

# Sussex Coast College Students' Union Constitution

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# Section 1: Students' Union Constitution

## 1 Name

The name of the Students' Union shall be Sussex Coast College Students' Union. Throughout this document it shall be referred to as the Union.

Sussex Coast College is an independent further education institution with higher education provision. Throughout this document it shall be referred to as "The College"

## 2 Aims and Objectives

The Union shall exist:

- 1) To advance the education of its members
- 2) To promote and represent the welfare of its members
- 3) To represent its members interests to the college Corporation and other bodies
- 4) To develop social, recreational, cultural and sporting activities among its members
- 5) To empower its members to achieve the most from their education experience in the college.

These aims and objectives shall be pursued without discrimination to any person or group of individuals. The Union will not promote any political, religious cultural or social views but will seek to actively promote equality of opportunity for all students at the College.

## 3 Membership

All students aged 16 years or older, who are currently enrolled on a program of study shall be full members of the Union.

All full members (subject to the provisions of this constitution) shall be entitled to:

- 1) To stand and vote in SU elections
- 2) To participate in SU activities and use its facilities
- 3) To vote at general meetings and the annual general meeting
- 4) To participate and join SU Clubs and societies

## 4 Executive Committee

The Executive Officers of the Union will include sabbatical and non-sabbatical officers who are elected in line with the election rules stated in this document. The Officers will be as follows:

### Student President (Sabbatical)

HE Officer  
8 Student Officers

The Executive Officers will be elected in accordance with the election regulations set out in this constitution. The duties of the various officers are available on request from the Students' Union Administrator.

- The term of office of all main Union Officers, subject to earlier termination, will be **one year**. Officers may stand for re-election for the following year; this excludes the Student President post.
- The Sabbatical Officer will be a major Union officer holder and will enter into a contract of employment with the College. They will be paid a salary and required to sign a contract.
- Candidates for President will be reviewed by an endorsement panel which will include the current Sabbatical Officer in post, Director of Student Support Services, Student Services Manager and the Higher Education Manager. The Sabbatical Officer will need to have a record of good attendance and conduct in order to run in the election process.
- The President shall be a returning student who has finished studying.
- The Union executive shall be responsible for the day-to-day running of the Union. The Executive committee shall meet once a month and shall be run in accordance with the meeting rules.

The core functions of the Executive Committee shall be:

- 1) To act as the trustees of the Union.
- 2) To implement decisions of the Student Union.
- 3) To be responsible for the direction of the Union in accordance with a strategic plan
- 4) To ensure that the Union finances operate effectively and efficiently.
- 5) To prepare Union annual report detailing the activities of the Union and information required under current Legislation.
- 6) To fulfill specific responsibilities as laid down in the rules.
- 7) To co-ordinate the representation of students within the College.
- 8) To act as the official channel of communication between the union and College.
- 9) To be responsible for ensuring that the Union complies with the requirements of the most recent Data Protection Act.

Executive committee meetings shall be called by the President and shall meet at least once a month. Further meetings may be called by a written request of a majority of committee members to the president. The chair will be the president or his/her nominee. The chair may only vote in the event of a tie.

Executive committee meetings shall only take place if there is at least 50% of serving executive committee members present throughout the meeting.

Any member of the executive committee who fails to attend three consecutive meetings of the executive committee without giving apologies to the president, and does not provide satisfactory reasons acceptable to the executive committee, shall be considered to have resigned.

Any Union Officer may be removed at any time by a resolution of no confidence passed by a secret ballot of Union members. The Executive Committee will ensure that such a ballot takes place within four College weeks of a requisition in writing being received, which is signed by not less than 5% of the Union membership. If the Executive Committee fails to arrange such a secret ballot, the requisitioners, may request the College to conduct such a secret ballot within eight College weeks of the requisition being presented.

Any Union Officer may be suspended from office by a resolution passed by not less than two – thirds of the members of the Union Council present and entitled to vote at a meeting of Union Council. A Union Officer may only be suspended on the proven grounds that the officer has neglected their duties, failed to carry out their duties diligently or responsibly, has been guilty of misconduct or failed to attend 3 consecutive meetings without good reason. The officer concerned will be entitled to attend the meeting of the Students' Union at which the resolution is to be heard and speak (but not vote) in relation to the resolution.

The appointment of any officer will cease automatically on the cessation of the eligibility of the officer to be a member of the union.

## **5 Executive Meetings**

The Executive meetings shall be the governing body of the Union on any matter relating to the Union.

The Executive meetings will consist of the Executive committee, one representative from each recognised club and society and two student representatives from each College faculty, elected annually.

The Union Executive shall meet at least 3 times per year and shall be run in accordance with the Meeting Guidelines. Section 2.

The first meeting of the Union shall be held in November and be chaired by the Student President.

The meeting shall:

- 1) Approve the Union's Annual report.
- 2) Confer recognition on Clubs and Societies.
- 3) Agree the Executives priorities for the Autumn Term.
- 4) Agree the Union's action plan for the coming year, including key actions, targets and outcomes.

Minutes will be taken by the Executive Secretary or member of the Student Services team if the position is not filled.

- 1) An Emergency Executive meeting may be requested by:
- 2) A majority vote at an executive meeting.
- 3) The Executive Committee.
- 4) A petition of 75 members of the Union.

If requested as above the Student President shall hold an Emergency Executive meeting within ten working days. Such a meeting shall only discuss that business for which it was called, which must be specified in the written request.

At least seven college day's notice shall be given of all Executive meetings. Notice of each meeting shall be placed on the Union notice boards in all areas and details included in all available Union publications.

The quorum for Ordinary and Emergency Executive meetings shall be 50% + 1 of the total membership of the Executive.

All Executive meetings shall be conducted in accordance with the meetings guidelines as detailed in Section 2.

## **6 Finance**

The Union shall receive an allocation of funds from the College sufficient to pursue its aims and objectives effectively. This budget allocation shall be determined following consultation between the College and the Union.

The Executive Committee or the Union will enter into no contract or loan agreements without the written approval of the Head of Finance.

The Head of Finance will be allowed access at all times to the Union's financial records and the Executive Committee will co-operate at all times with the Head of Finance, in relation to the monitoring of the Union's expenditure and financial affairs.

The financial year of the Union shall run from the 1<sup>st</sup> August to the 31<sup>st</sup> July.

Any funding provided by the College to the Union may be subject to such terms and conditions as the College may decide and may be subject to withdrawal or claw-back if such terms and conditions are not complied with.

## **7 Affiliations to External Bodies**

The Union shall determine all affiliations to external organisations and no affiliation shall be entered into without a simple majority of the whole Union Council.

Details of all affiliations to external organisations including the name of the organizations and affiliation fee in each case shall be included in the Unions Annual Report, which shall be available to students and the College Corporation.

## **8 Amendments**

This constitution will be subject to review by the Students' Union and Corporation of the College at intervals of not more than three years from the date of taking effect.

The college corporation may suggest amendments for the Parliaments consideration or enforce changes required by law.

## **9 Complaints Procedure**

The Executive Committee will ensure that the Union co-operates with the College in relation to the implementation of any decisions made under the College's complaints procedure. Refer to appendix 1

## **10 Referendum**

A referendum, in which all members will be allowed to vote, shall be held on any issue, if the students' union decides by a two thirds majority.

The President shall call a referendum if they are handed a petition detailing the issue and containing the name, course, student number and signature of at least 200 students.

The returning officer shall be responsible for deciding the wording of the question on the referendum ballot paper.

The referendum shall be supervised by the returning officer. Polling stations shall be open for 5 college days.

The result of a referendum will take priority over any existing union policy on the same issue.

## **11 Indemnity**

The officers of the union will be entitled to be indemnified from the funds of the Union in relation to any liabilities incurred by them in the course of their duties and the Union will ensure the provision of appropriate insurance for its officers against such liabilities. No such indemnity or insurance will cover any liability arising from any act or omission by an officer which the officer knew or could reasonably be expected to know was a breach of duty or which was committed or omitted in reckless disregard of whether it was a breach of duty or not.

## **12 Interpretation**

Any dispute concerning the interpretation of this constitution will be referred to an appropriate person agreed by the Corporation of the College and the Union, whose decision will be final and binding on the parties. This will normally be the Clerk to the Corporation.

## **13 Dissolution**

In the event of the dissolution of the Union, any property and assets of the Union will be held by the Corporation of the College on trust, for the benefit of students at Sussex Coast College.

## **14 Student Governors**

The Students Union President will sit on the board of governors along with one other student elected through a whole College vote.

Student Governors will report to the Corporation twice a year on the work the Student Union has been involved in and Student Voice.

# Section 2: Schedules

## 1 Election Rules

These election rules shall apply for all elections conducted by cross campus ballot. There shall be the following elections:

| <b>Positions</b>     | <b>Elections to be held</b> | <b>Period of office</b> |
|----------------------|-----------------------------|-------------------------|
| President            | May                         | 1st July – 30th June    |
| HE Officer           | September/October           | Academic year           |
| 8 x Student Officers | September/October           | Academic year           |

### 1.1 Rights of members

All members of the Union are eligible to stand for any position.

All members of the Union have the right to information about the process of the election, the positions available and the candidates standing in the elections.

All members of the Union have the right to vote by secret ballot in the elections.

The Officers of the Union shall be elected annually in the summer and autumn terms from the eligible student membership of the College.

### 1.2 Returning officer

The Returning Officer shall be the Student Services Manager. They shall be responsible for the proper conduct of the elections and shall have the sole interpretation of the election regulations.

### 1.3 Nominations

The Student Services Manager will coordinate elections for the Executive Committee be held at the commencement of each Summer & Autumn Term. The date of the elections will be publicised and nominations requested at least two College weeks in advance.

Nominations will close one College week before the elections are due to take place. Nomination forms will be available at all College sites.

In completing a nomination form, a member shall ensure that all the information included is accurate and the form is submitted before the deadline in the election timetable.

Candidates for the Sabbatical President position must make themselves available to attend a briefing meeting which will inform support and guide candidates to ensure they are prepared and suitable to fulfill the role.

When the Returning Officer is satisfied all valid nominations will be confirmed with the candidates and published.

#### **1.4 The Election**

The Returning Officer will be responsible for the conduct of all Union elections and ballots and will have the right to appoint polling officers from amongst the students (other than those standing in the elections) and staff of the College.

The rulings of the Returning Officer in relation to the conduct of the elections will be final. The Returning Officer may make rulings in relation to any aspect of the elections, including the eligibility of candidates, the manner and content of election publicity, the location of polling stations, the eligibility of voters and the procedures for voting.

The dates of elections for Union Officers, a copy of the election timetable and a copy of the election regulations shall be posted on the union notice boards at least 14 days before the elections.

#### **1.5 Complaints**

Any challenge or complaint concerning the administration and good conduct of the election must be lodged, in writing, with the Returning Officer within one week of the declaration of results.

The complaint will be determined by the Returning Officer within two weeks of submission.

In determining a complaint, the Returning Officer after hearing all the appropriate evidence may not uphold the complaint; or may halt the elections for specified post(s) or disqualify specified candidate(s) if, in their view, a candidate(s) has breached election regulations.

The ruling of the Returning Officer on any complaint shall be final.

#### **1.6 Promotion**

The Returning Officer shall produce an election timetable, which shall include the dates and times for the notification and completion of the following:

- Nomination process
- Candidates Briefing
- Manifestos
- Question Time
- Voting
- Count

The Election Timetable shall be of a sufficient length to ensure the highest level of participation in the election.

A list of successful candidates will be posted at each College site within 3 College days of the declaration of results.

#### **1.7 Campaigning**

The Returning Officer shall arrange for a candidates briefing to be provided at which all candidates will be expected to attend.

Manifestos must be submitted by the date laid down in the election timetable. Manifestos must be presented in hard copy on no more than one side of A4.

Manifestos will be distributed with nomination information around all College sites. Copies will be available at each voting station.

The Executive Committee shall determine and publish the allowance for publicity available to

candidates on an annual basis in advance of nominations being sought and set out any conditions attached to the payment of any such allowances.

The Returning Officer shall draw up regulations for the conduct of candidate's campaigns. Any breach of these regulations could lead to disqualification.

### **1.8 Voting**

The Returning Officer shall publicise the location and arrangements of the voting stations, together with a list of candidates and manifestos, and shall make arrangements whereby provision is made for members of the Union to vote.

All members of the Union may vote on production of a current College ID card. A voting paper will be issued to each voter, which shall bear the Union stamp. Votes will be cast in sealed ballot boxes.

Voters shall be able to express preferences for as few or as many candidates in an election for a position as required by the voting paper. An option to re- open nominations will be provided

Voting papers shall bear the name of each candidate and the office being contested. Candidates will be listed in alphabetic order. There will be a facility for voting "No Suitable Candidate".

### **1.9 Counting and declaring votes**

The returning officer shall inform the candidates of the time and venue of the count. The candidate or their appointed representative may, if they so wish, attend the counting of the votes as observers only.

The returning officer may be assisted in the count by a number of individuals appointed by them.

Once the votes have been counted they should be kept for a period of six months in case of appeals against the result.

Results of the elections shall be declared by the Returning Officer when the count for each post has been successfully completed within 48 hours. . In the instance of a complaint the results may be delayed. Election results for the Student President sabbatical post will be announced at the Student Award Ceremony in June

### **1.10 BY-Elections**

If any Union Officer posts falls or remains vacant then a by-election shall be arranged by the Returning

Officer. Nominations shall open no later than five College days after confirmation of the vacancy arising. All other election regulations apply.

If after a by-election for a vacant position, the position remains unfilled the Executive Committee has the right to co-opt a non-voting Officer to fill vacancy for the rest of the academic year.

## **2 MEETING GUIDELINES**

Meeting guidelines apply in full to all Student Union Executive meetings. They apply to all committee meetings of the Union in terms of conduct of meetings.

### **2.1 Who can attend Union Executive Meetings?**

All officers will be expected to attend all meetings of the Union Executive. Any member who fails to attend three consecutive meetings without giving apologies to the chair, and does not provide satisfactory reasons acceptable to the Executive Committee, shall be considered to have resigned.

Any member of the Union may attend the Executive Committee meetings in accordance with clause 3.4 in the constitution. Any individual/s who are not members of the union who wish to attend must receive permission from the meeting by submitting a request to the chair. The chair shall then take a vote on whether the individual/s may attend.

### **2.2 Who may speak at Union Executive Meetings?**

Any full member of the union may attend union parliament and speak with the permission of the meeting. Members of the college senior management team may attend and speak at the college business part of the meeting but will not be entitled to speak or attend the union business part of the meeting unless expressly requested by the meeting. Any other individual may attend and speak as a guest, if invited to do so by either union parliament or the executive committee.

Any member wishing to speak must raise their hand. The chair of the meeting shall decide the order of speaking.

### **2.3 Who may vote at Union Executive Meetings?**

Only members of Union Parliament who are present at the meeting may vote. The chair of union parliament may not vote unless the vote is tied, in which case they may have the casting vote.

Any member of the Union Parliament who has any personal interest in any business to be transacted must declare the nature and extent of the interest at or before the meeting at which the matter is to be considered. Any such member will not be entitled to vote in relation to that matter, but will be counted towards the quorum if present at the meeting. Any declaration of interest should be minuted.

The Student Services Manager and Head of Higher Education will be entitled to attend and speak at meetings of the Union Executive, through invite, but will not be entitled to vote. The Union Executive reserve the right to exclude the Student Services Manager for any part of a meeting dealing with matters deemed to be confidential to the Union, following a majority vote of those present. The reason for exclusion and the votes in favor/against must be recorded in the minutes of the meeting.

### **2.4 How to get things done**

All items for discussion and decision shall be submitted to the President five college working days before the meeting.

Proposals for amendments to the constitution and schedules must be submitted seven college working days before the start of the meeting.

Items submitted must have a proposer and a seconder. The proposer must be prepared to attend the meeting to explain the item for discussion and decision.

The President shall be responsible for publication of details of all Union Executive meetings seven college working days before the meeting on Union noticeboards and in available Union publications.

Proposals of changes to debates may be submitted by any member of the union. The changes require the signatures of at least two members and shall be submitted to the President two college days before the start of the meeting.

## **2.5 Who runs the meeting?**

The president shall be responsible for the agenda and publicising the meeting.

The president shall take the Chair of the meetings, if the Student President is unable to attend the meeting a Student Officer will be nominated to deputise at the meeting.

In the event of any situation arising not being covered by meeting regulations then, the Chairperson shall rule on the procedure to be adopted. Such ruling shall be subject to the approval of Union Executive.

In the event of the chair being in conflict or alleged to be in conflict with the item under discussion, the Chair should be resigned for the duration of the item under discussion to the Deputy Chair.

## **2.6 What is talked about at meetings?**

The agenda of meetings shall normally be taken in the following order:

### **a) College business:**

Welcome from the Chair  
Checking the minutes of the previous meeting for accuracy  
Matters arising from the minutes of the last meeting  
Reports from the Senior Leadership Team  
Management question time  
Education issues

### **b) Union business:**

Checking the minutes of the previous meeting for accuracy  
Matters arising from the minutes of the last meeting  
Reports from the Executive Committee  
Reports from the trustee board  
Other reports  
Executive question time  
Debates  
Discussion groups  
Any other business

The meeting will have the right to table the following items collectively as a consent agenda provided that written reports and minutes are distributed in advance:

- Checking the minutes of the previous meeting for accuracy
- Matters arising from the minutes of the last meeting
- Reports from the Executive committee
- Reports from the trustee board

Any member may request that any item be discussed in full, provided that notice is given advance of the meeting.

All debates shall be run as follows:

The proposer of the discussion shall make a speech

- the chair will invite a speech against the debate
- the chair shall balance the number of speeches for and against the debate
- the chair shall invite any questions and statements relating to the debate
- the proposer of the debate shall have the right to sum up
- the vote shall be taken.

## **2.7 Changes to the debate**

Shall be run as follows:

- any changes to the debate will be raised after the proposer has spoken, the chair shall invite

- and take a speech against the changes
- the chair shall attempt to balance the number of speeches for and against the changes
- the chair shall leave time for questions and statements before the vote
- when all changes have been voted upon, the main debate shall be discussed and voted upon.

## **2.8 General rules**

Every debate shall have a proposer and a seconder.

Any motion may only be withdrawn with the consent of the meeting.

Debates shall require a simple majority to be decided except where otherwise specified in the constitution.

Emergency debates may only be discussed if they deal with matters that have arisen since the date for submission of debates, and if a two thirds majority vote for the discussion of this debate.

A meeting of the Union Executive shall be quorate with an attendance of 50% + 1 of the membership.

Minutes of all meetings are taken and are circulated to the members of the Union Executive, the Student Services Manager and Head of Higher Education and the Clerk to the Corporation as soon as possible after each meeting. Students should also have access to these.

### **3 CLUBS AND SOCIETIES**

There shall be clubs and societies of the union.

#### **3.1 Setting up a club or society**

No club or society may receive funds from the union or use College facilities without recognition in each academic year by union executive.

To be considered for recognition, the club or society shall lay before union an acceptable constitution, a plan of activities and a list of prospective members in accordance with the clubs and societies schedule.

No club or society will be recognised if its objects conflict with those of the union or College. However, this restriction shall not be interpreted so as to prevent the establishment of political, religious or ethnically based clubs and societies.

Any club or society that wishes to be recognised by the union shall present to the student Activities officer:

- a list of 10 signatures of members
- the proposed membership fee (if applicable)
- a constitution for the club or society to include:
  - the name of the club/society;
  - the aims and objects of the club/society (which shall not be contrary to those of the union/College);
  - regulations relating to membership eligibility to the club/society;
  - provision for the election of a committee for the club/society to include as a minimum a chairperson, a secretary and a treasurer;
  - the responsibilities of the committee;
  - provision for general meetings for all members of the club or society;
  - provision for an annual general meeting at which an income and expenditure account shall be presented and approved;
  - Provision for the union statement on equal opportunities.

#### **3.2 Money for clubs and societies**

The Executive Committee shall earmark a sum in the union budget which shall be for grant aid of recognised clubs and societies.

To receive funding an eligible club/society shall submit a budget proposal to the student activities officer or President.

The Executive Committee shall meet and allocate the funds. Allocations will be made on the basis of the level of activity in the club/society; the number of members it has and special equipment and travel considerations. A contingency fund shall be set aside.

The allocations shall be approved at the first meeting of the Executive Committee on the new academic year.

All clubs and societies shall be given a budget number and expenditure must be pre-approved by the Student President and Student Services Manager and any receipts must be retained.

#### **3.3 Meetings of clubs and societies**

The annual general meeting of each club and society shall be held before the end of the first term. This meeting will elect the club or society committee.

Each club or society should have a minimum of one general meeting per year where all committee members of the respective club/society should attend, unless reasonable apologies are submitted.

The quorum of each club/society general meetings shall be 50% plus one of the club or society membership.

The committee secretary is responsible for arranging the dates of meetings and must inform the members at least five college days in advance. Agendas should be available two days in advance of the meeting.

Changes to the constitution of any club or society can only be made at a club or societies general meeting and must be ratified by the executive committee. In cases where the executive committee do not ratify the changes, the club or society may appeal to the Union Executive.

### **3.4 Responsibilities of clubs and societies**

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

The club or society shall be responsible for promoting itself during induction week to encourage new membership.

All clubs and societies' committees will produce an activities report and the treasurer will submit an income/expenditure sheet to the Union Executive Committee at the end of each term, following a request from the Student President.

The club or society shall not hold its own bank account and all its finance will be administered through the Union.

The club or society shall hold no funds whatsoever outside the Union accounts.

The chairperson of the club/society shall be responsible for the smooth running of any social events and activities and shall be responsible for convening of general meetings.

The secretary shall be responsible for publicising general meetings, providing agendas and taking minutes of the meetings.

The treasurer shall be responsible for ensuring that all expenditure is legitimate and that it does not exceed the club or society allocation for that year. The treasurer shall also ensure that an accurate list of all equipment purchased is kept and all equipment is returned to the union at the end of the academic year.

The treasurer shall ensure that all income received by the club or society is paid directly into the union accounts and that no funds received by the club/society are withheld.

The treasurer shall ensure that an income and expenditure account for the previous academic year is presented to the annual general meeting of the club or society and copies are sent to the Student President.

Failure to abide by these regulations and the union constitution may result in suspension of the club or society by the Executive Committee.

## Section 3: Appendices

### Appendix 1

#### **COMPLAINTS PROCEDURES**

As a service provider to students, Sussex Coast College Students' Union welcomes feedback from students - additionally, any complaints that arise need to be dealt with in a clear and professional manner. In every case, every effort should be made to resolve complaints informally. Complaints can be made against an individual elected officer, a group of officers or the union as a whole. If a complaint cannot be resolved informally, the individual with a complaint should write to the President (or in the case of a complaint against the President, the individual should write to the (Quality Department) within seven working days of the issue, clearly stating the issue(s), event(s) and/or the people concerned. The criteria used in all complaints will be as follows:

The President shall refer the letter of complaint to the Complaints Committee of 3 randomly picked members of the Executive Committee, who will investigate the complaint. The Complaints Committee may call witnesses, but all meetings must be minuted and signed for accuracy. A response will be provided within 10 working days.

The Complaints Committee will have the power to reject the complaint, recommend a way forward to resolve the complaint or recommend that disciplinary action be initiated against the union member(s) concerned using the College's disciplinary procedure. The Chair of the Complaints Committee has to write to the individual within 10 working days of receiving the complaint explaining the committee's decision.

Should the individual concerned not feel satisfied with the decision, they may appeal to the Chair of the Union Council in writing within 5 working days of receiving the reply.

The Chair of the Union Council shall refer the letter of complaint about the Complaints Committee decision to a Committee of 3 independent Council Officers, who will re-investigate the original complaint.

This Council Committee will have the power to uphold the Complaints Committee original decision or take another course of action.

If the complainant is still not satisfied with the outcome of their complaint they may approach an independent person, appointed jointly by the college and the union, for a final ruling on the complaint.