

Bye-Law 20

Staff Student Protocol

1. Introduction

- 1.1 It is expected that everyone involved in the governance of the Union, its activities and services will behave reasonably and considerately towards one another at all times.
- 1.2 Anyone with any doubt on the meaning, effect or operation of this Protocol should seek guidance as referred to in Clause 13 below.

2. Purpose of this Protocol

The purpose of this protocol is to:-

- 2.1 clarify some specific aspects of the relationships between staff, students, their elected representatives, and others involved in the Union's governance, activities and services;
- 2.2 set out specific guidance and rules of conduct on some matters in those relationships; and
- 2.3 provide procedures for concerns and complaints arising from some of those relationships to be considered informally under this Protocol, and, it is hoped resolved, without the need to resort to other more formal procedures.

3. Definitions

In this Protocol, the following words and expressions have the following meaning:-

the Union	Queen Mary, University of London Students' Union, registered charity no 1147786, company registration no 8092471
QMUL	Queen Mary, University of London
Students	includes all Union members and any student who has opted out of membership of the Union, but excludes Executive Officers
Staff	includes employees of the Union and/or QMUL working for the Union or QMSU Services Limited (including Student Staff whilst at work) and individuals working for the Union or QMSU Services Limited under a contract for services, but excludes Executive Officers
Student Staff	Union Members who work for the Union or QMSU Services Limited on a casual basis, but whose primary role is as a student of QMUL
Elected Representatives	those holding elected positions within the Union, comprising:- <ul style="list-style-type: none"> • Executive Officers (as referred to in Byelaw 6) • Part time Officers and Student Representatives (as referred to in Byelaw 8), including the Chair of Council • Students Union Media Group Editorial Team (the Executive Editor, Managing Editors and Station Managers as referred to in Byelaw 13) • Clubs' and Societies' Representatives (Principal Officers and Committee Members as referred to in Byelaws 14 and 15) • NUS delegates • Any others from time to time holding elected positions within the Union, whether on a cross campus basis or whether as a representative of Mile End students or of Barts and The London students
Charity/Company Officers	the trustees/directors of the Union, and the directors of QMSU Services Limited acting as such

publicly	<p>includes:-</p> <ul style="list-style-type: none"> • at Union meetings • at Student Council meetings • at Clubs' and Societies' meetings and committee meetings • in Student Media Outlets • in on-line forums, websites (including social media) • in QMUL media • in external media • at any other meeting relating to the Union's affairs, save where confidentiality is provided for
Byelaws	byelaws of the Union governing its working practices, as referred to in its Articles of Association
Union Policy	representative and campaigning policy proposed or set by the Union as referred to in its Articles of Association
Union Trustees	the Officer Trustees, the Student Trustees and the External Trustees of the Union, as referred to in its Articles of Association, acting collectively

4. **Principles on which this Protocol is based**

- 4.1 The Union is required to operate in a fair and democratic manner. Staff should ensure their actions do not interfere with the democratic processes of the Union.
- 4.2 The Union Trustees are legally responsible for ensuring the Union's compliance with all relevant law. All those acting on behalf of the Union or acting in representative roles in the Union's activities and services should ensure their actions do not conflict with relevant law.
- 4.3 The work of Staff is determined by, and Staff are managed and accountable in accordance with, their terms of their employment. All those having dealings with Staff should ensure their actions do not interfere with Staff employment or contractual rights.

5. **Rules of Conduct – Staff**

- 5.1 In accordance with their job descriptions, some Staff provide guidance and advice to Elected Representatives. In so doing, they must not seek to influence Union Policy.
- 5.2 Staff must not seek to influence the outcome of any democratic process of the Union.
- 5.3 Staff must not comment publicly on Union Policy, or the Union's business or affairs, save in carrying out their job.
- 5.4 Staff must not comment publicly in relation to Elected Representatives or Charity/Company Officers, or their performance, or Students, either as individuals or collectively.
- 5.5 Staff must disclose to the Union's Chief Executive a relationship with an Elected Representative which may give rise to a conflict or perceived conflict of interest in carrying out their job.

6. **Rules of Conduct - Elected Representatives**

- 6.1 In carrying their roles, some Elected Representatives work with Staff. In so doing, Elected Representatives must not give instructions to Staff (unless otherwise agreed) or interfere with Staff carrying out the duties of their employment, and they must ensure their actions/conduct do not amount to unacceptable behaviour in the workplace.
- 6.2 Elected Representatives working with Staff must keep discussions in meetings and meeting papers confidential, unless agreed otherwise.

- 6.3 Elected Representatives must not comment publicly in relation to Staff, their terms of employment or their performance, either as individuals or collectively.
- 6.4 Elected Representatives must not comment publicly in relation to Charity/Company officers or their performance, either as individuals or collectively save in speaking on a motion of no confidence in accordance with authorised procedures or at a Student Council meeting when the Appointments Committee is asking that their decision to re-appoint an external trustee is ratified. The Charity/Company Officers being commented on publicly will be given the right to respond to those comments.
- 6.5 Elected Representatives must disclose to the Union President a relationship with a Staff member which may give rise to a conflict or perceived conflict of interest in carrying out their role.

7. Rules of Conduct – All Students

- 7.1 Because of their position, Staff are restricted from replying publicly to comments made about them publicly. Students must not, therefore, comment publicly in relation to Staff, their terms of employment or performance, either as individuals or collectively.
- 7.2 Because of their position, Charity/Company Officers are restricted from replying publicly to comments made about them publicly. Students must not, therefore, comment publicly in relation to the Charity/Company Officers or their performance, either as individuals or collectively save in speaking on a motion of no confidence in accordance with authorised procedures or at a Student Council meeting when the Appointments Committee is asking that their decision to re-appoint an external trustee is ratified. The Charity/Company Officers being commented on publicly will be given the right to respond to those comments.
- 7.3 Students interacting with Staff carrying out their employment or contractual duties must ensure their actions/conduct do not amount to unacceptable behaviour in the workplace.

8. Rules of Conduct – Charity/Company Officers

- 8.1 Charity/Company Officers must not comment publicly in relation to Staff, or their terms of employment or performance, either as individuals or collectively.
- 8.2 Charity/Company Officers must not comment publicly in relation to Elected Representatives or their performance, either as individuals or collectively.

9. Failure to comply with Rules of Conduct in this Protocol

Any failure to comply with the Rules of Conduct in this Protocol may give rise to action being taken against the individuals concerned under the relevant disciplinary or other procedures, in or pursuant to the Union's Articles of Association or Byelaws, or under their contracts of employment or contracts for services.

10. Relationship of Protocol Procedures with other Procedures

- 10.1 The informal procedures set out in Clause 10 below are designed to facilitate informal resolution of concerns and complaints relating specifically to:-
- concerns and complaints arising from the relationship between, on the one hand, Staff and, on the other hand, Elected Representatives, Students or Charity/Company Officers; and
 - concerns and complaints relating to the staff of independent contractors

Everyone is encouraged to use these Protocol Procedures as a first step in the situations referred to in Clause 10.

- 10.2 Staff are reminded, however, that the grievance, complaints or other procedures under their contracts of employment or contracts for services also contain provisions for dealing with

concerns/complaints (both informally and formally), and they may wish to follow these procedures, if more appropriate in the circumstances.

- 10.3 Elected Representatives and Students are reminded that the Union's Complaints Procedure (Byelaw 21) also contains provisions for dealing with concerns/complaints (both informally and formally) and they may wish to follow this procedure, if more appropriate in the circumstances.

11. **Protocol Procedures for concerns and complaints to be considered informally**

- 11.1 Staff members' concerns or complaints about Elected Representatives, Students or Charity/Company Officers

11.1.1 Any Staff member wishing to raise a concern or make a complaint in relation to Elected Representatives, Students or Charity/Company Officers, as individuals or collectively, should do so with the Chief Executive of the Union. The Chief Executive will take such action as he/she considers appropriate in relation to the concern or complaint. This may involve seeking a resolution of the matter, including, for example, through mediation, without recourse to formal procedures. Staff are, however, reminded that the nature of the matter may be such that it may fall to be dealt with under other the Union procedures.

11.1.2 If the Staff member is dissatisfied with the outcome of this Protocol Procedure or the lack of progress in achieving an outcome, and wishes to take the matter further, they should follow the relevant grievance, complaints or other procedures under their contracts of employment or contracts for services.

- 11.2 Elected Representatives', Students' and Charity/Company Officers' concerns or complaints about Staff

11.2.1 Any Elected Representative, Student or any Charity/Company Officer wishing to raise a concern or make a complaint in relation to Staff, as individuals or collectively, should do so with the Union President.

11.2.2 The Union President will refer the matter to the Chief Executive. The Chief Executive will take such action as he/she considers appropriate in relation to the concern or complaint. This may involve seeking a resolution of the matter, including, for example, through mediation, without recourse to formal procedures. If the concern or complaint is in relation to the Chief Executive, the President may consult with the Deputy Chair of the Union's Board of Trustees on how the matter should be properly be dealt with.

11.2.3 If the Elected Representative or Student is dissatisfied with the outcome of this Protocol Procedure or the lack of progress in achieving an outcome, and wishes to take the matter further, the Union's Complaints Procedure should be followed. Elected Representatives and Students are reminded that, in accordance with such Complaints Procedure, the matter may fall to be dealt with under the relevant disciplinary or other procedures under Staff contracts of employment or contracts for services.

11.2.4 If the Charity/Company Officer is dissatisfied with the outcome of this Protocol Procedure or the lack of progress in achieving an outcome, and they wish to take the matter further, they should refer the matter to the Chair of their board, who will consult as they consider appropriate with a view to review and resolution of the matter.

- 11.3 Concerns and Complaints about the staff of independent contractors

11.3.1 Elected Representatives, Students, Charity/Company Officers and Staff wishing to raise a concern or make a complaint in relation to any member of staff of any independent contractor involved in the Union's activities or services must do so with the Chief Executive. The Chief Executive will take such action as he/she considers appropriate in relation to the concern or complaint.

- 11.3.2 If the Elected Representative or Student is dissatisfied with the outcome of this Protocol Procedure or the lack of progress in achieving an outcome and they wish to take the matter further, they should follow the Union's Complaints Procedure.
- 11.3.3. If the Staff member is dissatisfied with the outcome of this Protocol Procedure or the lack of progress in achieving an outcome and they wish to take the matter further, they should follow the relevant grievance, complaints or other procedures under their contracts of employment or contracts for services.
- 11.3.4 If the Charity/Company Officer is dissatisfied with the outcome of this Protocol Procedure or the lack of progress in achieving an outcome, and they wish to take the matter further, they should refer the matter to the Chair of their board, who will consult as they consider appropriate with a view to review and resolution of the matter.

12. **Failure to follow Protocol Procedures**

Any failure to follow the Protocol Procedures referred to above may be taken into account in any action taken under other procedures in or pursuant to the Union's Articles of Association or Byelaws or under contracts of employment or contracts for services.

13. **Overriding considerations**

13.1 Elections

Students, Elected Representatives, Charity/Company Officers and Staff are reminded that concerns and complaints relating to elections must be dealt with under the Elections Bye-law.

13.2 Legal Compliance

13.2.1 Nothing in this Protocol shall prevent or preclude any action:-

- Being taken, by a licensee or representative of a licensee of licensed premises operated by the Union or QMSU Services Limited, for the maintenance of good order on such premises;
- Being taken by or on behalf of the Union under operating procedures of the Union or QMSU Services Limited for safeguarding the health, safety or welfare of any person, for the avoidance damage to property or for the avoidance of any infringement of the law.

13.2.2 For the avoidance of doubt, any such action so taken will not prevent or preclude other or further action being taken under this Protocol.

14. **Further Guidance on this Protocol**

Further guidance on the meaning, effect and operation of this Protocol can be sought:-

- by Students (including Elected Representatives), from the Union President
- by Staff (including Student Staff acting as Staff), from the Chief Executive of the Union
- by Charity/Company Officers, from the Chair of their Board

15. **Review of this Protocol**

This policy and procedure has been approved as indicated below and will be reviewed as necessary and in any event at least once in each academic year.