## GOLDSMITHS' STUDENTS UNION BYE-LAWS

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## Goldsmiths' Students' Union Bye-Laws

14/06/2023

## BACKGROUND

- Goldsmiths' Students' Union ( the "Students' Union" or the "Union") is a charitable incorporated organisation ("CIO") governed by its Constitution.
- These Bye-Laws are made, and can be votied or amended, by the Trustees pursuant to clause 30 of the Constitution.
- These Bye-Laws relate to the following:
- membership of the Students' Union - Bye Law 1: Membership;
- general governance of the Students' Union - Bye Law 2: General Governance of the Students' Union;
- $\quad$ Sabbatical Trustee and Liberation Officers duties - Bye Law 3: Sabbatical Trustee and Liberation Officer Duties;
- the purpose, composition and powers of the Student Forum - Bye Law 4: Purpose, Composition and Power of the Student Forum;
- $\quad$ club and society guidelines - Bye Law 5: Club and Society Guidelines;
- appointments committee - Bye-Law 6: Appointments Committee; and
- appeals body - By Law 7: Appeals Body.
- Words and phrases used in these Bye-Laws have the same meaning given to them in the Constitution unless the context otherwise requires.
- The Constitution shall take precedence over these Bye-Laws and these Bye-Laws shall not be interpreted or applied in any way which is inconsistent with the Constitution.

1 Bye Law 1: Membership
1.1 Status
1.1.1 Membership is as defined in clause 8 of the Constitution.
1.2 Opting-out
1.2.1 Every Student shall be able to relinquish their Membership of the Union.
1.2.2 A Student who opts out of the Union shall continue to have the right to attend Unionrun events and participate in the activities of Clubs and Societies but shall have the
same rights as an associate member (as set out in clause 8.7 of the Constitution) and be termed a "User".
1.2.3 A Student who opts out of the Union shall not be able to participate in the democratic and decision-making function of the Union. This includes not being able to stand for any officer or representative position, including club and society committee members.
1.2.4 A Student wishing to opt out must indicate this within six weeks of the start of their course in writing to the Registrar and Secretary.
1.2.5 A Student who has opted out who wishes to become a Member of the Union shall notify the Registrar and Secretary in writing. If the application falls within twenty College working days of nominations opening for a Union election, the Student will not be eligible to take up the full privileges of Membership until the nomination period has closed.
1.3 Rights \& privileges
1.3.1 All Members are subject to the Statutes and Regulations issued by Goldsmiths' College from time to time.
1.4 Full Members
1.4.1 Full Members of the Union shall be entitled:
(a) to make use of any services and facilities of the Union;
(b) to hold ordinary membership of any Union club or society;
(c) to attend the Student Forum and all Union committees as observers, except in such cases as are specified in these Bye-Laws;
(d) to vote in, and to stand for office in, Union elections;
(e) to attend and vote at the Annual General Meeting of the Union; and
(f) to call Open Meetings in accordance with Bye-Law 2.
1.5 Associate \& Honorary Life Members
1.5.1 Associate and Honorary Life Members of the Union shall be entitled:
(a) to have restricted use of any services and facilities of the Union which may from time to time be available to them;
(b) to hold ordinary membership of any Union club or society; and
(c) to attend the Annual General Meeting of the Union as observers.

### 1.6 Users

1.6.1 A User of the Union shall be entitled:
(a) to make use of any services and facilities of the Union;
(b) to hold ordinary membership of any Union club or society; and
(c) to attend the Student Forum and all Union committees as observers, except in such cases as are specified by these Bye-Laws.

## 2 Bye Law 2: General Governance of the Students' Union

### 2.1 Trustees

2.1.1 The Trustees appointed pursuant to clauses 12 and 13 of the Constitution have overall responsibility for the day-to-day management and administration of the Union.
2.1.2 The Trustees are charity trustees as defined by section 177 of the Charities Act 2011.
2.1.3 The portfolios of Sabbatical Trustees may be determined by the Trustees from time to time after consultation with the Student Forum in accordance with Guidance and Strategies made from time to time under Bye-Law 2(22).

### 2.2 Student Forum

2.2.1 As set out in Bye-Law 4.

### 2.3 Open Meetings

2.3.1 In addition the Annual General Meeting of the Members of the Union, the Student Forum and any of its sub-committees may call and co-ordinate Open Meetings if requested to do so by any 10 full members of the Union or at the request of Board of Trustees or Student Forum.
2.3.2 Open Meetings may discuss all or any of the following:
(a) the policies and practices of the Union;
(b) to debate any single issues facing Students;
(c) guidance to the Board of Trustees;
(d) guidance to the Student Forum;
(e) scrutiny to the Board of Trustees;
(f) scrutiny to the Student Forum; and
(g) the calling of referenda in accordance with clause 23.1.3 of the Constitution.
2.3.3 Members requesting an Open Meeting may request a time, date and location that best suits them.
2.3.4 Open Meetings will be co-ordinated by a Sabbatical Trustee and a relevant member of the Student Forum in accordance with Open Meeting Guidance.
2.3.5 The Sabbatical Trustee responsible for co-ordinating the Open Meeting will provide a written report back to the Student Forum and Board of Trustees (when appropriate).

### 2.4 Working Groups

2.4.1 The Board of Trustees and the Student Forum may, from time to time, establish working groups (the "Working Groups").
2.4.2 The purposes of Working Groups shall be as follows:
(a) to review the performance and make recommendations on the future scope of a current service or activity;
(b) to conduct research and consultation;
(c) to consider mechanisms for widening Membership participation;
(d) to scrutinise decisions of Trustees; and
(e) to scrutinise objectives, targets, and service areas of the Union.
2.4.3 Working Groups shall be governed in accordance with Guidance made from time to time under Bye-Law 2(22).

### 2.5 Delegated Committees

2.5.1 In accordance with clause 18 of the Constitution, the Trustees may:
(a) delegate any of their powers or functions to a committee. The Trustees will determine the number, remit and membership of these committees. A Trustee will chair any committee and members may include Trustees, Members, Union and/ or Goldsmiths' College staff members.
(b) Delegated committees shall include but not be limited to the Finance Committee.

## 2.6 <br> Appeals Body

2.6.1 In accordance with clause 15.2 of the Constitution, an Appeals Body will be constituted to receive appeals where a Trustee has been removed in accordance with clauses 14.2-14.4 of the Constitution and where the members of the Appeals Body where not involved in the original decision to remove the Trustee.
2.6.2 The Appeals Body may also consider appeals against the outcome of internal Union disciplinary as outlined in Goldsmiths' Students' Union Complaints and Disciplinary process.
2.6.3 Membership of the Appeals Body shall be as outlined in Article 15.2 of the Constitution and in Bye-Law 7.

### 2.7 Referenda on Affiliations

2.7.1 Members who are opposed to affiliation of the Union to a particular external organisation, or who wish to see the Union affiliated to a particular organisation may call for a secret ballot of all members. $5 \%$ of the full Membership of the Union may call for such a ballot (in accordance with clause 23 of the Constitution), provided that no organisation may be subject to a ballot more than once in any one academic year.

### 2.8 Relationship with Goldsmiths' College

2.8.1 The Trustees shall comply with the Education Act 1994 In addition the Trustees shall comply with the Goldsmiths' College Code of Practice.
2.8.2 In accordance with the responsibilities set out in the Education Act 1993 and clause 32.1 of the Constitution, Goldsmiths' College Council shall be required to review the Constitution every five years and to approve any amendments to the Constitution.

### 2.9 Returning Officer for Elections

2.9.1 The Union shall be required to appoint a Returning Officer to oversee the good conduct of the elections who shall be appointed in accordance with Guidance on Conduct of Elections.
2.9.2 In addition the member of the Senior Management Team of Goldsmiths' College primarily responsible for liaison with the Union, or their designated representative shall oversee the good conduct of the Union's elections.
2.10 Guidance and Strategies
2.10.1 The Trustees, subject to consultation with the Student Forum, may (and shall if required under the Education Act 1994) issue guidance and strategies on such issues as they consider to be useful including but not limited to the following issues:
(a) Officer Portfolios;
(b) Conduct of Elections;
(c) Conduct of Referenda
(d) Conduct of Union meetings;
(e) Open Meetings;
(f) Working Groups;
(g) Appeals Committee;
(h) Complaints and Disciplinary process;
(i) Human Resources;
(j) Volunteering;
(k) Financial;
(I) Communications;
(m) Equality and Diversity; and
(n) Student Societies Strategy.

## 3 Bye Law 3: Sabbatical Trustee and Liberation Officer Duties

3.1 Sabbatical Trustees
3.1.1 In accordance with clause 13.1 of the Constitution there shall be not more than four Sabbatical Trustees.
3.1.2 Each Sabbatical Trustee shall be responsible for:
(a) carrying out such policy and representative mandates as directed by the Student Forum, Referenda and Open Meetings;
(b) reporting all relevant information to Union committees;
(c) endeavouring to maintain a supportive and harmonious working relationship with all Union Officers;
(d) meeting reputational requirements;
(e) adhering to the requirements of the National Committee on the Standards in Public Life;
(f) upholding the charitable Objects of the Union as set out in clause 3 of the Constitution.

### 3.2 Sabbatical Trustee Roles

3.2.1 Sabbatical Trustees shall be elected annually under the following titles:
(a) President
(b) Campaigns and Activities Officer
(c) Education Officer
(d) Welfare and Liberation Officer
3.2.2 Sabbatical Trustees shall carry out their duties in accordance with Bye-Law 2: General Governance of the Union.
3.3 Liberation Officers (also know as 'Part Time Officers')
3.3.1 There shall be 5-7 Liberation Officers (also known as "Part-Time Officers") elected by secret ballot.
3.3.2 The current Liberation Officers are Women's Officer, Trans and Non-Binary Officer, LGBTQ+ Officer, BME Officer, International Students Officer, and Disabled Students Officer. The Student Forum and/ or Board of Trustees has the ability to change and/ or approve changes to Liberation Officer roles.
3.3.3 Each Part-Time Officer shall be a voting member of the Liberation Committee (details of which are set out in Bye-Law 4.12).
3.3.4 Each Part-Time Officer shall be responsible for:
(a) upholding the Objects of the Union;
(b) together with the Student Forum, to lead the Union's campaigns strategy;
(c) for representing all Students of Goldsmiths' College through strategically focused campaigns;
(d) being responsible for the development and delivery of campaigns specific to remit; and
(e) representing members at such committees as deemed necessary by the Student Forum, including, but not limited to, the committees of Goldsmiths' College.
3.4.1 The term in office for all Part-Time Officers shall run for the academic year following election.

## 4 Bye Law 4: Purpose, Composition and Power of the Student Forum

4.1 Role and Purpose
4.1.1 In accordance with clause 21 of the Constitution, the composition and proceedings of the Student Forum are set out in these Bye-Laws.
4.1.2 The Student Forum shall be responsible for:
(a) receiving and considering reports from the Trustees, Elected Officers, and relevant sub-committees;
(b) providing the Trustees with an update of its meetings and decisions at least four times in any Academic Year either orally or in writing.
(c) making non-binding motions of no-confidence in one or a number of Trustees;
(d) making non-binding motions of no-confidence in the Liberation Officers;
(e) reviewing and scrutinising the decisions and actions of the Trustees;
(f) discussing and debating issues pertinent to Students making campaign policy as appropriate;
(g) convening Open Meetings and determining their remit and membership;
(h) upholding the Objects of the Union; and
(i) voting on re-passing policy that is due to lapse after a 3 year period has passed (all passed policies must automatically lapse if not re-passed).

Composition
4.2.1 The Student Forum shall be made up of the Student Forum Chair, Sabbatical Trustees, and Student Trustees.
(a) Co-opted Trustees of the Union may attend Student Forum and have speaking rights but not voting rights
(b) Members of the Union who are Students may attend the Student Forum, shall have speaking rights and but not voting rights

### 4.3 Clerk

4.3.1 A senior member of Students' Union staff shall act as Clerk to the Student Forum.
4.3.2 The Clerk shall provide administrative support to the Student Forum and shall keep minutes of all proceedings to include names of all persons present at each such meeting. Any such minute, if purported to be signed by the chair of the meeting at which proceedings were held, or by the chair of the next succeeding meeting, shall be sufficient evidence of the proceedings

### 4.4 Regulation and Delegation

4.4.1 The Student Forum shall be regulated in accordance with this Bye-Law and any Guidance \& Strategy documents.
4.4.2 The Student Forum shall have the power to delegate its duties and responsibilities as detailed in the Bye-Laws and the Guidance and Strategy documents.
4.4.3 The Student Forum shall meet quarterly.
4.5.1 There shall be no quorum in order to hold a Student Forum meeting. However, the quorum for a vote to pass shall be $50 \%+1$.

### 4.6 Online Voting

4.6.1 There will be a facility for online voting. The vote will be open for no less than 24 hours and no longer than 72 hours, at the discretion of the Union Chair.
4.7 Student Forum Chair
4.7.1 The Student Forum Chair shall be elected by secret ballot.
4.7.2 If the Student Forum Chair is not present or is unwilling to preside within five minutes after the time appointed for the meeting, the Student Forum members may appoint one of their number to chair that meeting.
4.7.3 The Student Forum Chair will have the same voting rights as any member of the Student Forum, but when chairing a meeting, shall not exercise this right, except in the event of an equality of votes where they shall make the casting vote.

### 4.8 Staff Attendance

4.8.1 Permanent staff of the Union may attend meetings of the StudentForum as appropriate.
4.8.2 Any staff in attendance shall have the right to speak (but not to vote) at all meetings in which they are in attendance.
4.9 Conflicts of Interest
4.9.1 Whenever a person has a personal interest in a matter to be discussed at a meeting they must follow the procedures in clause 20 of the Constitution (which sets out the procedure for conflicts of interest and conflicts of loyalty for Trustees).

Removal of members of the Student Forum
4.10.1 The office of a Student Forum member shall be vacated if a secure petition for a motion of no confidence in the Student Forum member is signed by at least $3 \%$ of the Members of the Union and the motion of no confidence is passed by a referendum in accordance with the Bye-Laws requiring a two-thirds majority of the Members voting on the motion, provided that $3 \%$ or more of the total Membership votes to remove the Student Forum member from office.

### 4.11 Replacement of Forum Members

4.11.1 If member of the Student Forum retires, is disqualified or is removed from office at any time prior to the commencement of the Academic Year, the Union will hold a ByElection to appoint a replacement in accordance these Bye-Laws.
4.11.2 If member of the Student Forum retires, is disqualified or is removed from office at any time following the second month of the Academic Year, an Appointments Committee (as established per Bye-Law 6), may appoint any Student it considers appropriate to fill the vacancy. A member of the Student Forum appointed in accordance with this Bye-Law shall remain in office until the next elections are held and the newly-appointed member takes office. If that person is not elected as a member of the Student Forum, they will automatically cease sit on the Student Forum when the newly-elected member takes office.

Sub-Committees
4.12.1 There are three sub-committees of the Student Forum as follows: Liberation Committee, Education Committee and Activities Committee.
(a) The Liberation Committee shall:
(i) be composed of the Welfare and Liberation Officer and Liberation Part-Time Officers. Presidents of any Liberation-related societies may be in attendance but do not hold voting powers.
(ii) have the authority to set the liberation related political and policy agenda of the Union and campaign on liberation issues affecting Members and to hold the Welfare and Liberation Officer to account for work as it relates to liberation.
(b) The Education Committee shall:
(i) be composed of the Education Officer, School Student Coordinators, and Post-Graduate Research Reps. Presidents of any Academicrelated societies may be in attendance but do not hold voting powers.
(ii) have the authority to set the education related political and policy agenda of the Union and campaign on education issues affecting Members and to hold the Education Officer to account for work as it relates to Education.
(c) The Activities Committee shall:
(i) be composed of the Campaigns and Activities Officer, the Sports Committee and the Societies Committee. Student Leaders of any Sports or Societies may be in attendance but do not hold voting powers.
(ii) have the authority to set the activities related political and policy agenda of the Union and campaign on activities issues affecting Members and to hold the Campaigns and Activities Officer to account for work as it relates to Campaigns and Activities.

### 5.1 Recognition

5.1.1 There shall be Clubs and Societies of the Union.
5.1.2 Clubs and Societies may receive funds from the Union and use Union facilities in each Academic Year, once they have received recognition from the Union.
5.1.3 To be considered for recognition, the Club or Society shall lay before the Campaigns and Activities Officer an acceptable constitution. To be considered, the Club or Society must have a President, Treasurer and Secretary and also recruit a minimum of ten paid members in its first term of existence.
5.1.4 No Club or Society may be recognised if its objects conflict with those of the Union (as stated in clause 3 of the Constitution).
5.1.5 No Club or Society may be recognised if it conflicts with an existing Club or Society.

### 5.2 Money for Clubs and Societies

5.2.1 To receive funding an eligible Club or Society shall submit a budget proposal to the Campaigns and Activities Officer.
5.2.2 The Board of Trustees or nominee shall earmark a sum in the Union budget which shall be for grant aid of recognised Clubs and Societies.
5.2.3 The Board of Trustees or nominee shall allocate the funds. Allocations will be made on the basis of the level of activity in the Club or Society; the number of members it has and special equipment and travel considerations. A contingent fund shall be set aside, the value of which shall be determined by the Board of Trustees or nominee
5.3 Meetings of Clubs and Societies
5.3.1 Club Captains shall attend the Club Captains' Meeting. Society Presidents shall attend the Society Presidents' Meeting.

Responsibilities of Clubs and Societies
5.4.1 No-one from a Club or Society may commit either the Club or Society or the Union to any expenditure without prior authorisation through the Union's budgetary control system.
5.4.2 The Club or Society shall be responsible for promoting itself to encourage new membership.
5.4.3 The Club or Society shall not hold its own bank account and all its finance will be administered through the Union.
5.4.4 The Club or Society shall hold no funds whatsoever outside the Union accounts.
5.4.5 The Chairperson shall be responsible for the smooth running of any social events and activities and shall be responsible for the convening of meetings.
5.4.6 The Secretary shall be responsible for publicising meetings, providing agendas and taking minutes of the meetings.
5.4.7 The Treasurer shall be responsible for ensuring that all income received by the Club or Society is paid directly into the Union accounts.
5.4.8 All members of the Club or Society shall be responsible for adhering to health and safety regulations and guidance as provided by the Union.
5.4.9 Failure to abide by the Constitution and Bye-Laws may result in suspension of the Club or Society by the Sabbatical Trustees, subject to appeal to the Board of Trustees.

### 5.5 Detailed Club and Society Regulations and Guidelines

5.5.1 Detailed Club and Society regulations and guidelines will be annually approved by the Board of Trustees or nominee and presented to Club Captains and Society Presidents who will sign to say they have received and understood the regulations.

## 6 Bye-Law 6: Appointments Committee

6.1 Appointments
6.1.1 Composition, quorum and reporting
(a) The Appointments Committee will consist of the Student Forum Chair, the chair of the Trustees, and at least two other Student or Sabbatical Trustees with the Chief Executive and Co-opted Trustees (where appropriate) in attendance in an advisory capacity. The chair of Trustees is ex-officio a member of the Appointments Committee.
(b) The Board of Trustees will appoint the Chair of the Appointments Committee.
(c) A quorum will be at least 3 board members; one of whom must be the Chair of the Appointments Committee or the chair of Trustees.
(d) The Appointments Committee will meet and report back regularly, and at least annually, to the Board of Trustees.

### 6.2 Overall Responsibility

6.2.1 The Appointments Committee will take delegated responsibility on behalf of the Trustees for identifying and proposing Co-opted Trustees to the Trustees for appointment in accordance with clause 13.3.1 of the Constitution and for their induction, support and development.

### 6.3.1 General

(a) To carry out regular skills, experience and diversity audits of the Board of Trustees and identify the skills, experience, characteristics and backgrounds that are needed to provide high quality effective governance.
(b) To prepare job descriptions, person specifications and an information pack for prospective Co-opted Trustees and to be open about the time commitments involved and what is expected of each Trustee. It is essential that prospective Trustees share the Union's mission, ethos and values; are team players; and can be constructively challenging and independently minded.
(c) To prepare a recruitment plan and timetable, and to consider whether vacancies should be advertised internally, through newsletters, the internet etc; advertised externally, through the web, local or national press or in specialist journals if specialist skills are needed.
(d) To identify a list of Co-opted Trustees and develop their interest in the work of the organisation.
(e) To meet the prospective Trustees, to scrutinise their suitability and to make recommendations to the Board of Trustees.
(f) To inform successful and unsuccessful candidates.
(g) To induct, mentor and involve new Trustee.
(h) To appoint the Chief Executive.

## 7 By Law 7: Appeals Body

7.1 Right of Appeal
7.1.1 In accordance with clause 15.2 of the Constitution, a Trustee removed in accordance with clauses 14.2-14.4 of the Constitution shall be entitled to appeal the decision to remove them to an Appeals Body.
7.1.2 A Trustee has the right to appeal against a decision of the Trustees provided they lodge their appeal in writing with the Chief Executive not more than 14 days of the resolution to removed them by the Trustees.
7.1.3 The appeal should contain a statement of the grounds upon which the appeal is brought and of the facts and matters relied upon.
7.1.4 If an appeal is lodged within time the decision to dismiss the Trustee shall not take effect until the final determination of the matter. Notification of hearing and exchange of information
7.1.5 The Trustee appealing shall be called "the Appellant" and shall be given at least 21 days' written notice of the date, time and place of the appeal hearing.
7.1.6 At least 14 days prior to the date of the hearing, the Appellant shall: (i) confirm whether or not they intend to attend the hearing and, if so, the name of any person who will be accompanying or representing them; (ii) if they intend to seek the agreement of the Appeals Body to submit any such fresh evidence that they wishe to reply upon.
7.1.7 At least seven days prior to the date of the hearing, the Union shall provide the Appellant with any further evidence which it wishes to rely upon.
7.1.8 Neither party shall without the consent of the other or the permission of the Appeals Body rely on any statement or document other than those provided or identified under clause 6 above. Composition of the Appeals Body.
7.1.9 The Appeals Body shall be made up of the Student Forum Chair, a College Council nominee and one independent person being a General Manager or officer of another Students' Union. In addition, the Student Forum Chair, College Council nominee and the independent person should not have had any substantive involvement in the matter under appeal; their relationship with the Appellant should not give rise to any conflict of interest. The parties in proceedings before the Appeals Body
7.1.10 The Appellant shall be entitled to be accompanied or represented by one other person of their own choice except where, in the opinion of the Chair of the Appeals Body, such person has a conflict of interest.
7.1.11 The chair of Trustees shall act on behalf of the Union as Respondent to the appeal and for this purpose may instruct a representative.

### 7.2 Procedure before the Appeals Body

7.2.1 The function of the Appeals Body is to review the reasonableness of the decision to dismiss the Appellant. On the appeal, the Appeals Body will consider the documents, statements and other evidence produced at the time of the Trustees passing their resolution. The Appellant and the Respondent cannot call witnesses to give evidence to the Appeals Body.
7.2.2 The hearing of an appeal shall be conducted in accordance with Bye-Law 7(17) below except where to do so would be inconvenient or unjust, when the Chair of the Appeals Body may modify the procedure to the extent that they deem necessary provided that the result is fair to the Appellant. Courses of action which the Appeals Body may take.
7.2.3 The courses of action which the Appeals Body may take are: (a) To uphold the appeal; or (b) To reject the appeal.
7.2.4 Within seven days, the Chief Executive will notify the Appellant, in writing of the decision of the Appeals Body.
7.3 The absence of the Appellant
7.3.1 If at the Appeal hearing, the Appellant is not present or represented, the Appeals Body may proceed to consider the matter in the Appellant's absence if it is satisfied that notice was properly served upon them in accordance with Bye-Law 7(5) above.
7.4 Order of proceedings
7.4.1 The order of proceedings for the Appeals Body meeting, unless the Chair of the Appeals Body otherwise directs, will be as follows: (i) Submissions by or on behalf of the Appellant; (ii) Submissions by or on behalf of the Respondent; (iii) Consideration of the evidence by the Appeals Body; (iv) Closing submissions by or on behalf of the Appellant; (v) Closing submissions by or on behalf of the Respondent.

