

The final part is about the NUS primary elections. There is friction between certain unions and NUS about whether they should be directly electing the NUS National Officers and that has been a contention for many years. This is a middle ground that Manchester has implemented.

**\*Bryony Kirby entered the room. The meeting became quorate.**

SJ continued:

Basically what would happen is that we would hold a primary election. We would get all the detail we could from NUS about the candidates that were standing and we would ask students to vote on their preferences for the NUS President and Vice Presidents elected at NUS National Conference. It gives students a voice on who they can get elected at NUS.

- 6.4 EH asked SJ if he knew the outcome of the Black Students' Conference, as they were discussing a name change.
- 6.5 LB-K said it is still Black Students. It is confirmed on Twitter.
- 6.6 SJ said the only edit they immediately need is on the Sections Conferences, Point 18, as in the last Union Council he had a motion passed about creating a new part-time Part-Time Officer position, which will need to be included once the new position is added to the bye-laws.
- 6.7 CS updated BK on what has been discussed so far.
- 6.8 CS said that one thing he has noticed is that there is a Trans Students' Conference now, which isn't listed under the Campaign Conference section. CS suggested adding it to the list.
- 6.9 SJ said that is fine. He suggested adding it as a new Point 27 and bumping the following points down.
- 6.10 CS said that the "+" also needs to be added to "LGBT Network" on Point 26.
- 6.11 DPC agreed.
- 6.12 CS suggested tabbing in from Point 23 to Point 27 to form a sub-list.
- 6.13 DPC agreed.
- 6.14 LB-K asked what is the rationale around Point 27, with the President, and Equal Opps and Welfare Officer being responsible for organising elections for the delegate positions in line with the relevant Network Constitution.
- 6.15 SJ said it has happened before where networks have become quite dysfunctional and delegates weren't sent and then obviously some of the network who were still active

got quite upset. This point is so someone has the responsibility of helping out if they are having issues preventing them from organising their elections.

- 6.16** LB-K said that makes sense but from a practical point she isn't sure how they would actually hand it off, as the officers wouldn't necessarily know otherwise.
- 6.17** SJ accepted the point.
- 6.18** CS asked whether it would be up to Rep Dev to arrange any elections.
- 6.19** LB-K said probably.
- 6.20** EH said the issue is that you can't mandate staff to do it. The President would have to delegate that power to Rep Dev, rather than mandating staff to do it directly.
- 6.21** LB-K referred to the NUS Primary Elections and asked when they would take place. NUS Conference normally take place shortly after EP3. Would the elections therefore be taking place in EP3 as well?
- 6.22** SJ said he discussed this with Rep Dev and the other issue is that the NUS Conference does seem to take place at different times each year. You could try and slot it into EP3, although this might not be the ideal solution.
- 6.23** EH said what would probably happen is that it wouldn't take place during a main election period, because the timing and planning of those election periods might not work for this election. Rep Dev could probably run it like they do society or course rep elections: an all student vote through the website. This isn't ideal, but depending on the timing of conference it might not fall into one of the election periods.
- 6.24** LB-K said she is thinking about what CO'B said about the challenge of getting people engaged during EP3 when the Officer Elections are happening and whether we would therefore get many people to vote. You have also not included a quoracy, which would be helpful in this sense.
- 6.25** SJ said it is a difficulty particular to our election periods. This wouldn't necessarily be an issue at other Students' Unions. He is under no delusions that for the first couple of years the turnout for these primary elections will be low. It will take time for it to become established. He appreciates it isn't perfect. In the very least the Primary Elections will give some form of indication where students are in regards to the NUS. He thinks that it is part of the reason the disaffiliation referendum happened a couple of years' ago. It became a pressure cooker with 8 students having a potential vested interest and others feeling they didn't have a say. It is a way of trying to mitigate that kind of situation. Maybe there should be a quoracy. There are ways you could potentially work it.
- 6.26** CO'B said we should look at what quoracy looks like. We do have factions operating here. But she doesn't have a suggestion what it should be.
- 6.27** CO'B asked Rep Dev what quoracy would normally be.

- 6.28** EH said there isn't a quoracy for elections. For a referendum, quoracy would be 2.5% or 1000 votes, whichever is lesser - typically around 850 students. That is the only other example for an all student vote and that is what the quoracy would be, but for any other election there isn't a quoracy.
- 6.29** LB-K asked what would happen therefore, if they had a quoracy for the primary elections and it wasn't met.
- 6.30** CO'B asked if our delegates would then not be able to vote in the NUS Elections.
- 6.31** SJ said he supposes they would refer back to the default position, where they could vote as they normally would.
- 6.32** CO'B said she doesn't think we'd reach quoracy.
- 6.33** SJ asked if we know how many students voted in the last delegate election.
- 6.34** EH said she will have a look.
- 6.35** CO'B referred to Point 11 and said she would argue against the wording "through sudden unexpected circumstances". Legally the SU has to ensure everyone is entitled to annual leave, and annual leave is not unexpected and it is also a legitimate reason for not going, as everyone is entitled to time off work. She appreciates that it is trying to encourage people to attend, but suggests removing this from Point 11. There might also be emergency matters within the SU, such as this year's strike, which would be more important than attending conference.
- 6.36** SJ agreed.
- 6.37** "through sudden unexpected circumstances" to be removed from Point 11.
- 6.38** CO'B said it still says they must attend.
- 6.39** SJ said if the principle that they must attend is agreed, then there is the issue about whether they should be added to the relevant officer's job description, because it is arguably a better place than the bye-laws for it. Then it will be expected as being part of their role.
- 6.40** CO'B commented that the role descriptions probably aren't very up to date.
- 6.41** LB-K agreed and said they aren't at all. She does many things that aren't in her role description.
- 6.42** SJ said it makes sense for the PTO stuff to be here and the FTO stuff to be in their role descriptions.
- 6.43** CO'B said we can leave it in this section. There is going to be a democracy review next year anyway, so Rep Dev can probably pick up this suggestion for these minutes.
- 6.44** EH said she doesn't have the turnout figure for the NUS Delegates election from last year, but from other elections she would guess it was between 800-900 votes.

- 6.45** There followed some discussion about Point 33.
- 6.46** No actions were agreed.
- 6.47** CS referred to Point 2 and queried whether it should say “The Students’ Union will send delegates” or “The Students’ Union can send delegates”.
- 6.48** SJ agreed that the change to “can” would work.
- 6.49** DPC agreed.
- 6.50** CS asked if a similar change is needed for Point 22.
- 6.51** EH reads out Point 22.
- 6.52** SJ said there is nothing prescribed there.
- 6.53** DPC discussed whether to add “if needed” to the end of Point 22, but decided there was no need.
- 6.54** LB-K referred to Point 12 and asked what kind of staff is being referred to.
- 6.55** SJ said it is his understanding that there is a Union Development Conference. There are sections marked out for Students’ Union staff. It might occur for the likes of welfare and other things in a given circumstance. If there is a worth to taking them then that is in there to ensure staff can attend.
- 6.56** LB-K said that makes sense, the only thing is that you can’t mandate staff to do anything, and while you are mandating officers here to do something, you’re mandating officers to get staff to go, which is a bit problematic for the same reasons: staff being on annual leave etc. We can’t ensure that staff go to anything. We are not their line managers.
- 6.57** DB suggested replacing “ensure” with “promote”.
- 6.58** DPC agreed.
- 6.59** C’OB referred to the section: Conduct of NUS Delegates. She said she doesn’t know how she feels about a monetary punishment on an elected official. It makes her uneasy. It would be better to look at what other sanctions they would usually put in place. If an officer didn’t perform well in Scrutiny Panel, you wouldn’t penalise them financially.
- 6.60** DP referred to the Scrutiny Panel Guidance Document and how they had discussed what they might be able to do if someone broke the confidentiality, and they couldn’t add anything to that effect. It comes down to who their staff mentor is and how they can dictate that.
- 6.61** CO’B said you should only ever be accountable to your membership. She obviously welcomes discussion on this but doesn’t have a suggestion.

- 6.62** LB-K said there could also be a situation where your religious views might prevent you voting in line with Union policy; the Repeal the 8<sup>th</sup> Amendment being a good example. I am not sure that fits very well with me that you would potentially penalise someone because of their religious beliefs.
- 6.63** CO'B said especially when a lot of NUS policy can be quite controversial. It could put the SU in a difficult position.
- 6.64** SJ said, regarding the general part of that, his understanding, from previous discussions with staff in the old Campaigns and Democracy Office, is that this used to be an unofficial position that was taken but was never enforced. It is one of those things that for lack of the bye-laws saying anything, the staff did something, which he knows is a problem. A good example would be, if the LGBT Network said firmly that they support a trans officer, and you had a bunch of people who fundamentally don't recognise trans issues, then there has to be a mechanism to try and manage that problem. If we are going to agree that network policy is to be respected as if it is the de facto union policy as it fits that demographic, then there has to be a mechanism where it tries to hold them to account. It is kind of a stick which you don't have to use. The problem with this is that there is no good carrot either as yet. It's difficult to balance, which is why the general proposal about if you breach union policy by effectively voting against it and representing yourself, then you should be paying for yourself. That is the kind of principle you could apply to that scenario, although it is a bit ham-fisted.
- 6.65** CO'B said she has been an NUS Delegate for the last two years and she completely agrees that she has seen delegates vote against what she thinks is in the best interests of students here, but on a logistical side of things, how can that be managed. Do we report back and inform on how delegates have voted? Logistically speaking, how do we do this when there is no staff support there and technically you have one active member of staff there – the President – who is also a delegate? You shouldn't have to give them the responsibility of how you voted, which is what Ismail (President 2016-17) did last year. By day three everyone stopped doing it and the paper became scrappy and you have maybe a hundred motions you have voted on. How do you document that and how do you manage it in a way you can report on a delegate voting out of line with union policy? I do think there needs to be a mechanism to hold our delegates to account, but I don't know if this is the right approach.
- 6.66** DP said that first of all you mentioned the President, in regard to logging the voting; he disagrees with this and doesn't think they are the best person to do it. When it comes to holding officers to account and what they are meant to represent, in terms of their policy, objectives and their remit: when it comes to policy, which comes through Union Council, it kind of sets those positions. Repeal the 8<sup>th</sup> is a recent example, as it was assigned to the Education Officer and the Education Officer is therefore mandated to work on that policy. But do we have to make a decision on what comes first, your job or your personal opinion?

- 6.67** LB-K said she doesn't know the specifics but it could contravene the equalities act if your job mandated you to do something that was against your religious beliefs. So saying that you won't get your expenses back if you haven't voted a particular way doesn't seem to work. It doesn't work in regards to our people policies either, because as a staff member you should be entitled to get reasonable expenses. There is an entire policy on it.
- 6.68** EH said that she and SJ had a conversation about this. For officers, it is a HR policy and it is dealt with differently. SJ made a change to Point 31.i: Be requested to return in full the costs of their expenses . . . For other delegates, who aren't paid staff and are there as representatives, it is different.
- 6.69** DP said he thinks they are better off falling back to how officers are held to account, because in Scrutiny Panel they explain that position and then it is down to the scrutineers to make a decision. If it's a concern it doesn't come down to a yes or no answer, because if the officer can justify their decision then it is up to them to decide what to do next. A vote of no confidence is the only way to punish them effectively.
- 6.70** CO'B said isn't that a bit dramatic, though?
- 6.71** DP agreed, he is just saying what the method is: you would go through Scrutiny Panel and it would be up to them to make a decision. He isn't proposing that an officer should get a vote of no confidence if they don't vote in line with policy.
- 6.72** SJ said that is what that broad clause taps into, otherwise it would kind of be an arbitrary punishment. Scrutiny Panel has the discretion to deal with it.
- 6.73** EH suggested they request all NUS Delegates write a report for Scrutiny Panel.
- 6.74** SJ said he feels there is something like that already in there.
- 6.75** EH said it does feel familiar.
- 6.76** DP asked if the votes are public or private.
- 6.77** CO'B said they are all public apart from the positions, but public in the sense that you all sit in a room and put your hand up. There is no record.
- 6.78** DP asked what the document would look like. Would delegates have to explain why they voted a particular way? How can Scrutiny Panel scrutinise these reports?
- 6.79** CO'B said you only have to vote in line with union policy and we don't have policy on everything that goes to NUS Conference. There might only be five or six. I think that Scrutiny Panel is a good idea. I know that there are other SU's that have an online spreadsheet which delegates fill in using their phone or laptop on the conference floor. There is the paper option, but I am against that. Maybe then we can fill out a report. Maybe we can ask other officers if they have any good templates.
- 6.80** DP said you could mention a guidance document and then create the guidance document later. Is the vote mandated that it has to be private?

- 6.81** EH said unions often share.
- 6.82** DP said are we allowed to tell them to write down their votes if their votes go against union policy.
- 6.83** CO'B said you would create a guidance document and brief them that they have to vote in line with union policy and here is your document, and then you maybe say that if you are not going to vote in line with union policy, we would still love to know what your opinions are, so please write them down.
- 6.84** DP said, so if the SU is allowed to record the votes of all the member then all the delegates, who vote on things which involve union policy, have to record it, and that report will show: how they voted and why they voted this way, and if they voted out of line with union policy, they will have to provide justification and explain why, and then that will go to Scrutiny Panel.
- 6.85** SJ said he gets it. It is about the application. It also gives the opportunity with that bigger document for other delegates to say that actually they didn't vote on this. That raw point also has an issue with the NUS primary elections in that it's a secret ballot, so the enforcement of that is always going to be quite difficult.
- 6.86** EH referred to Points 28 & 29 and said they are in other unions' bye-laws in very similar wording. So it is not controversial. It is just what you want to follow it with.
- 6.87** LB-K said, being really pedantic, if you went to the bathroom and there was a motion being discussed that you did not vote on, you're potentially going to have your expenses taken away.
- 6.88** DP said that personally he believes Scrutiny Panel is the way to go. The expenses thing is iffy ground that could set precedence for other punishments that might snowball.
- 6.89** CO'B said this might sound extremely controversial coming from an officer, but if we have people going to conference – that's good, it's good to have students engage on a national level – and they do happen to vote out of line with SU policy and they are part of a faction, do we want to penalise people because, regardless if they are in a faction or not, they are still engaging in the student movement, which is primarily what we are trying to do, and as long as they are engaging then that is still a good thing.
- 6.90** SJ said he feels like that statement is a defence of it. He feels like it is the kind of argument the factions themselves would use.
- 6.91** DP said the question is who are the representatives representing: the students directly or the students through the Union? Because if it is the students directly you could argue that it is their personal views and people might want to vote for them because they are in line with their own views, whereas if they are representing them through the Union, then they have to go with the Union's views, which has been voted through Union Council.

- 6.92** EH said that she thinks what DP is referring to is Point 29, where it reads: Delegates who are elected on a manifesto that contradicts Union Policy may vote in line with their manifesto.
- 6.93** DP said that is the question. Are we expecting them to follow their manifesto or are we expecting them to follow policy as established in Union Council. If I vote for someone I expect them to follow their manifesto.
- 6.94** CO'B said their manifesto comes first. Union Policy comes after.
- 6.95** EH said what it says in Point 29 is that they have to vote in line with policy unless they have a manifesto point that contradicts it.
- 6.96** SJ said he thinks this is almost a good place to point out – although he doesn't want to keep using trans issues as an example – but if someone doesn't support the idea of a trans officer and they intend to vote against it, then it forces this kind of thing into the public, so voters then have a chance to not vote for them. You're trying to make it a bit more transparent. Part of the problems with how factions work at the moment is that they will make very general comments – they get all their mates to vote for them – and then they don't represent the students or the Union, they represent a national faction. That's the fundamental problem the NUS has at the moment.
- 6.97** DP said that when you're advising these people to run, say, whatever you are putting in your manifesto – you are allowed to put whatever views in there, or whichever factions you might be part of – but if you don't, you have to represent the Union. If we made it clear that we had to say that to them. Or you could even say in the manifesto that I will follow along the lines of . . .
- 6.98** EH said that from what she is hearing people are happy with Points 28 & 29 but it is what people do after conference that hasn't been decided. The question is what do you want to do about the section around expenses, and are you going to put something in about scrutiny.
- 6.99** CS said he thinks the point about recording votes that concern SU policy and bringing that in a report to Scrutiny Panel is a good one.
- 6.100** SJ said it is only probably going to be a few votes at any given time. It is manageable.
- 6.101** EH said they would then need to insert a new Point 30 under 29 – something about recording delegates' votes.
- 6.102** CS suggested: All NUS delegates must record how they vote for each motion that concerns existing SU policy with a justification for that vote, and bring this record to Scrutiny Panel.
- 6.103** EH confirmed wording and confirmed that present Point 30 & 31 be deleted in their entirety.
- 6.104** DPC agreed.

- 6.105** DP said you will need to add something to Page 39 of the bye-laws regarding Scrutiny Panel to state that the reports about NUS voting go to Scrutiny Panel.
- 6.106** SJ asked if Scrutiny Panel would then be empowered to make decisions on whether delegates have their expenses paid. If officers haven't done what they have been asked, you can request the money back and go from there. For the student delegates it is obviously different. Are we giving Scrutiny Panel the decision to say they won't get their expenses because you have only represented yourself and we will decide whether you can be a delegate again in the future?
- 6.107** DP said it would come down to Disciplinary Committee. Disciplinary Committee talks about conduct and contravention of the provisions of the articles of association, bye-laws and policies of the Union, which, repeating the argument. Disciplinary Committee has the power to do something like that. It is all in here. DP detailed the potential penalties at the Discipline Committee's disposal, as per the bye-laws: a fine up to £130; making good in whole or part of the cost of any damage; withdrawal of some or all of their rights as a member; exclusion, for a specified period of time, from using named Union Services. The Disciplinary Committee consists of: an appropriate member of NUS staff, an Executive Officer nominated by the Executive Committee, a Full Member of the Union selected from the Pool of 6.
- 6.108** LB-K asked what would trigger a Disciplinary Committee meeting.
- 6.109** DP said conduct in contravention of the provisions of the Articles of Association, Bye-Laws or Policy of the Union. So this comes down to the complaints procedure, but it may be initiated only once, when informal or formal procedures have already been used. So that comes down to Scrutiny Panel. It says: All members have the right to submit a complaint regarding an individual or group partaking in Union-sponsored activity.
- 6.110** LB-K queried whether disciplinary matters happen in practice.
- 6.111** CO'B said we do have disciplinaries from the Union, but all of them go through an investigation first.
- 6.112** EH said normally that is for code of conduct breaches.
- 6.113** DP said so it would go through the complaints procedure.
- 6.114** CO'B said we could do that then because it is in the bye-laws.
- 6.115** DP said he wants to add that the potential £130 fine would be far more than not paying delegates' expenses.
- 6.116** EH said, what you could say is that this record is to go to Scrutiny Panel and then empower Scrutiny Panel to recommend further action.

- 6.117** DP said we could put it in the guidance document that Scrutiny Panel reserves the right to refer to Disciplinary Committee if they feel their actions are insufficient.
- 6.118** EH said that nine times out of ten people are going to vote in line with policy if you brief them correctly, and when they don't it might be that there is justification for this occasion, which we have asked them to give. So the need for that to go to Disciplinary Committee is actually very low. We will just have to write it in.
- 6.119** DP said Scrutiny Panel has the right to decide if the justification is sufficient. You would have to argue what is a sufficient reason. But you would make that decision there.
- 6.120** LB-K said you wouldn't specify that. You leave it open. It would be obvious if the justification wasn't sufficient.
- 6.121** EH clarified that they are deleting Points 30 & 31. She clarified the new Point 30: All NUS delegates must record how they vote for each motion that concerns existing SU policy with a justification for that vote, and bring this record to Scrutiny Panel.

Then we need to add something to the Scrutiny Panel document so they know that these reports will be coming to Scrutiny Panel.

- 6.122** DPC agreed.
- 6.123** EH said we need to look at the Scrutiny Panel document.
- 6.124** DP said it will be in the bye-laws under the section: Officer Accountability. He asked whether it might be need be changed to something like Representative Accountability.
- 6.125** LB-K said before we removed DPC Chair and Elections Committee Chair from Point 1 it was still called Officer Accountability.
- 6.126** CO'B said you could make the argument that officer doesn't have to mean full-time officer.
- 6.127** DP said it doesn't.
- 6.128** CO'B said also officer can be any elected position. An Education Rep can still be an officer of the Union, they're just not a full-time officer of the Union. So an NUS delegate is an officer of the Union, because they hold the position of NUS delegate.
- 6.129** EH said in which case you could just add NUS delegate as an additional point (1.ii) in the Officer Accountability section of the bye-laws.

- 6.130** DP queried mention of the report to be sent to Scrutiny Panel.
- 6.131** EH confirmed that's in the NUS section. She added that it doesn't have to be over-defined.
- 6.132** DP asked if it should be defined that each full-time officer has to submit a report.
- 6.133** LB-K said no, as they have already defined what an officer is. She said she believes the distinction will be obvious.
- 6.134** DP asked if it worth putting a line to the effect of NUS delegates are held to account in accordance with the NUS section of the bye-laws.
- 6.135** SJ said it is probably worth doing.
- 6.136** EH said in that case the only thing we would need to do is add in 1.ii: NUS Delegates, and add in brackets: according to the NUS delegate bye-laws.
- 6.137** LB-K said that will work.
- 6.138** DPC agreed to create a new Point 1. ii. under "Officer Accountability" in the bye-laws: NUS Delegates (according to the NUS delegate bye-laws).
- 6.139** CO'B said she doesn't know if this is necessary, but do they need to say that a full-time officer who is also a delegate has to write a separate report as a NUS delegate, as they are delegates elected via the NUS delegate election and not by proxy of simply being a full-time officer.
- 6.140** EH said they would be treated as NUS delegates as per the NUS delegate section of the bye-laws.
- 6.141** CO'B said she assumed that would be the case but wanted to check.
- 6.142** CS asked if there are any more questions or clarifications.
- 6.143** There were no more questions.
- 6.144** CS asked DPC to vote on ratifying the motion.
- 6.145** DPC unanimously agreed to pass the motion with the agreed edits.
- 6.146** **Summary of agreed changes:**

**Nation Union of Students (NUS) – bye-laws insert:**

Point 2: Change "will" to "can".

Point 11: Delete “through sudden unexpected circumstances”.

Point 12: Change “ensure” to “promote”.

In the Campaign Conferences section, indent points 23-26 to create sub-list.

Create what is effectively a new Point v in the indented list): LGBT+ Network to the Trans Students’ Conference.

LGBT to become LGBT+ in all instances.

Points 30 & 31 to be deleted in their entirety.

Insert new Point 30 (will be renumbered as Pont 26 when other changes have been made): All NUS delegates must record how they vote for each motion that concerns existing SU policy with a justification for that vote, and bring this record to Scrutiny Panel.

#### **Changes to the Officer Accountability of the bye-laws:**

New Point 1.ii: NUS Delegates (according to the NUS delegate bye-laws).

#### **7.0 LB-K presented: Instate the Postgraduate Student Network as an Equality and Diversity Network, on behalf of Yolanda King (Postgraduate Officer).**

**What is the motion asking? (*Please summarise any key points or major changes in bullet points below*)**

- Edit and update the constitution to define rulings to enable bye elections.
- Addition of Gen sec position to help the Postgraduate Officer manage the committee
- A slight edit to the Sports rep position - This position will be elected in collaboration and support of UoN Sport. The individual will be elected as the Postgraduate Exec member and also hold the position as Sports representative on the PGSN.
- Update the Bye Laws – include the Postgraduate Student Network and update relevant rules, definitions etc.
- Enable the addition of committee positions to be made in the future when the current positions are established and settled.
- Update all relevant website pages

**Why are you proposing this motion?**

It is widely known and the Students' Union has much evidence that Postgraduates often feel unrepresented, less supported and less attached to the SU compared to Undergraduates, with the feedback that our developments and focus is to Undergraduate centric. Developing this network and reinstating a student group for Postgraduate students would begin to provide this support with the opportunity to have Postgraduates in specific committee roles creating activities, communicating news, advertising opportunities, listening to and signposting issues with a specifically Postgraduate focus.

The Committee has been difficult to manage, with some individuals being much more engaged and active than others. To ensure this does not happen in following years I would like to recommend the above changes to the constitution to better define the commitment conditions of the Committee roles. The addition of a Gen Sec role will also help support the Postgraduate Officer in managing the committee, organising meetings and following up on agreed actions made in meetings. The change to the sports rep position will hopefully encourage an individual who is heavily engaged in UoN Sport to run for the position which will help improve the opportunities for our Postgraduate community and collaboration with UoN Sport.

The Postgraduate Network will help facilitate all things run by the Students' Union for Postgraduates as everything will run via or alongside this network with support and guidance from the Postgraduate Officer. The Postgraduate Network will also be a support network for the Postgraduate Officer and their activities where appropriate, such as relevant campaigns that may benefit, be in support of the constituents of the Network.

According to the University of Nottingham Equality and Diversity Network manual an Equality and Diversity Network shall be convened in order to bring students either to discuss issues of importance or to work together to organise events, campaigns or other forms of democratic action, often with a defining common characteristic, in this case being that the Students will all be Postgraduates

An associated body can be described as a group that brings together a group of people for co-ordination and representation with the commonality being a defining character, again using the example that students will all be Postgraduates.

Although the initial actions of the Network and the committee would adhere to the definition of and would be suitably facilitated by becoming an associated body, I envisage that the future of the Network will also be able to support and carry out relevant campaigns in line with the social justice rights of our Postgraduate students, such as the Anti-Casualization campaign that is supporting the rights, needs and working conditions of Postgraduate Research Students who teach. It is for this reason that a constitution to become a network has been developed rather than one for an associated body as I am

looking to develop a student body that will remain suitable in the future and therefore provide longevity.

**Do you have any evidence or supporting information you would like to add?**

Online feedback from students – stating that the Students Union does not currently provide enough support for activities for PhD students

Yolanda King Postgraduate officer – experience of finding the Committee members difficult to engage. Suggest events but do not attend or support them. Do not turn up to meetings. Little communication. Still have not been able to meet with the sports rep.

Positive support from the Graduate School who supported the elections by sharing posts online and are wanting to work with the Network and the committee to help improve the postgraduate student experience.

Andy O'hara – Course based societies and networks co-ordinator Students' Union has been working very closely with myself to develop the network. There was strong engagement with the elections for the Postgraduate Network Committee positions – most positions were highly contested which raised good engagement from both nominees and voters.

**7.1** CS said it all made sense to him. He asked if there are any questions or queries.

**7.2** DPC had no questions.

**7.3** CS asked DPC to vote.

**7.4** DPC unanimously passed the motion without making any changes.

**8.0** CS returned to the motions discussed before BK arrived, when the meeting was inquorate. He gave BK time to go through these motions and raise any issues.

**9.0 CS asked DPC to vote on: Scrutiny Panel Review Amendment to the Bye-Laws and the Officer Accountability Guidance Document.**

**9.1** The motion was passed unanimously.

**10.0 CS asked DPC to vote on: Changes to Education Network.**

**10.1** The motion was passed unanimously with one agreed change.

**11.0 CS returned to the motion: Update to Sports Bye-Laws and Guidance Document and proposed creation of the new Sports Executive Committee, which was previously discussed at length in the previous DPC meeting on 22<sup>nd</sup> March 2018.**

**11.1** EH detailed the changes previously proposed by DPC and handed over the documents for BK to read, as she wasn't present during the previous discussion.

**11.2** BK asked, what is a representative from each of the Students' Union Associations? Is that all of them?

**11.3** EH said it is MedSoc, UNAD, Sutton Bonington Guild. Basically people who are located on different campuses.

**11.4** BK asked if Sports Exec is higher than Sports Council.

**11.5** EH said yes. They both existed before but they have kind of shifted around some of the positions.

**11.6** BK asked, what is the point of having a Sports Council then?

**11.7** EH said she believes the idea is that Sports Council is handling all of the clubs, and Sports Exec deals with the whole sports offer.

**11.8** BK happy with the explanation.

**11.9** CS asked if there are any more questions.

**11.10** No more questions.

**11.11** DPC passed the motion unanimously with the previously proposed changes.

**12.0** CS thanked everyone for attending and closed the meeting.