



Triennial Rules Review Report December 2012



national union of students

NUS Triennial Rules Review 2012-2013

Introduction

The current overall Governance structure for NUS was created around three years ago following a lengthy and detailed review. The Constitution requires a review of the rules of NUS every 3 years. Whilst there is no general sense that the Governance of NUS requires major overhaul, as part of NUS' commitment to continuous improvement we are now reviewing the structures and rules to see where improvements can be made to the culture or structures of Governance inside NUS.

Amendments to the Articles

141. The Democratic Procedures Committee shall review these Articles every three years, with effect from the date that these Articles of Association come into effect, and they may review them at more frequent intervals if considered appropriate.

142. An amendment to the Articles shall require the following:

142.1 The circulation by a Constituent Member, the Board of Trustees or the Democratic Procedures Committee of a proposal to amend the Articles to all the Constituent Members (the "Proposal"); Core Constitution

142.2 A period of time (as set out in the Rules) during which any amendments to the Proposal may be submitted to the Democratic Procedures Committee;

142.3 A resolution passed at a meeting of the National Conference by a two thirds majority vote approving the Proposal (and either accepting or rejecting any amendments to the Proposal), as long as the resolution to approve the Proposal shall have been circulated by the Democratic Procedures Committee to all the Constituent Members along with the other proposals for that meeting of the National Conference; and

142.4 A special resolution of the Constituent Members making the amendments to the Articles that have been approved by resolution of the National Conference in accordance with Article 142.3.

Over the Summer the NUS National President wrote to the Democratic Procedures Committee (DPC). The Democratic Procedures Committee are a group of nine students who are elected by NUS National Conference each year to have oversight of the enactment and review of the National Union's constitution and rules.

Dear Steven,

As you will be aware, the constitution requires that a three yearly review is carried out on the rules of NUS. Whilst significant changes to the constitution were ratified in May 2012, these were with the express and sole purpose of achieving incorporation. As such the rest of the constitution is now due for review.

I do not believe there to be a groundswell of support for a "full blown" review of Governance. However, given your constitutional responsibilities to oversee Democracy and Governance in NUS, I am writing to you in relation to wider matters. I am conscious of a variety of mandates and manifesto pledges that may impact upon the rules. These include:

- Reviewing the work of Sections, their conferences and role within NUS and the Zones
- The way NUS supports those unions located with London, an area with very specific concerns, needs and local government.
- The remit of each of the Zones and how their title reflects their work
- Finishing the work started on corporate governance, including the ownership of NUS Services Ltd
- The size, structure and rules governing NUS Conference
- The size, structure and rules governing the National Executive Council

Clearly we would want as an organisation to achieve a level of coordination around these issues, and as such I would like your committee to consider how it might work with others in NUS and NUSSL to ensure this.

Specifically:

- The Reviews in each area will be led by others inside NUS and NUSSL, but I would like coordination between them to be led by you as the body with constitutional responsibility for our Governance
- I wish for this to be a democratic process open to consultation
- I do not wish for member unions to be "over consulted" or for this to dominate given other pressing campaign mandates
- I would like you to be mindful that culture is at least as important as formal structures and as such we should not always jump straight to rule changes
- I would want proposals to be ready for December to meet the motions deadline such that they could be scrutinised and amended

Some work has already begun in these areas, and aside from the review of National Conference there are individuals on the NEC that will lead reviews in these areas. I would like however your committee to oversee the reviews, set standards around consultation, scrutinise and test any proposals leading to formal rule changes, and coordinate joint publication of all proposals at the right time.

Mindful of this the Democratic Procedures Committee developed the process below. In addition DPC resolved that:

- the process be consultative
- proposals be ready for formal consideration and amendment by December
- unions should not to feel “over consulted” & for the process not to dominate the year

There were **six thematic strands** to the review, each with a lead officer. These are detailed over the page. The focus of **the main** consultation exercise was:

- the size, structure and rules governing NUS Conference;
- size, structure and rules governing the National Executive Council; and
- remit of each of the Zones and how their title reflects their work.

Other consultation for the remaining strands is detailed overleaf.

There were **four** ways in which unions could feed into this review. The first **three** were informal:

- The **consultation questions** contained in this document inform DPC’s proposals. Individual students and student officers responded as well as responses from unions.
- There was an **open space** to discuss the review at both the Union Development and Further Education Zone Conferences in October.
- The **National Executive Council (NEC)** discussed **National Conference** and the **NEC** in September and November. The NEC includes fifteen councillors with specific responsibility to consult with member unions on their views on the council papers. More information at www.nusconnect.org.uk/nusnec
- Following these three points, we have created a Rules Proposal (as required by 142.1 in the constitution) that reflects the consultation. This is being circulated to all member students’ unions in December at the same point, and in the usual way as the Zone Policy Proposals to National Conference 2013.

Formal responses to the main three strands were received from unions or individuals from the following:

Aberystwyth Students’ Union
Birkbeck Students’ Union
City University Students’ Union
Edinburgh University Students’ Union
Gateshead College Students’ Union
Goldsmiths’ Students’ Union
Kent Union
Kings College London Students’ Union
Liverpool Guild
Liverpool Hope Students’ Union
Liverpool Students’ Union
LSE Students’ Union
Mid Kent College Students’ Union
NUS Black Students’ Conference
NUS Disabled Students Campaign
NUS NEC

NUS Society & Citizenship Zone
NUS Union Development Zone
NUS Wales
NUS Womens Committee
NUS-USI
University of Bath Students’ Union
University of Bristol Students’ Union
University of Lincoln Students’ Union
University of Manchester Students’ Union
University of Nottingham Students’ Union
University of Surrey Students’ Union
University of the Arts Students’ Union

In addition hundreds of students, officers and committee members were involved in sessions and consultations relating to both the core strands and those relating to sections, NUSSL and London.

Scrutiny

As for all proposals, between December and March students’ unions will be able to debate this Rules Proposal and will be able to submit amendments to it. These may be submitted by any students’ union in membership of NUS and will not count towards the usual word limit for zone amendments. This is the **fourth** way that students’ unions can have their say on the Rules Proposal.

Culture

DPC have considered where extra support and guidance can be given to process and delegates. As such the Rules Proposal contains some resolutions pertaining to culture and systems rather than specific changes in the NUS Articles or rules.

This Document

This document contains each of the six strands, including

- information on the strand;
- summary of responses to consultation
- analysis
- proposals
- motion to Conference

The motions to Conference have been drafted by the DPC in response to each of the reports prepared by members of the NEC.

It is recognized that some unions may wish to propose alternative proposals or rule changes; this can be done by submitting amendments to these motions in the usual way.

In this event all unions considering doing so are invited to consult with the DPC in good time to get support with drafting these such that they would have the intended effect if passed. This can be done by contacting democracy@nus.org.uk

Additional Strands

NUS Services Ownership: Raechel Matthey

Raechel.Matthey@nus-wales.org.uk

NUS Services Limited (NUSSL) is an organisation set up to deliver a buying consortium for students’ unions (to reduce costs and deliver benefits) as well as a

number of support services (such as the NUS Extra card) and infrastructure for NUS UK. It is owned by students' unions on a private share basis (these shares cannot be bought by the general public so ownership stays within students' unions). NUS owns one third (25%) of the NUSSL shares.

Some unions benefit widely from NUSSL but own no shares within it and therefore have no direct say on how the organisation is run. NUSSL is a not for profit organisation run for the benefit of students and students' unions but current structures means that money cannot always be directed easily to some areas. As a result proposals are being developed to enhance and improve the internal Governance of NUS Services, and change its ownership.

NUS Services shareholders were consulted directly on proposals which will be presented for approval to NUS Services Convention in 2013.

Review of NUS Structures in London: Robin Parker

Robin.Parker@nus-scotland.org.uk

A number of mandates exist relating to the creation of bespoke NUS structures and services for unions in London. In part these respond to the existence of wider political structures of concern to students. In addition this year a review is taking place of ULU which NUS is likely to be consulted on.

Unions in London were consulted directly on proposals which will be presented to National Conference in 2013.

Sections: Rachel Wenstone

rachel.wenstone@nus.org.uk

Sections are parts of NUS focussed on types of student. There are currently three sections; International Students, Postgraduate Students and mature & Part Time Students. Each has a committee and summer conference. Concern has been expressed recently about their effectiveness, including questions around the support for them from NUS.

Unions and students involved in each of the sections were consulted directly on proposals.

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Zones and Zone Conferences

Dannie Grufferty, Vice President Society & Citizenship

The current arrangements

Zones

The NUS “Zones” are the five policy sections of the National Union and they have day-to-day responsibility for the consultation on, proposal of and carrying out of the National Union’s policy in five areas:

- Higher Education;
- Further Education;
- Union Development;
- Welfare; and
- Society and Citizenship.

The Zones report to the National Conference and the National Executive Council and are directed by them. The system is based on the idea that a single national Executive directly responsible for all of NUS’ work was too unwieldy. Each Zone has a committee that leads the Zone and consists of a full time officer elected by National Conference and other members from students unions that are elected by that Zone at its Zone conference. Each committee also has the power to co-opt non student non voting advisors as it sees fit, normally staff from SUs.

Vice Presidents/Committees

Each zone is assigned to a full time paid representative (a vice-president) and an elected committee of six students (at least two of which come from FE in the case of all but FE and HE committee) who meet at least four times a year. The committee may co-opt a member who is not a student for expertise but they have no vote on the committee.

Zone Conferences

Each zone has a conference held in October which are designed to allow students and student officers to discuss policy issues in an informal environment. These help inform the discussions at National Conference but are not binding.

Each zone conference is split into two parts:

- A paid for section including workshops, guest speakers, plenaries and a gala dinner where delegates are charged an amount that covers the costs for the event. Further Education delegates are able to attend at a reduced rate
- A free section with informal policy discussion and elections for the zone committee members (all the democratic elements of the conference). Each union gets one vote at the conference.

- Although the elections take place at the conference you do not have to attend the conference to stand. Any student in membership of NUS can stand.

To save costs on venue and travel for delegates, zone conferences are held one after another in a single week.

It is up to unions to decide who they send to these events and who has the vote for that union for the election.

Key Themes arising out of consultation

General Comments: Most respondents were broadly positive about the role of Zones, recognizing that whilst there could be some cross over between roles of respective Zones, having different areas with different Vice Presidents and committees has made it easier to interact with NUS and has ensured that NUS covers a broad span of work each year.

Typical Comments:

Yes, I think zones are a vast improvement and have done a great deal to empower unions and students. I think it's a nice change from having a large formal conference and is much more open, engaging, accessible and democratic than the Winter conferences used to be. NUS is engaging with students on the ground more and more as a result of the zone structure.

Zones are good and should be kept

They are an opportunity to meet new people, and a place to discuss things at the beginning of the year.

As an officer I've found it's come at a time when I'm feeling tired, unmotivated (sabb blues etc!) and it's always really perked me up and inspired me.

They have allowed clearer paths of accountability, more affinity between students' union officers and "their" nus officer and given a much better route for student officers to get involved rather than relying on the Block. This has also been important in terms of succession.

Gender Balancing: A number of respondents bemoan the relative lack of Women elected to Zone Committees and suggest gender balancing them.

Typical Comments:

The zone committees should also be gender balanced.

If the idea is that Zoned Conference elections are a space where less confident people can get elected I agree that this is a laudable aim- but the results suggest that sharp elbowed, confident men are standing and women are not.

Zone conferences are highly unrepresentative of the membership, and the make-up of the committee reflects this. Gender balance is a major issue, and a quota for women on committees may be a good option for combatting this.

I'd keep the Zone Committees, perhaps introducing a gender quota.

Some other responses suggest that Zone Committees could be expanded to involve more people (particularly now that there are also guaranteed places for FE); given that the cost of maintaining Zone Committees is relatively low this could simply be combined with Gender balancing in a similar way to that now achieved in NUS Wales.

Recommendations: That the size of each Zone Committee be expanded modestly, and rules are amended to achieve gender balancing on each committee.

Requirement for changes to rules: Rules 800-843 Zones

Society & Citizenship: Most respondents value the Society and Citizenship zone, and unlike in previous consultations of this sort there was little feedback questioning whether it should exist at all. Rather there were questions over its title (which was seen as confusing or off putting) and some of its content.

Typical Comments:

Soc/Cit is unclear and think could do with a bit of a rebrand, but as a whole I totally embrace the concept and think it's good that NUS can do stuff that local unions probably don't prioritise or the resource to do. That does mean though that it can be difficult to see an easy fit for that work to fall through into Unions as there is often no direct link.

Soc/cit may need a change of name

Student activism should sit in the soc/cit zone

I think that the remit of this zone is broadly appropriate. However, I do have some issues with the language of it. Society and Citizenship is an overly bureaucratic way of saying 'Community' or maybe 'Community and Society'. In particular, the use of the word 'citizenship' has a lot of diverse and unintended connotations: it implies a connection to the state, and sounds a bit like a tagline either of a New Labour education course, or an official publication of the French Third Republic.

Some of the 'remit' also needs rewording. In particular, I would advise changing 'Minimum Wage' to 'Living Wage' – as this is now the real issue.

I would also advise adding 'International Solidarity', making it clear that the Zone is about providing practical support, not just talking about things.

I think this zone still needs to have some more clarity and or positive promotion as it's the least understood in unions but absolutely vital.

The formal name of the Zone is hard wired in to the articles of Association of NUS and thus would be difficult to change. However, it would be possible to develop a "trading as" scenario in the rules of NUS if a more suitable name could be agreed. It would appear that "Vice President Citizenship" is the simplest and most representative way of describing the work that goes on in the Zone which would encompass local work "outside" of the campus as well as internationalism and the emergent focus on community organising.

The precise content of, definitions of and responsibilities of Zones is in the policy interpretation gift of the National President who should be directed to take on board the comments herein.

Recommendations: That the National President reviews the content of, definition of and responsibilities of the Zone in light of the above comments. That the Zone and its VP operates under a new and simpler title as soon as possible.

Requirement for changes to rules: Rules 800-843 Zones

The policy development role of Zones: Each Zone committee is charged with developing policy for its Zone throughout the year, and they are charged under rule 821 with detailed policy development duties- they are required to consult with members and stakeholders, and obtain or commission research pertaining to their zone for consideration by constituent members. They are also charged with the day to day monitoring and implementation of policy passed.

The Zone Conference itself is only a part of that process, where attendees are consulted on the work done to date with a view to the formal submission process in December. However it is clear from the comments that not only is there dissatisfaction with the sessions run at Zones, there is a lack of understanding of the wider duties to consult and commission research.

The idea was to create a system where the development of the policy of NUS could involve more informal consultation and detailed research (formative) whilst maintaining the more formal stage involving votes and amendments (summative stage).

Typical Comments:

Passing policy is a matter for National Conference. Members work hard and spend a lot of energy passing policy at national conference.

Zone Conference should be informed of the policy decision of national conference and asked how NUS could best implement that policy – as is the job of the Zone and its Committee in general.

There should be a more formal process of making policy at the zone conferences as opposed to what currently happens. I do believe that delegates elect the zone committees who then have a responsibility to lead on policy development and submission, but there should be a more formalised way for delegates to feed into that at the conference. The policy formation section at the end has always felt very rushed and unimportant.

Squashed Democracy – Because we leave the democratic part to the 'free' day two we squash it into a very short space of time. We don't gather the quality policy recommendations that would be useful under this format (having zone recommendations to conference). Also with elections getting more popular this year we lost policy-making time in most of the zones this is a problem.

Should the policy formation be done through more online discussion, more formal submission prior? Or just ideas or a ballot

of what to discuss so we leave with more quality rather than a huge long list of not very detailed suggestions.

The length of time for policy making needs to be longer. It needs to be worth while for people to come just on the free day (as it stands we make it look and feel pointless)

Make policy discussion better- but no formal voting, it can't override national conference

Could there be some alternative system for allowing other students to contribute? Maybe electronically? Maybe there could be a 'creating policy' session online or before the conferences and then voting delegates could consider the proposals later.

We liked talking about policy issues in an accessible way; but this can be too rushed.

Policy sessions should be longer and more developmental. Maybe these should span both days?

It is not very clear where the policy discussions currently go- if they are delegated to the zone committee to discuss it seems fairly futile as zone members can essentially promote or change their own ideas.

I like the informal nature of Zones, and I believe that this is the perfect time to elect Committee members especially as it allows new officers some who perhaps had not been elected till September the ability to stand for election. It is a much less formal election than for NEC and I think they are successful. The informal policy sessions allows real debate to happen as well.

The format is very outdated all being at one conference. At NUS events we are regularly encouraged to look at many different ways of engaging with students in our structures. NUS should look at new ways of engaging with students. That there is no pre or post conference digital engagement with policy is pretty ridiculous.

The policy development sessions are not leading to coherent, interesting policy. They are still essentially a brain storming session rather than the culmination of being exposed to high quality evidence and debate over 24 hours.

There was not a clear consensus for abolition of the policy role of Zone Conferences, and those that questioned it tended to view the sessions that were run as too short or misunderstood the informal nature of the consultations. It is clear that there is more that can be done prior to Zone Conferences on the research and consultation side; the format can be changed to allow for more creative policy discussions (NUS Scotland tried a different format for its "Zone" conference which should be looked at carefully); and crucially, throughout all of that more that can be done online with students and unions. Zone Conference itself is important but only a part of what should be wider engagement between NUS' Zones and students. Unions and stakeholders.

Recommendations: That the DPC be charged with working with the Zone Committees in driving up research, consultation and digital engagement in the formative Policy Development process, setting out standards or guidelines which it expects to be met by each Zone. This should include methods for appropriately engaging with Nations.

Requirement for changes to rules: None

HE Zone: There was little salient feedback on the content or role of the HE save for discussions on the overlap between FE and HE (see FE section) and a discussion on the "Zoning" of workshops which took place within the HE Zone this year.

Typical Comments:

This year the early splitting of the HE zone into streams was not effective. If the paid part of the course is about policy formulation then it is clearly part of the democratic process and so should also be free. Otherwise there needs to be practical discussion and best practice sharing we can take back and implement. I think the first day should be more practical and helpful with the policy discussions coming through the plenaries and after dinner talks then feeding into the policy areas.

Plenary sessions need to link into policy and allow for discussion. For example the talk on careers advice at HE Zone was great, informative and needed discussion and a lead through to a policy proposal but it was isolated from the process of policy formulation.

Firstly, the Workshop Streams used in this year's HE conference were excellent. They allowed you to focus on one area for the whole of the conference and get in depth. This would mean you could send different delegates from your Union to different streams and get lots of more detailed ideas into CMs.

Recommendations: That the HE Zone Committee take into account the feedback above when planning next year's event.

Requirement for changes to rules: None

Further Education: Feedback here focused both on the overlaps between FE and HE and FE and UD, as well as questions on reserved places for FE on committees.

Typical Comments:

There should be a focus on academic issues with clearer thinking and flexibility about issues that are common to both HE and FE and where there needs to be differentiation.

It was a positive step to have 2 reserved places for FE on each zone committee and electing 1 of the 2 for Welfare/Soc&Cit & UD and FE zone meant more people had an opportunity to stand but there is the issue that those individuals who stand at FE Zone Committee then become ineligible to stand for the NEC second place, reducing the likelihood on the zone NEC second places for those 3 zones being an FE member, which none of them are this year.

I do believe the remit of this zone is appropriate in writing but in practice the grey lines make it difficult to understand where learner voice in an academic sense students and in existing as a union representative on wider issues which falls into other zones begins. I believe this may be something that lingers on from prior to the UD and Soc&Cit roles existing and the VP FE role had to pick up the work they now deliver.

the one element of the above that is problematic is the inclusion of FE Student Funding. This poses challenged to who we resource this and other zones.

All of the issues herein are outwith the review of rules but could and should be considered by other bodies.

Recommendations: That the CRO considers carefully the feedback in relation to elections participation and the National President considers the feedback in relation to Zone content.

Requirement for changes to rules: None

Welfare: The main concerns about Welfare seem to revolve around Health policy.

Typical Comments:

Welfare is massively under-valued and I find that important things are often taken out of welfare and put elsewhere, mostly things relating to funding and often things are put onto the responsibility as welfare which shouldn't – mostly equality (which should be the responsibility of EVERYONE) and things like international students which I think have a place in all remits and not just welfare.

From my experience in welfare I love that it provides an opportunity to engage with other welfare officers, particularly a few months after summer training to catch up on what's happening, share best practice etc.

More mental health. I realise there is a cross-over with disabled students but this isn't necessarily the case.

There's very little in the way of health, despite this being an area of massive policy change (e.g. clinical commissioning) and something that affects students greatly.

It's quite useful but could have more clarification before zones. There was almost nothing at welfare about mental health and it wasn't clear why.

Recommendations: That the Zone Committee considers the comments on Health in terms of its recommendations to Conference.

Requirement for changes to rules: None

Union Development: Much of the feedback on UD centers on the breadth of the work and the different sorts of Governance that that may require.

Typical Comments:

Sometimes I'm not entirely clear on the work of UD – I find that sometimes it can be almost very operational and not sure whether it requires the amount of political representation and discussion it has.

Mostly, although there is a lot of grey that exists from this zone to others. An example from my experience is Volunteering which largely falls under student activities, or employment which lots of activities officer are interested in but their contact largely sits with the Union Development Zone.

Union Development negates the fact that the roles is also very much about student opportunities (volunteering, fundraising, media, sport, societies etc...)

This remit is absolutely huge! Although there is a lot of staff support there is a possible thought process of pulling it into two and have an additional VP added to the bunch?

Expected there to be more about organisational development.

I think there needs to be a separation between the political aspects of UD- lobbying and campaigning on charity law problems or student employment, from less overtly political work like coordination of student activities or SUEI. For me I think you should be able to get involved in these without having to sit on the main UD Zone.

I believe that the remit for UD is too wide for just one committee and VP. Firstly CMs within NUS are so varied in terms of how developed their SUs are this therefore means that their needs vary greatly as well. Also I believe that the remit being too wide means that a single VP and committee could perform all of the roles that the remit allocates to them.

I believe that this role should be split into two. This split should not be arbitrary such as FE and HE but it should reflect the various specialities that come within this role and ensure that when election VPs and their committee that we are not expecting too much from them and allowing them to succeed within their remit.

I think there is potential for expansion of the current committees. For instance on Union Development where there are only 4 places for HE Unions. This makes it quite hard to get a range of views from different Unions, especially given the broad remits. I also think there are enough potential projects in each zone that could be taken on by committee members that it would be helpful to have more individuals involved.

Recent developments in NUS' charitable operation (NUS Charitable Services) may provide some useful answers here. It is shortly to reorganize its activities internally along three streams, each with a Direction and Oversight committee consisting of students and SU staff:

- **Organisational Quality** – The new Students' Union Quality Mark will form the key driver of work here and the unit will co-ordinate a series of opt-in 'spoke' programmes to complement the core scheme. It will design and deliver an integrated L&D strategy for the student movement linked to the Quality Mark and competency framework.
- **Organisational Development** – This area will house the current Strategic Support Unit and develop a series of programmes linked to the underlying challenges identified in diagnostic visits. It will use (amongst others) the Quality Mark and Code of Good Governance as frameworks.
- **Student Opportunities** – All work relating to volunteering, employability and student activities will be brought together in an over-arching student opportunities strategy. Work such as student volunteering week, the graduate employability award and the student opportunities conference will be led through this unit, working with a range of key partners inside and outside the student movement.

Although policy and campaigns work in the area of UD will be continue to be overseen by the VP UD and its committee, these strands will allow other forms of direct involvement in more practical delivery aspects of NUS coordination for types of UD work.

In addition we have considered carefully how the NEC might influence the work of the Charity without compromising its technical legal independence.

- **Recommendations:** That the VP UD continues to pursue development of the Charity's internal Governance structures to improve scrutiny and involvement. That an annual **remit and activity** statement is developed, proposed by the Vice President Union Development for approval by the NEC and Board, that describes work that has been asked to be carried out by the Charity that is being funded by NUSUK in a restricted donation.

Requirement for changes to NUS rules: NEC Powers Rules 170-176

Timing/Logistics of Conferences: Many respondents debate the costs and logistics of the event- some arguing that they should be cheaper to improve participation, some arguing that NUS' money should be spent on campaigning rather than subsidizing participation.

Typical Comments:

We feel these are poorly timed and running back to back noon to noon offers poor value for money for us travelling with a different delegate to each Zone. We would only get value by sending the same delegate, but this will close out other officers. The delegate to each Zone is ex-officio by portfolio.

We certainly do not believe this should be a fee rolled into the Affiliation Fee – and zones become a free event like National Conference. Spend the money on actual things for actual students.

Please arrange them such that HE and FE are at the ends of the week, one at the start and one at the end, so that Union's sending one delegate to all zones don't have to hurdle over HE or FE in the middle of the week adding to cost.

One thing I would change is greater financial assistance to smaller SUs, I welcome the reduced rate for Colleges, however the transport costs alone can mean that Zones are too expensive for SUs.

I do not believe that Zones should be cheaper as absolutely rich SUs such as EUSA should be paying full price. However I would like to see for instance those SUs who have been exempted from affiliation fees to be allowed the opportunity to have some of the cost covered. Just so as to ensure that it is not only the largest, richest unions that can attend Zone Conferences.

As much as I would love Zones to be completely free I do not think that this is viable for the organisation.

These matters are matters relating to the budget of NUS and as such should be considered by the NEC when setting the estimates for the year ahead.

Recommendations: That the NEC considers carefully the extent to which it wants to subsidise participation in Zone Conferences when setting the NUS Estimates for approval by National Conference.

Requirement for changes to NUS rules: None

Elections: There were a number of suggestions surrounding the promotion and process of elections.

Typical Comments:

Not enough prior info about the elections and opportunities to stand.

There should be a separate election for NEC place on zone committees, this is process of election for the 2nd places in liberation and nations and ensures people who run are committed to the NEC position.

There should be consideration to proxy-ballots in elections. As much as this part of the conference is free, geography will remain an issue. As we already have one union one vote, this shouldn't be too hard to do.

Recommendation: These matters are in the remit of the CRO and feedback should be passed to her for implementation.

Requirement for changes to NUS rules: None

Zone Conference attendees: There is a diversity of opinion as to who should attend the events.

Typical Comments:

The Conferences aren't really that appropriate for 'ordinary' students, whereas Officers are elected representatives.

NUS could help us involve other students by making it easier for us to run things back in-house – such as preparing materials for debates.

DPC should stipulate that all delegates to Zones are elected officers. Ideally, they should be elected specifically for a Zone conference (even if just by Union Councils) – rather than just being a sabb. Even if the only vote is on Zone Committee elections, it is important that delegates are clearly delegates, rather than just being some bloke the President likes.

Yes, the fact that delegates are not elected is very problematic and means that there is not necessarily a clear line of accountability or transparency, especially when formative policy making is happening this should be steered by a clearer process for student unions to decide who is attending. Although I think its important for sabbs to be in attendance and learning.

When I went as a student I found it a bit intimidating as it was very sabb dominated and found the content very sabb focused so struggled to see how it could benefit me.

Since becoming a sabb I have mostly found them very useful, as a way to continue to the network of welfare officers around the country which I hold in very high regard as an officer and also to get more training on various issues taking place.

We should also be making more effort to make it more student (as opposed to officer) friendly.

Cheaper so that Unions can send more than one person.

More focus on Unions sending ordinary students and getting them to elect people to go on them.

The profile of the people who attend – There is no obligation for this to be a democratic process in each union therefore it's likely to be presidents or sabbatical officers based on internal (mostly) closed conversations. Meaning the profile of those who come is likely to be far less diverse than our membership is. We need guaranteed women's representation at zones if they stay around at all and insist on electing people onto committees. This is a local decision of individual Unions.

The fact that Zones are not a completely formal democratic event has for me personally one more major positive. It allows staff to engage and discuss issues with officers. At a formal Conference staff must facilitate the process of Conference but they are not able to engage in it. Often I believe that some officers forget how much of an important role that Staff play within the organisation. The workshop set up is usually presented by staff and they are able to debate and discuss issues with students and potentially both officer and staff member may learn something new.

There is no other structure within NUS events that is able to facilitate this process. It would be a shame for Zones to be completely formalised meaning that staff would no longer be able to actively engage in them.

This is a criticism that can be levied at any NUS event. It is not the responsibility of NUS to ensure that SUs are engaging their 'ordinary students'. It is the responsibility of SUs to ensure that they are engaging students within their own democratic process, it is the policy and debates that occur within each SU that should influence delegates that attend Zones in terms of what workshops they attend and who they vote for.

What is so great about Zones is that you do not have to be elected. For small SUs often having a cross campus ballot can be very difficult to if not impossible. This takes the pressure off them and they can feel better able to engage with NUS.

Those that are demanding cross campus ballots and a full formal Winter Conference are those that are privileged in that they come from rich, active and large SUs. These SUs could easily manage a cross campus ballot and swallow up the cost of sending large numbers of delegates in order to get the policy passed that they want. This is not the case for smaller SUs and any move in this direction would prejudice them and therefore should be resisted.

There is no clear view on the extent to which NUS should dictate who can and cannot come and thus no recommendations are made here.

DPC Rules Review Motion to Conference Zones

Conference Believes

1. Zones were introduced to make interaction with NUS easier; to improve involvement and accountability of Full Time Officers; and to improve policy developing, allowing less formal involvement and research to feature in the development process.
2. In the rules review most respondents were broadly positive about the role of Zones, recognizing that whilst there could be some cross over between roles of respective Zones, having different areas with different Vice Presidents and committees has made it easier to interact with NUS and has ensured that NUS covers a broad span of work each year.
3. However a number of incremental changes were suggested that are of consensus.

Conference Further Believes

1. A number of respondents bemoan the relative lack of Women elected to Zone Committees and there is a clear consensus in support of gender balancing them.
2. Many other responses suggested that Zone Committees could be expanded to involve more people.
3. Many regard the title "Society & Citizenship" as off putting or confusing.
4. That whilst Zone committees are charged with developing policy for their Zone throughout the year, they are not consistently consulting with members and stakeholders, or obtaining or commissioning research pertaining to their zone.
5. Many respondents debate the costs and logistics of Zone Conferences- some arguing that they should be cheaper to improve participation, some arguing that NUS' money should be spent on campaigning rather than subsidizing participation.
6. That more can be done to give the NEC influence over the work of the NUS Charity

Conference Resolves

1. That the size of each Zone Committee be expanded; to amend rule 801c from "Five individual members elected by and at the Zone Conference" to "Eight individual members elected by and at the Zone Conference"
2. To achieve gender balancing on each committee; add at the end of 801c "and when the block is counted the RO will cause, if sufficient candidates have stood, at least 50% of the places (rounded down) to be allocated to women"
3. That the National President be mandated to review the content of, definition of and responsibilities of each Zone.
4. That the "Society and Citizenship" Zone and its VP should operate under the title "Citizenship".
5. That the DPC work with an NEC special committee to drive up research, consultation and

digital engagement in the formative Policy Development process, setting out standards or guidelines which it expects to be met by each Zone. This should include methods for appropriately engaging with Nations.

6. That the NEC should consider carefully the extent to which it intends to subsidise participation in Zone Conferences when setting the NUS Estimates for approval by National Conference.
7. Insert rule 177 "The Vice President Union Development will annually present a Charitable Services remit and activity statement is developed that describes work that has been suggested to be carried out by the Charity under article 9.17 and in pursuit of NUS' aims that is being funded by NUSUK by donation"
8. Insert rule 704 "A Charitable Services remit and activity statement will be presented and developed annually describes work that has been suggested to be carried out by the Charity by the NEC under article 9.17 and in pursuit of NUS' aims that is being funded by NUSUK by donation"

The size, structure of the National Executive Council and Trustee Board

Liam Burns, National President

The current arrangements

NEC

The National Executive Council is the interim policy body and its officers provide the Political Leadership of the National Union. The National Executive Council is the most senior policy body outside of the National Conference.

The National Executive Council:

- decides emergency policy of the National Union in between meetings of the National Conference;
- appoints members to various committees;
- sets up special committees of significance to the National Union whose work applies to more than one Nation, Student Section, Liberation Campaign or Zone;
- interprets and develop policy and plans arising from it;
- holds the Zones and their work to account;
- advises the Trustee Board on the meaning of policy, political priorities and allocation of resources of the National Union
- in conjunction with the Trustee Board proposes the Budget for the National Union to National Conference by the President

It is made up of two reps from each of the following:

- The five Zones
- The four liberation campaigns
- The three nations
- The four sections

In each of the above cases two people from each attend- usually a Full Time Officer and an additional rep from each area. In addition the National President attends, along with a block of fifteen members elected by National Conference (five of which are reserved for FE) which provide for political diversity on the NEC. These roles are not remunerated.

Trustee Board

The Trustee Board of NUS holds the organisation's resources in trust and applies them in the pursuit of NUS as expressed through Conference and the NEC.

Its powers under include

- management and administration of the National Union;
- the Detailed Internal Budgets of the National Union; and
- in conjunction with the National Executive Council, the formulation and proposal to the National Conference of the Budget of the National Union as presented by the National President.

Trustees are made up of the following persons:

- Not more than five Officer Trustees, of whom one shall be the National President;
- Not more than six Student Trustees; and
- Not more than four Lay Trustees.

The two bodies

The NEC discusses and debates NUS' politics, and the Board applies NUS' resources to these ends. There is a balance of power between the two bodies. In extremis if the Board thinks the NEC has resolved something highly risky it can overrule it. On the other hand if the NEC believes the Board is not acting in the interests of NUS it can remove any or all of the Board. This system guarantees that NUS is both representative and careful with its resources.

Key Themes arising out of consultation

Role of the Block: There are widespread views on the role of the Block of Fifteen. It is currently perceived as an executive *scrutiny and communication* role, but candidates (and national conference itself) appear to believe it to be an executive *delivery* role, which in truth was devolved to sections committees in the last review. There are various views on how this should be fixed, which range from better publicity about its role to abolition of Zone Committees altogether, with options in between.

Plus Ones: There has been considerable discussion on the role and effectiveness of the additional places on the NEC for the Zones, Sections, Nations and Liberation campaigns. Some believe that they add balance to the body which otherwise would be dominated by Full Time Officers. Others believe the positions are not effective and tokenistic.

Typical Comments:

The role of the Block is incredibly unclear and annoying to carry out. It is, and will always remain, a place where people who have politics first run for office. The people who go for it want to be involved in policy and campaigns. It is also a vital part of having a representative NEC – and is the only part of NEC elected by STV.

The "Plus Ones" make the NEC far more representative of students' unions rather than conference hacks and must be protected on this basis.

Much of the Block's formal role is effectively unpaid legwork, an adjunct of a staff role.

Block members are not treated as "volunteers", especially by the wider movement. We are often effectively full-time activists, and this means for most living on a low income, and occasionally screwing up academic courses.

We are simultaneously responsible for holding officers to account, but at the same time have to beg on our knees to the very same officers to be allowed to attend events or go to the campuses we're supposed to communicate with.

We could also expand the Block – abolishing the 5 Zone seats and using them to create a Block of 20. This would magnify the current

benefits of the Block in terms of diversity and widening participation in NUS.

The Block are terrible at scrutiny. Maybe they should all be allocated a VP who they will concentrate on.

With the introduction of Zones it has become unclear as to what the exact purpose of the Block of 15 is anymore. The role and need for the block of 15 should be reviewed. I am not sure on complete abolition but maybe having the block better represent and reflect the zones could be a resolution to this.

The solutions to this are to fund the Block, by creating an independent budget for Block members. This should include a stipend and a travel and expenses budget, administered independently from the Full-Time leadership.

It is not surprising that the bulk of the comments into the review on the role of the Block flow from members of the Block itself or other members of the NEC. It is clear that there is more to be done on improving the experience of those serving on the Block, and more that can be done to assist them in carrying out their role; however it is not clear that there is a groundswell of support for structural change (ie changing its size) or dramatically improving its funding (given the availability of communications technology).

In addition there is not a clear rationale for changing the NEC structure in relation to "Plus Ones". As the NEC is a council, having members that are not Full Time Officers assists in ensuring that a diversity of opinion is present. There is also a strong argument for allocating key scrutiny duties for the Zones to Block members.

Recommendations: That a special committee of the NEC is formed to review support for and communication around the NEC Block of 15. Allocate key scrutiny duties to Block members.

Requirement for changes to rules: Rule 160 powers

Separate Bodies: Some are arguing that the split in duties between the Board and NEC is false and should be abolished, with the NEC taking on legal & financial duties as previously. Others are arguing that the split has worked well with each body able to focus on different aspects.

Typical Comments:

There is no reason why the NEC should not be given the responsibility of looking at NUS' finances and strategy. The idea that these issues are not political is crazy. It worked perfectly well in the past and would ensure that big decisions on budgets were not dominated by outside, corporate interests.

Good to have formal oversight outside of the (big P) political sphere and not to consume NEC with all the more operational side of the organization but the links between the two should be stronger.

I think the separation between the TB and the NEC has worked well and students' unions should consider something similar. However it is often hard to know how the NEC might direct the NEC and I don't see much evidence of the TB being properly beefed on the NEC's decisions.

The overwhelming tone of submissions is that whilst the split in role between the NEC and Trustee Board has worked well, there needs to be more focus on the interaction between the two bodies. This includes the cycle of business, reporting backwards and forwards and training for individuals.

Recommendations: That a small committee of one Student Officer trustee, one Student trustee and one Block member is formed to review the communication relationship between the NEC and Trustee Board.

Requirement for changes to rules: None

Gender Balancing: A number of those feeding in have suggested that we take steps to structurally gender balance the NEC. There are two obvious basic options (that are not necessarily mutually exclusive):

- Create a quota of reserved places for women on the block
- Require +1 positions for the other areas to be women if the officer is not a woman

Typical Comments:

If fairly representative of the movement (more so than conference) but this isn't guaranteed. Would rather see more efforts for reserved women's representation.

The Block should be gender balanced

Reserved women's representation on the block.

It is clear there are enough submissions to warrant this option being presented to Conference floor, both from the NUS Womens' Committee and individual submissions.

Recommendations: That options that would result in gender balancing of the Block of 15 and "+1" positions are developed and presented to Conference floor.

Requirement for changes to rules: 100-109 National Executive Council Membership

Board Membership: Some have questioned the inclusion of lay Trustees on the Board, and some have argued that the NUS Board would be more effective in its scrutiny role if the rule that prevented Senior SU staff from becoming lay members was abolished. There may be alternative or complementary ways of securing better scrutiny from SU Staff.

Typical Comments:

It is important to have a trustee board and even more important to have external representatives as well. I believe the makeup of the

board strikes a correct balance and I think it is important that both the NEC and National Conference are able to hold them to account.

The Trustee Board contains unelected non-students who are effectively ratified by default at every national conference on the say-so of the National President. This is a terrible system, and it means that an extremely powerful body is basically undemocratically constituted.

The Board has been transformational in scrutiny of senior management.

The Board has acted in a transparent way and at all time respected its role in regards to infrastructure and resource rather than policy and campaigns.

The nominations committee works very hard I think to search for and scrutinize the appointments of lay Trustees that get presented to National Conference. We could make more of this. It's easy for people to argue that the process is "undemocratic" but we're searching for people who will hold our resources in trust and be diverse- that needs close scrutiny and skill, and National Conference's role should be to hold Nominations Committee to account if we get it wrong.

If there is to be voting external trustees then they should have to stand up and present themselves in front of national conference and be present for the AGM for questions as they often lead on work such as the chairing ARR (Audit Risk and Remuneration Sub Committee of the Board).

There are a number of different solutions for this: External trustees should be abolished altogether, or are downgraded to non-voting trustee-advisors

External trustees/advisors should be elected at conference in the same way that student trustees are: they make a speech, and a ballot is held by single transferable vote. It's not a democratic appointment unless it's a competitive election, because the National President can say "it's this or nothing".

Ultimately I would have externals as non-voting advisors to the board and more students and officers as board members. Because I believe that the decisions taken by the Trustee Board are (although not campaign specific) are political with a small P. This informs the staffing (including pay), the budget for the year (including the campaigns budget), the risk registers. I believe students and officers themselves are capable of putting the organisation first and safeguarding it but should have avenues for advice when needed. Also the way you could appoint members based on their expertise. For example having someone studying their LLP or someone who is an accountant who is doing their MBA? We have the talent among membership to pull from.

I would make student Trustees be nominated for this position prior to conference in the same way you would block of 15 members. This ensures that those really passionate about the role are standing and that their manifestos come under enough scrutiny, and that delegates are more informed than a 1-2 minute speech.

There is clearly a diversity of option between those who believe that Lay Trustees should be directly elected by National Conference, and those that believe that the Nominations Committee should be charged with searching for Lay Trustees that have the right skills, knowledge and diversity mix. In addition a minority of views make clear their preference for non voting advisors rather than Trustees.

Overall there has been little involvement in the "politics" of NUS by lay Trustees and no particular concerns have been raised by the NEC about the Trustee Board or Lay Trustees attempting to become representatives. The nominations committee method of recommending appointments has been able to

maintain a diverse and skilled board. As such it appears that the system of Lay Trustees is working well.

The current method for electing Student Trustees maximizes participation in the election by delegates at Conference, but a number of respondents suggest that the way in which the student Trustee elections are treated results in a poor method of selection at National Conference and the Chief Returning Officer should consider carefully changing the election to improve the quality of candidates and scrutiny of them by delegates.

Recommendations: The CRO should consider changes to the election of Student Trustees to improve quality and scrutiny of candidates.

Requirement for changes to rules: None

Organisations in association places: The current rules allow for (non voting) membership of the NEC for nationally recognised student organisations. These provisions have never been fully enacted. There is some debate about how and when these provisions will be enacted to recognise and involve national faith, profession or political groups.

Typical Comments:

There should be a way for national student groups to feed into NUS at the national level. It was talked about at the last review but was never implemented- I'm not suggesting voting or anything but some of the National Student groups, representing faiths or student professions have much to offer the NEC and they are ignored by the structures.

There is no particular reason why this recommendation has not been enacted and rules currently exist in the constitution that would enable this.

Recommendations: The DPC should be charged with developing regulations for the operation of Organisations in association to be presented to the NEC.

Requirement for changes to rules: None

Other Comments: The bulk of additional comments focus on the extent to which FTOs are accountable to the NEC and the extent to which the NEC is accountable to and communicates with the membership.

Typical Comments:

The role of NEC is to scrutinise the work of the FTO's. I don't believe that the President should chair NEC if they are to be held to account. It is also very easy for FTO's to avoid scrutiny – if they don't want to be scrutinised on a certain issue, all they need to do is

not mention it in their report. NEC is also unable to scrutinise whether FTO's are sticking to policy – even if we could be familiar with all current policy, if (for example) the VPHE has a meeting with HEFCE, and they argue for a position which isn't NUS policy, we have no way of knowing.

I believe that the NEC is currently too big, this can result in them seeming, from an outside CM point of view, like all they do is bicker and never come to any resolution.

NEC needs to be more accountable.

More and better accountability of VP's as well as president.

I don't know, I have never sat on it and other than a useful e-mail from a member of NEC, I believe purely because I had met them, not because they had been assigned to me, is all I know about what goes on at NEC.

Greater publicity and summaries of issues coming up and future business is a must

I would also like to see some sort of indicative polling of Unions if this was at all possible on major issues as they come up.

Unions should be consulted more on the big decisions that are made between National Conference. The NEC could have a discussion and if the vote is close that decision could be put out to the membership with the arguments on both sides presented to us.

Much of this material relates back to the discussion on the role of the Block, which is referenced in detail above. There are a number of ideas for improving the general visibility of the work of the NEC that include communication before, during and after with the membership (from emailing the papers to live streaming to mailing out results) and whilst a number of these have been trialed there is clearly more we can do.

More importantly it is clear there where NEC takes a controversial decision, our membership want there to be a mechanism to have a say. There is currently a provision in the constitution for "National Ballots" and these should be better promoted by the DPC and called more regularly by the NEC.

In addition it is critical with the new NUS group that cross group committees are established to better coordinate cross group issues.

Recommendations: The NEC clerks should be charged with reviewing NEC communications arrangements to improve transparency before, during and after meetings. In addition options on better promotion and understanding of National Ballots should be developed. Cross group committees on Communications, Ethics and Environment, and Liberation, Equality & Diversity should be established.

Requirement for changes to rules: 1100- 1123
National Ballots

DPC Rules Review Motion to Conference

The size, structure of the National Executive Council and Trustee Board

Conference Believes

1. In the last Governance review, NUS successfully adopted a “balance of power” model in its central Governance arrangements, creating a National Executive Council to be the political leadership of NUS and a Trustee Board to hold legal and financial responsibility, with each body having powers over the other
2. This has improved political leadership, scrutiny and performance of NUS as a whole

Conference Further Believes

1. There are widespread views and some misunderstanding surrounding the Block of Fifteen on the executive.
2. That whilst the split in role between the NEC and Trustee Board has worked well, there needs to be more focus on the interaction between the two bodies. This includes the cycle of business, reporting backwards and forwards and training for individuals.
3. There is a groundswell of support for taking steps to gender balance the NEC.
4. The current method for electing Student Trustees maximizes participation in the election by delegates at Conference, but a number of respondents suggested that the way in which the student Trustee elections are treated should change to improve the quality of candidates and scrutiny of them by delegates.
5. The current rules allow for (non voting) membership of the NEC for nationally recognised student organisations. These provisions have never been fully enacted. There is some debate about how and when these provisions will be enacted to recognise and involve national faith, profession or political groups.

Conference Resolves

1. Insert new rule 164 and renumber as appropriate: “Each member of the Block of 15 will be allocated a principal scrutiny duty relating to a Zone of the National Union”
2. That a special committee of the NEC is formed to review support for and communication around the NEC Block of 15. This should include the appropriateness of current budgeting and expenses arrangements.
3. That a small committee of one Student Officer trustee, one Student trustee and one Block member is formed to review the communication relationship between the NEC and Trustee Board.
4. Delete rule 104 and replace with “Each of the five zones shall elect one member of the National Executive Council, and in the event that the previously elected Vice President is not a woman this position shall be reserved for a woman”

5. Insert at end of rule 105 “save that said procedure will ensure that at least one of the members of the NEC is a woman”
6. Delete rule 103 and replace with “The fifteen individual members shall be elected in a block STV ballot at National Conference, at least five of whom must be members designated as further education members and at least seven of which must be women, counted in accordance with regulations set from time to time by the Chief Returning Officer”
7. Delete rule 670
8. The CRO should consider changes to the election of Student Trustees to improve quality and scrutiny of candidates.
9. The DPC should develop regulations for the operation of Organisations in association to be presented to the NEC.
10. The NEC clerks should review NEC communications arrangements to improve transparency before, during and after meetings.
11. The DPC should take steps to better promote National Ballots.
12. Insert the following rules: Insert Rule 169 “Group Committees, which shall be established and dissolved by the National Executive Council, shall be responsible coordinating matters of concern across NUS and those bodies established under Article 9.17
13. Insert Rule 170 “The membership shall be determined in terms of reference approved by the NEC, save that at least a third will be drawn from the National Executive Council”
14. Insert Rule 171 “There shall be the following permanently established Group Committees:
 - a. Communications
 - b. Ethical and Environmental”
15. Renumber subsequent rules as appropriate

NUS Triennial Rules Review 2012/13

The size, structure and rules governing of NUS National Conference

Liam Burns, National President

The current arrangements

Role and powers

The National Conference is the Sovereign Policy Making Body of the National Union. It is responsible for the following:

- producing policy or position statements outlining the general activities that the National Union intends to undertake in order to carry out its mission and fulfil its objects;
- carrying out a range of administrative functions in relation to the National Union like approving the budget; and
- holding elections for posts of Officers and Committee Members

The National Conference determines the policy of the National Union either of its own motion at a meeting of the National Conference, or by adoption of policy decisions taken by the National Executive Council, the Nations, NUS-USI, the Liberation Campaigns, or the Student Sections in between meetings of the National Conference.

The National Conference also appoints and remove the NUS Trustees.

Size/Shape

National Conference is the single biggest expenditure of the National Union each year. It represents the summit of a year of work and is central to choosing the leadership and direction of the National Union.

Every students' unions can send a number of delegates for free to attend this conference. The number of delegates they can send is based on their student numbers and a formula set by the previous National Conference. Bed and breakfast accommodation is provided for free.

The conference lasts for twenty five hours based over three days (usually Tuesday lunchtime until Thursday afternoon). This includes time for debating policy, electing officers, discussing the internal workings of the National Union (including setting the budget) and a number of fringe meetings and breaks.

Conference costs NUS approx. £200k net and there is always a tension between spending money on decisions and spending money on carrying them out.

There are also tensions between:

- Looking back and looking forward
- Business that is informal versus formal business

- Spending time on elections or policy
- Being small enough to allow participation whilst being big enough to be representative

Policy & Process

NUS needs to prioritise issues, and have a view on those issues. National Conference's main role is to settle NUS' view on these questions.

The policy is divided into three sections

- Proposals from the zone committees that has been informed by delegates at zone conferences. These are published in December.
- Amendments to these proposals from students' unions. They can do these between December and March.
- Motions from students' unions on issues that have not been proposed by the zone committees. They can do these up until March.

Each students' union has up to 1,400 words with which to submit changes to zone proposals or propose new ideas.

Policies are debated in an order decided on by delegates to the conference. They get to prioritise them by voting a few weeks before the conference.

Key Themes arising out of consultation

General Comments

Typical Comments:

It is the only national democratic forum and is usually timed such that "ordinary" student elected delegates who are still in class or exams can attend.

It's amazing- you meet other SUs, there's policy debates on a wide range of issues, being able to network, sharing experience of what's topical on each others campuses.

In terms of policy making and electing the leadership, that there is a build up and a climax all at the same event, so we know who is doing what and what is being broadly prioritised the following year.

A democratic opportunity to hold the organisation as a whole to account and access, where appropriate personnel and officers responsible in person face to face.

Use of Conference Time: Several contributors to the review made reference to the use of time at Conference, arguing that the time could be used better. Some were frustrated by the balance between "procedure" and actual debate; others frustrated by "non debate" business.

Typical Comments:

Starting earlier on Day 1 and finishing later on Day 3 – with this time then fatten up some of the breaks and fringe times

The "Parts" process take up lots of amounts of time that could be better spent just voting yes or no to a debate. The Vice Presidents

are sensible enough to understand the points made in a debate without having to have a line by edit done for them by 1500 people that are pressed for time.

At the end of the day I think people mean well but the amount of time that can be wasted by someone with a procedural bee in their bonnet is totally out of proportion given there's a thousand other people in the room. It should be much harder to disrupt conference with procedure in my view.

Irritatingly, more time is now spent on hustings and elections and this is at the expense of the policy debates.

The Zone Reports should be held for more time in a venue off main Conference Floor, perhaps running concurrently, including some panel debate and more informal feedback. From this, delegates can get a real feel of work done etc and ready themselves for the Formal session on Conference Floor – and importantly means that they can keep within the time allotted by DPC without drifting over a feeling the work is not being recognised.

So much time is wasted by people making statements. Can't there just be an allocated space for statements at regular intervals?

We spend a lot of time doing reports at conference. If this is the case, officers should have less time to simply talk about how great they are, and should spend more time being held accountable. Questions should be able to be asked directly by delegates – not just read out by DPC – and there should be an opportunity for discussion and to-and-fro, rather than the current set up. This would also be good for involvement: the people who ask questions may be a different layer of people to the ones who take speeches on motions.

When motions aren't getting discussed, it's not really very defensible for us to spend as much time as we do with long addresses by NUS Grandees and adverts for Spotify. Fringes are important and should stay, but perhaps could be cut down slightly to make way for more motions debate.

An analysis of the use of Conference time reveals that the key "time thief" from debating time is the time spent on procedural motions, the parts procedure and delegates asking for "standing orders to be suspended" to make a statement.

The last of these has been discovered to be beyond the powers of National Conference (rule 104.1) and thus will not be allowed in the future. As a result time should be allocated on the order paper for statements- this would allow people to have their say without disrupting the flow of Conference.

The points made in relation to procedure are salient- if we want a large Conference we probably have to accept that we need to balance the size and efficiency of the event with the need to restrict an individual's opportunity to slow or disrupt it. As a result DPC should introduce rule or regulation changes that raises the bar on procedural and parts matters.

Other issues that are raised in the feedback that do not concern rules should be considered by DPC in conjunction with the events team.

Recommendations: That the DPC takes steps to enforce Article 104.1 and amends the rules to create allocated time for statements on Conference floor. It should also amend rules and regulations on parts and procedural motions.

Requirement for changes to rules: 355-364

Business of Conference; Rule 418 Parts; Rule 375 Procedures

Delegate Entitlement, Size of Conference, Cost: The number of people allowed to go to conference was fiercely debated during NUS' last major Governance review. This issue is directly related to the cost of National Conference and debates on whether resource should be spent on Conferences or Campaigns.

Typical Comments:

We still have many forms of learners who will simply never engage in our National Conference. It is actually quite myopic to argue that the size and shape of this format of event is anything other than tinkering around the edges. We should continue to develop our other avenues of engagement and not let people use the term "democratic" as a smokescreen for concentrating power in the 18-24 HE pre-92 institution.

I think it's important to invest money in conference and should not be made any smaller

Whilst financial issues could be resolved by going smaller, this would be less democratic and we do not think appropriate.

This should be the most important thing NUS does each year. So to retain the level of being democratic, sufficient resources need to be put in.

Conference could be one member one vote for all I care- we should spend money on implementing, not making decisions.

I think it should be larger. 700 out of 7 million election the national present is only 0.0001% of the membership! Even if you upscale it and assume each of those 700 delegates are elected by an average of 250 people each... then you've got a representation of 175,000, which is still only 0.025% of the membership!

I think beyond a certain number (e.g. 4/500) participation is always going to be difficult and perhaps daunting, but I do think it needs to be a large size in order to make sure that the delegations themselves are representative – so it should remain the same size, if not bigger!

On cost: delegates and officers without access needs should not expect to stay in high-class hotel accommodation, with all the trimmings. We should make proper use of budget accommodation, including hostels, bunks and guesthouses.

Whilst personally I would like my SU to have more delegates because I would like more people to be able to experience conference. This would create a financial burden on NUS, potentially meaning that SUs would have to pay, as well as limit the buildings that we would be able to use. Therefore unless it was practical to do so the size and the spend should remain the same.

I am in favour of reversing delegate cuts so that National Conference is larger. In my opinion this means that we have a better chance of getting more Black students attending – as many delegations now consist of mainly sabbatical officers – who are overwhelmingly white.

We also are very concerned about the broad definition used for "full time" and "part-time" students. At Birkbeck, like many Universities and Colleges our students do CAT points for each course/module – 60 CATS equating to 18 hours a week for 33 weeks (three terms), 90 CATS and 120 CATS, which multiply up. The BIS definition of a full-time student is one that studies more than 16 hours a week (similarly as does the Local Government Association for Council Tax). Train operating companies say 15 hours for 20 weeks a year.

However, HESA uses mode and funding. We would ask DPC to investigate calculating Delegate Entitlements based on a fair definition of part-time and full-time student.

Smaller conferences are bad for democracy, and bad for diversity. They make our structures and policy decisions sabb-dominated and often unrepresentative. Slightly expensive though this might be, the only solution to this is to expand delegate entitlement significantly. The student movement exists in order to be democratic and representative: if lack of spend on conference is making us less accessible and smaller, we should be absolutely willing to re-prioritise it.

The delegate entitlement to National Conference is proposed by the DPC in response to the budget allocation proposed by the NEC to National Conference. Any delegate can currently challenge the proposed delegate entitlement as part of that approval process. As such changes to delegate entitlements per se and the budget allocated to Conference already have a process and do not require rule changes. There is no clear view on expansion or contraction and thus the current size should be pursued by DPC.

The definition of Part Time Student in use by the DPC is that used by HESA and should be reviewed in light of feedback from respondents.

Recommendations: DPC should Review definitions of Part Time Student used to calculate delegate entitlement.

Requirement for changes to rules: None

Appointment of Delegates: Several comments in this section reflected on diversity issues on the floor of the conference, arguing strongly for gender balancing amongst delegations where regulation applies. Others argued that the requirement for a CCB should be dispensed with if a union can demonstrate that they are taking steps to secure diversity by other means.

Typical Comments:

We support through policy that delegations should be half-women.

The Executive has discussed that the elected Executive should be allowed to appoint the delegates to National Conference, dispensing with the mandatory CCB.

NUS conference floor should be gender balanced by bringing in a rule that constituent members gender balance their delegations to conference.

There are always more men at conference, the gender balance is not reflective of the people the student movement is supposed to represent. There should be reserved places for women.

Conference floor should also be gender balanced so at least half of a delegation being reserved places for self-defining women.

In March, NUS Women's Conference voted to Gender Balance Conference Floor. Within that it was decided Women's Committee would submit to the governance review that conference should be gender balanced.

We need to tackle the underrepresentation of women that exists within in NUS. Until we deal with conference we will never see a change in the amount of women standing for national positions.

Shorter days, more days, gender balance, reserved speeches for women.

The NUS rules do not allow for nominations for NUS delegates to come from closed groups, they must be available to all students. Surrey asked for permission to have reserved places for

1 academic rep
1 society signatory
1 sports signatory

With the additional place being made available to any student. This was rejected as it was not within the current rules. The rationale for reserving places is that NUS believe only the local Union has a relationship with its members, and the local Union has a relationship with NUS. It is then harder to attract a diverse pool of delegate candidates from the entire student body. In having reserved places, there is a greater chance that the delegation attending conference is more representative of the student body as a whole.

Overall there remains strong support for the "cross campus ballot" method of appointing delegates, with only a small number of unions arguing for change. However, there is groundswell of opinion arguing for gender balancing and thus this option should be put to Conference.

Recommendations: That steps be taken to achieve gender balanced delegations on Conference floor.

Requirement for changes to rules: 320-332
Appointment of Delegates

The role of the DPC: Several respondents reflect on the way in which DPC might reconsider its role in the coming years.

Typical Comments:

Providing better guidance to unions on how to submit policy, how zone discussions link to policy documents, and how something arrives to be discussed on conference floor

Prohibiting companies to be advertised at Conference at the expense of policy discussions

Develop democratic solutions to the problem of prioritising material that is discussed at conference before conference starts

Develop more digital solutions to voting and decision-making following conference on motions that did not get a chance to be discussed once delegates are back at their institutions.

The effort and energy of the DPC should be focused on understanding how NUS can truly digitally engage a broader range of people in its decision making throughout the year. NEC meetings could be live streamed, unions could prioritise issues for discussion for the NEC and greater distribution of papers (from Trustee Board & NEC) could practically take place.

These comments are well received and should be considered by DPC in the round.

Recommendations: That the DPC reviews its role and areas of focus in light of feedback in coming years.

Requirement for changes to rules: None

Policy Debate, Prioritizing Motions: Various comments were submitted about the process of policy debate at National Conference. Several respondents discuss the way in which motions are prioritized in a Zone; other discuss issues like the Guillotine and Drafting Commissions.

Typical Comments:

I believe the idea that the zone committee led by the VP get to get the first debate in each zone is wrong. Debating a load of non-contentious policy for the sake of it is patronising and time wasting.

Removing the power for Zones to clog up the agenda at the beginning would make things better

The Zones absolutely should set the agenda in their Zone by submitting policy motions. They are the representatives that we elected and understand the issues across the country. If we don't like their ideas, we can always amend them. We need policy that is not contentious to actually get through.

The people that want to see the end of open contributions are basically people who don't want to see liberation delegates, FE delegates or genuinely ordinary students peak from the podium. If these people would shut up for 10 minutes we might have a conference with genuinely diverse voices and experiences.

The Zone Committees should be allowed to prioritise debates, but only if they can prove that their prioritized motions are uncontentious and have had input from unions.

Make sure every zone gets ample debating time. Pass through more uncontentious policy more quickly.

Drafting commission – this needs to be more transparent. There needs to be a clearer more public account of how similar motions are put together

There is a balance between the Zones getting to outline what they see as the big issues, and the need for these issues to be consensual and not all dominating. Maybe restrict them to three policy headings and less words.

There is this idea about that because a single students' union out of 600 has submitted a motion that they should have the right to have it debated on the floor of the Conference. I disagree- there is too much policy for any VP or even any organization to work on. What we need is a better way of prioritizing the policy that gets submitted.

If the question relates to priority of debate in a zone, we broadly agree that a ballot of delegates is a fair way to determine this, however, we recognise that the NEC or Zone Committee should probably have some right to choose one topics for priority debate.

Sometimes I think the current format of debating motions can be too formal and that often we never really get to the heart of an issue. I would like to be able to see more informal debate take place on conference floor as well as the formal mode needed to pass the motion. However I also understand that in the interests of getting through as many motions as possible this may not be practical.

Simplify the Guillotine a guillotine debate (a debate to extend the current agenda item) by 30 minutes can take up to 15 minutes. The net effect is to 'eat into' the time allotted for the last zone (usually society and citizenship). There should be a simpler method for extending the guillotine.

Debating Format- The for and against debate format I believe is inherently patriarchal, it promotes those who are most confident speaking in front of large groups which sadly in a society that still tells women they should sit quiet in the corner means that men are more likely to do a lot of the speaking.

There is a central issue raised which relates to a central truth; that currently too many motions are presented in the "Final Proposals" document in relation to the amount of time allocated for the event. As a result, on the assumption that Conference hours will not expand to allow time for everything to be debated (and anyway many argue that this would result in too many mandates for NUS and the VPs to handle), the question arises as to which motions or Zones should be allocated the most time, and how.

The constitutional/rules issues are that currently a ballot must be held to determine the order of the Zones; that Zone Proposal debates must be completed ahead of a relevant Zone VP election; and that Zone Proposals must be held before ordinary motions. Aside from that the DPC makes its own determinations on how to allocate time, which in previous years has included holding a ballot for the order in which ordinary motions are debated.

DPC should review these arrangements for this year and consider carefully: Making clear which ordinary motions which it does not believe there will be the time to discuss; restricting the number of motions that can be submitted by a CM; reducing the number of motions that the Zones can submit; reducing the number of times that the guillotine can be challenged in a single session.

Recommendations: That the DPC reviews the arrangements for motion time allocation in line with its existing powers in light of feedback received.

Requirement for changes to rules: None

The AGM: The key theme from respondents is that whilst the AGM is effective in "basketing" internally focused motions, it is poor at doing its job of scrutinizing reports, finances and appointments.

Typical Comments:

AGM this is often overlook, under attended and misunderstood. I think it needs to be more clearly defined as a separate event on the front of the conference (say on the first additional day) perhaps before the elections and policy debate which get everyone so heated and divided. Taking a look inwards (get our own house in order) then move into policy debate and elections.

The AGM section is in my view rushed and very poor at the job it is supposed to do. The content lends itself to more "up close and personal" scrutiny- perhaps this can be done in detail earlier in the year and then National Conference could "sign off" things like the reports and budgets

If anything this is the part that requires real discussion and a close eye but I doubt that National Conference will ever provide it.

Discussions surrounding reform of the both NUS Services Ltd and NUS Charitable Services may provide a solution here. Both are considering running a “strategy and scrutiny” event in February designed to allow more close scrutiny of the NUS Group’s strategic plans and finances. In relation to NUS this combined group event could act as a formative encounter whilst retaining the formal formative role of the AGM at National Conference. It would also allow senior managers in SUs to ask difficult questions in a less formal setting and allow potential trustees to interact with students’ unions.

Recommendations: That an NUS Group a “strategy and scrutiny” event be established in February to allow for closer formative scrutiny of NUS Estimates and Strategy. This should include the attendance of proposed lay trustees.

Requirement for changes to rules: Add rule on S&S event

Elections: A number of points were made by contributors to the review on elections, centred mainly on how people are elected, the time given to elections and budgets required to stand.

Typical Comments:

There has been much debate over the idea that students could directly elect the NUS sabbaticals. The argument for is simple, they are the representatives of the national union, and therefore individual students have an interest in who is elected. There could be a halfway house whereby constituent unions decide locally whether or not their individual members can vote directly on the NUS sabb elections.

Election budget – It’s unfair to expect individuals to pay for their election expenses of up to £400. With more people standing in elections too we’re asking more people to put themselves in debt. This system benefits those who have money or can borrow it.

I think that too much time is given to elections; it often feels that elections never stick to the time allocated and as such eat too much into motions time. Elections are still very important however I do not think currently the balance between the two is quite right and that DPC should look at this more closely.

Suggestion: Block of FTO elections together?

These are all matters for the CRO and should be referred to her accordingly.

Recommendations: To ask the Chief Returning Officer to take into account the feedback above.

Requirement for changes to rules: None

Accessibility: Many contributors discuss the extent to which Conference is accessible.

Typical Comments:

Accessible environment: there is clear efforts by staff and officers to make the event accessible however The democratic agenda undoes a lot of these efforts. The idea that people can engage in the current length of the conference agenda that is compulsory from 8.30/9am until 11 pm is unthinkable. That’s difficult for anyone to undertake at present let alone if you have any access requirements that impound on that.

Make it more accessible. For example the LGBT conference spent the first part introducing a motion which was very helpful.

Introductory debates and information and guidance before hand would all help.

The conference needs to be longer in days. With clearly stated breaks for food and those with access requirements to take medication and other things they may need (including rest).

Zero tolerance to inaccessible and intimidating behaviour, it should be clearly explained what is inappropriate behaviour and why is the beginning of conference, the chair should then (through the support of their training), feel able to pick up on any problematic behaviour

More accessible training would help the flow of conference and increase the numbers of the people speaking.

Availability of water it would be beneficial if it was clear where water was freely available at the conference, and it is important that this can be taken on the conference floor (there has been problems with this in the past).

Signposting: NUS is getting much better at this but national conference is such a busy place that further efforts could be made to ensure places are clearly signposted and there is a safe space/chill out space easily accessible from conference floor and available to students throughout the day.

I find the whole conference quite inaccessible due to the length and amount of concentration required to get through the whole thing. As someone who does not have a disability I really struggle to be able to participate and concentrate for the full length of conference so I really wonder how those who do have access issues cope with it.

The DPC has worked hard in recent years to take on board feedback about accessibility but there is always further to go. Under Article 61.2 it already has a clear duty to carry out its work in such a way as to secure accessibility for delegates; it should be required in the future to report on the steps it has taken to secure feedback to this end and act on it each year.

Recommendations: The DPC to be required to report to Conference on access steps annually.

Requirement for changes to rules: Rules 500-522 DPC Rules

DPC Rules Review Motion to Conference

The size, structure and rules governing of NUS Conference

Conference Believes

1. There is widespread support for both the idea of and practice of NUS National Conference
2. Its size and role in summative policy making is celebrated by most respondents
3. The size and length of NUS national Conference is determined by the budget set by the NEC and National Conference- if it was to get bigger or longer something else would have to be cut
4. However there is clear concern surrounding the use of time at National Conference that we can work on
5. The delegate entitlement to National Conference is proposed by the DPC in response to the budget allocation proposed by the NEC to National Conference.
6. Any delegate can currently challenge the proposed delegate entitlement as part of that approval process. As such changes to delegate entitlements per se and the budget allocated to Conference already have a process and do not require rule changes.

Conference Further Believes

1. An analysis of the use of Conference time reveals that the key "time thief" from debating time is the time spent on procedural motions, the parts procedure and delegates asking for "standing orders to be suspended" to make a statement.
2. The last of these has been discovered to be beyond the powers of National Conference (rule 104.1) and thus will not be allowed in the future. As a result time should be allocated on the order paper for statements to allow people to have their say without disrupting the flow of Conference.
3. If we want a large Conference we have to accept that we need to balance the size and efficiency of the event with the need to restrict an individual's opportunity to slow or disrupt it, however well intentioned.
4. There is a groundswell of support for gender balancing amongst delegations.
5. Too many motions are presented in the "Final Proposals" document in relation to the amount of time allocated for the event.
6. As a result the question arises as to which motions or Zones should be allocated the most time, and how.
7. Often the debates about multiple challenges to the guillotine end up using more time than is being proposed a Zone is extended by.
8. That whilst the AGM is effective in "basketing" internally focused motions, it is poor at doing its job of scrutinizing reports, finances and appointments.
9. Many contributors discuss the extent to which Conference is accessible.

10. The DPC has worked hard in recent years to take on board feedback about accessibility but there is always further to go. Under Article 61.2 it already has a clear duty to carry out its work in such a way as to secure accessibility for delegates; it reports on the steps it has taken to secure feedback to this end and act on it each year at rule 505.

Conference Resolves

1. To introduce rule or regulation changes that raise the bar on procedural and parts matters.
2. Add rule 362c (Types of Conference Business) "Statements from delegates and observers"
3. To ask DPC to develop regulations for the allocation of statements to delegates
4. Change rule 381 from "All procedural motions will require the support of 100 delegates before being discussed" to "All procedural motions will require the support of a third of delegates present before being discussed"
5. Change wording in rule 369 from "if it then has the support of 100 delegates" to "if it then has the support of a third of delegates present"
6. To develop new parts procedures that ensure that proposals to discuss motions in parts have wide support from delegates before being discussed
7. To review the definition of Part Time Student in use by the DPC when calculating delegate entitlement.
8. Insert rule 333 "All delegations to National Conference must include at least 50% women, rounded down. Where a union is only entitled to send one delegate and this not delegate is not a woman, the union's free observer place must be taken by a woman"
9. Revise rule 369 to read "An objection to the Guillotine will be moved formally; if it then has the support of a third of delegates on the floor, there will be one speech in favour of the objection and one speech against the objection. The objection will be sustained if it receives the support of a two-thirds majority of the National Conference and will result in the addition of 30 minutes of Conference time. The Guillotine may only be objected to once in any session. Objections to the falling of the Guillotine shall not allow any subsequent zone policy debate to be reduced to below 30 minutes"
10. DPC will not publish those ordinary motions which it does not believe there will be the time to discuss
11. To restrict the number of ordinary motions that can be submitted by a CM by amending rule 407 to read "All constituent members and the National Executive Council may submit up to 1,000 words of policy motions under no more than 3 titles, or amendments, into the National Conference by a deadline set annually by the Democratic Procedures Committee"
12. To reduce the number of Policy Recommendation motions that the Zones can submit by amending rule 397b "Policy Recommendations about which it has consulted with students and students' unions to a maximum of 1,500 words under a maximum of three headings"
13. Insert at end of 412 "If at the close of the submission deadline the DPC believe that Zone

Policy Recommendations are not a matter of broad consensus it may at its sole discretion move these proposals to the Ordinary Motions section of that Zone”

14. That a formative NUS Group “strategy and scrutiny” event be established in February to allow for closer formative scrutiny of NUS Estimates and Strategy. This should include the attendance of proposed lay trustees.
15. Add rule 358h “A report on the activity of any bodies established under Article 9.17

Student Sections

Rachel Wenstone, Vice President Higher Education

Background

Sections are parts of NUS focussed on types of student. There are currently three sections; International Students, Postgraduate Students and mature & Part Time Students. Each has a committee and summer conference. Unlike Liberation campaigns, they are not considered “autonomous”, coming under the responsibility of a Vice President.

Concern has been expressed recently about their effectiveness, including questions around the support for them from NUS.

Membership was consulted through postgraduate and mature and international training events held in October, and through HE Zone Conference.

Key Themes arising out of consultation

Purpose, Role and Function

It is clear that the student Sections have suffered to some extent from lack of clarity in their purpose and function.

The purpose of Sections articulated in consultation with membership was as follows:

- creating a voice for specific student groups within NUS structures, particularly NEC in order that these students’ concerns will be taken into account and integrated into the wider work of NUS
- creating a space wherein specific issues that affect primarily or solely those students can be addressed
- supporting membership to improve their engagement with and representation of those students

There is broad consensus about this as a set of purposes; however there is a clear set of different needs for

- unions that want to work on these issues, and
- students and student officers falling into these groups

For example: It is clear that unions want clear, consistent communication about projects, campaigns and issues that affect specific student groups, and support to engage with those groups, whereas international, mature/part-time and postgraduate

representatives want opportunities to meet, network and share good practice.

In addition:

- Officers and staff in students’ unions want advice on how to integrate the needs of international, postgraduate and mature and part-time students into the wider work of the students’ union and how to offer campaigns, representative structures and services that appeal to diverse student groups.
- The officers of the student sections want to be sure that they are able to make contact with membership around the UK to enable them to build a strong, active and effective campaign.
- They also want to be sure that their efforts to integrate the concerns of their student demographic into the work of the Zones are effective.

At present all three Sections sit under the VP (HE), on the political basis that this is the area that the Sections have the greatest capacity to influence as well as the pragmatic reason that it is easier to staff all three Sections out of the HE team. This may in some cases make it more of a challenge to influence and work with other Zones.

Autonomy

Some Sections convenors or committee members have expressed a desire to become autonomous campaigns. Autonomy in NUS terms is an expression of the right of socially marginalised groups to determine their own affairs, finances and priorities. It is clear that there is not a consensus that this type of “autonomy” is applicable to the student sections

First, it would be an exaggeration to argue that Sections groups face structural societal oppression or discrimination. For example, visa regulations may be more or less friendly to international students, but there is no historical structure of oppression here – a country has the legal right to manage its borders as it sees fit. Mature students may be a possible exception here, given that age is now a protected characteristic under the Equalities Act.

Second, even if structural discrimination or oppression could be proved, autonomy is a historically-determined measure appropriate for Liberation groups whose role is to fight oppression and campaign for equality, but less appropriate for groups whose primary role is to articulate the concerns of specific student groups in NUS. Each of the Sections has areas of work that tend to affect their students solely or primarily, such as immigration or postgraduates teaching, but by far the bulk of work undertaken by NUS on any of the student sections ought to be integrated into the wider campaign priorities of the Zones.

Third, student Sections already have the ability to convene the groups of students they represent and

discuss and determine their own priorities through their conferences.

Thus, from a purely pragmatic perspective autonomy would prospectively limit the ability of the Sections to influence and engage in the wider work of NUS. As an organisation we would wish to move towards greater coherence and collaboration in supporting our diverse membership, not towards fragmentation and competition of interests.

However, the desire for autonomy may be driven by a perception of marginalisation within NUS, which should be addressed. The success of the liberation campaigns of engaging with membership is cited as a point of comparison. We take from this that we should seek to learn from Liberation how to build a successful campaign and engage with membership, not that Sections should seek to become autonomous.

Finance

Although not a Governance issue, some of the committee members raised concerns re finance. The student sections have not historically received the same budget as the Zones or Liberation campaigns. This cannot be ascribed to marginalisation on the part of NUS leadership, since budgets are debated and agreed by NEC. Moreover, all the Sections have consistently underspent their allocated budget so there is no organisational case for increasing the Sections allocations.

Staffing

In the past Sections were staffed unevenly, with a full-time postgraduate policy officer and part-time NEC member and a full-time international officer and part-time policy officer. This was in response to the demands expressed in the original governance review, particularly for a full-time International officer. In practice this meant the siloing of full-time Sections support staff and the overburdening of those supposed to be working on a part-time basis.

Direct staff support for sections is now dispersed among members of the HE team and Sections officers are now better enabled to seek input from central support units. This system is not perfectly implemented but it better reflects an organisational move towards more centralised coordination of, and support for, the various priorities of the democratically elected officers.

As such sole and dedicated staff support for any Section committee should be avoided, as having been tried in the past and been ineffective. However there may be a clear case for additional staff support for specific policy areas (ie immigration) that should be considered outside of the scope of this review.

RECOMMENDATIONS

Sections conferences should be timed to fall before National Conference.

This measure is designed to ensure that Sections conferences do not appear as an afterthought to National Conference. At present National Conference adopts Sections resolutions eleven months after they have been resolved, which means policy has been enacted before it has been adopted by the sovereign body. It would also encourage VPs to attend Sections and articulate the work they have done with Sections demographics in the year preceding.

Sections conferences should elect their NEC members and the committees should be elected at a scheduled training event in the autumn, bringing Sections closer to Zones.

Electing committee members in the spring means that by the time work begins in the autumn some have lost enthusiasm; in some cases they are no longer students. Holding committee elections in the autumn will widen the pool of interested current students and reps and ensure that those who do win a place on the committee have a current role in advancing the interests of the student group they represent in the year they represent them.

It is valuable to hold a formal event in the autumn to enable Sections groups to feed into Zone and to create networking opportunities for newly-elected reps and officers with interests in the Sections groups at an early stage in the academic year. Adding a democratic element will help to ensure solid turnout and give the event credibility. Although it is unusual to combine democracy and training, we estimate that this best suits the needs of our target demographic ie part-time reps, who miss out on summer training opportunities.

Sections committees should be elected according to clearer procedures

Much effort has been expended by delegates at Sections conferences in attempting to determine the appropriate makeup and processes of their respective committees. This means that each committee follows slightly different rules and representative structures and muddies the water in determining how Sections representation should work. It also takes time out from discussing policy that addresses the concerns of the respective student groups and/or our membership.

It is appropriate to allow for co-options from the Nations: this is something that membership have been clear about, but there is not currently the critical mass of Nations delegates to make a separate election meaningful at a Sections conference. Again, the principle of integration and working together with colleagues in the Nations will be a better way of

ensuring that our committees are broadly representative.

Sections committees should be able to co-opt a willing students' union staff member to support their work if they would like to.

Given that part of the remit of the Sections committees is to drive work to support students' unions to be more effective in engaging with the concerns of specific student groups and that in a great many unions the engagement agenda is implemented by union staff, the ability to co-opt an interested staff member to offer their own perspective on what strategies would be effective would be useful to the committees. It would also create Sections champions in unions and staff networks and help develop a community of practice around Sections student engagement.

DPC Rules Review Motion to Conference

The size, structure and rules governing of NUS Conference

Conference Believes

1. Too often National Conference does not discuss matters of importance to student sections
2. As they are not liberation campaigns it is critical that these issues are presented for adoption to National Conference in good time

Conference Resolves

1. Sections conferences will be timed to fall before National Conference
2. Save for the International Students' Officer, conferences should elect their NEC members and the committees should be elected at a scheduled training event in the autumn, bringing Sections closer to Zones.
3. Amend rule 911 to read "There shall be two Conferences annually for each of the Student Sections, one of which shall elect the Committee and the other of which will resolve matters of concern to that section of students, and in the case of International Students will elect the International Students Officer"
4. Amend 912 to read "The Conference shall be open to that section's students and those student officers with responsibility for concerns of those students, save that only that section's students shall be eligible for participation as voting delegates to the conference"
5. Insert 917b "Student officers from CMs with responsibility for concerns of those students"
6. Sections committees should be able to co-opt a willing students' union staff member to support their work if they would like to.
7. Change 914 "decide" to "approve"
8. Insert rule 927 "The committee shall also co-opt up to two students' union staff members or lay members with expertise"

The Future of London

How can students in the capital be best represented to the Mayor and GLA?

800,000 students • £12billion to the economy • international students from over 200 countries • 10% of London

Background

A number of mandates exist relating to the creation of bespoke NUS structures and services for unions in London. In part these respond to the existence of wider political structures of concern to students. In addition this year a review is taking place of ULU.

Unions in London were consulted directly on ways of meeting these mandates in Autumn 2013.

Summary of issues raised by Unions

- Being able to influence the agenda of the Mayor of London (MoL) should be central to whatever is proposed
- There should be advice and support available to allow Unions to engage with and influence their local councils in a more strategic way
- There should be one annual encounter to set high level strategic direction for work
- We should seek to capture a wide range of student voices whether through focus groups, market research or polling
- Important to cover key issues such as travel, housing, policing, recycling, and employment that the MoL/GLA has control over
- We should also seek to influence and recognise areas that the MoL can assert themselves such as young people's education and skills, emergency planning and a desire to have greater influence over schools.
- There should be a focus on the 'London Student Community/Communities' and how reflect students as citizens of London
- It should exist inside NUS structures but should retain the ability to separately influence the MoL on London specific issues that might not impact on others in the UK in the same way
- It should focus on influencing MoL elections
- It should be able to influence the MoL from the perspective of students who are women, black students, international students, students in FE and the structure should ensure that we can capture the voices of students in these and other categories

Key points for NUS to consider

- The future of ULU is still up in the air as the Heads of Colleges review is ongoing

- Regardless of the outcomes of the ULU review this is a gap in work that no-one is doing and has not been looked at since the NUS restructure in 2007.
- Since the 2008 MoL election engagement with the Mayor's office by or for students has been limited and has not had any drive, resource or impetus.
- Whilst 5 HEI SU's have responded to this consultation the unions and students are diverse, this provides an opportunity for this project to reach out beyond the usual suspects, however this brings with it a challenge and the ability for NUS/SU's in London to use this as a chance to reach beyond should be a key success measure.
- So far discussions on how representation in London might be resourced and models around how this may be put together are challenging. It may be best to agree in principle what we want to achieve and then seek to look at how this can be delivered if a shared vision for the future can be decided upon.

Proposed Vision

Students in London are seen as key stakeholders by the Mayor of London's office (MoL). A structure in London should exist to capture, synthesise and amplify the voices of London students to the regional authority.

Any infrastructure put in place needs to be able to measure its impact on:

- Influencing the Mayor of London's agenda
- Securing a better London for students
- Shaping the political parties manifesto's and public debate around Greater London Authority (GLA)/Mayoral Elections

The infrastructure should be able to provide local students' unions with advice and support to make students' unions more effective actors in local politics in London. This would include information on how to best work with local GLA members and how to effectively work with and influence your local London borough. It could also include promoting initiatives whereby students' unions and students could get further involved in community development projects to empower students' unions to be agents for change in their locality.

The Challenge

There is no such thing as the 'typical' London student, and the real challenge for any 'body' would be to be able to effectively capture the diversity of student voice and synthesise the complexity of those voices before making representation to the MoL and the GLA.

The Opportunity

The creation of a pan London 'student voice' system provides an exciting opportunity to move beyond traditional models of representation and embrace the opportunities afforded to us by modern technology and consider new (for the student movement) and creative ways to capture and amplify voice. We

should see this as a challenge to be modern, capture the true diversity of voices and make the system relevant to the impacts that we would like to see.

Principles

1. Capturing what students prioritise, think and want
2. Creation of robust, legitimate and up to date evidence and data
3. Evidence and data led

Creating a legitimate voice

Annual Assembly of students' unions

An annual event would bring together people from London students' unions to discuss and debate issues that are relevant to students in London that the MoL and The GLA can impact upon. This could include inviting expert speakers from the pan-London authorities such as TfL, MPS etc.

This meeting would provide London students' unions with the opportunity to shape the agenda for London for the year based on any research available and information from experts.

MoL Student Question Time

We would proactively seek to work with the MoL office to hold an annual/biannual question time event with the MoL and students from across London.

London Wide Student Panel and Focus Groups

In order to ascertain a broad diversity of views across institutions, living locations and sectors we would set up a London wide research panel which would seek to find out the views and opinions of students in London on key areas relevant to the MoL office. We could then establish focus groups in order to delve deeper into issues and solutions where needed.

Research Hub

We could seek to find funding to run research projects on students and young people in the capital which blended with the data and evidence from the London wide panel would allow us to establish an expertise in this area.

Figure Head

The 'entity' in whatever format it takes would need to have an elected political leader who makes decisions and sets direction lead by evidence from polls, focus groups, and research

London Sabb "Meet your Neighbours" events

There is a space to encourage the elected officers across London to work more collaboratively together on a common and shared agenda around London. However this network should not be the driver for activity as it has been with varying degrees of success but part of the process.

Key Issues

It is important that whatever is created avoids replicating existing SU structures or offers – this is explicitly NOT a pan-London students' union. All activity should be related to the objectives above.

It is important that we ensure that all of London is represented but understand the complexity of students relationship with the city, as students in one location, workers in others, and residents in others.

We should therefore be able to segment people by:

- Where you live
- Where you study
- Mode of study

Next Steps

- A motion outlining this vision and principles should be submitted by the DPC to Conference 2013
- Given the rules at 2000-2009 (NUS Areas) already make provision for quasi autonomous NUS bodies in different parts of the country no part of this proposal is likely to require rule changes.

DPC Rules Review Motion to Conference

London

Conference Believes

1. A number of mandates exist relating to the creation of bespoke NUS structures and services for unions in London.
2. In part these respond to the existence of wider political structures of concern to students.
3. In addition this year a review is taking place of ULU.

Conference Further Believes

1. Being able to influence the agenda of the Mayor of London (MoL) should be central to whatever is proposed
2. There should be advice and support available to allow Unions to engage with and influence their local councils in a more strategic way
3. There should be one annual encounter to set high level strategic direction for work
4. We should seek to capture a wide range of student voices whether through focus groups, market research or polling
5. Important to cover key issues such as travel, housing, policing, recycling, and employment that the MoL/GLA has control over
6. We should also seek to influence and recognise areas that the MoL can assert themselves such as young people's education and skills, emergency planning and a desire to have greater influence over schools.
7. There should be a focus on the 'London Student Community/Communities' and how reflect students as citizens of London
8. It should exist inside NUS structures but should retain the ability to separately influence the MoL on London specific issues that might not impact on others in the UK in the same way
9. It should focus on influencing MoL elections
10. It should be able to influence the MoL from the perspective of students who are women, black students, international students, students in FE and the structure should ensure that we can capture the voices of students in these and other categories
11. Any infrastructure put in place needs to be able to measure its impact on:
 - Influencing the Mayor of London's agenda
 - Securing a better London for students
 - Shaping the political parties manifesto's and public debate around Greater London Authority (GLA)/Mayoral Elections

Conference Resolves

1. To consult on the creation of a structure in London to capture, synthesise and amplify the voices of London students to the regional authority to include:
 - An Annual Assembly of students' unions
 - MoL Student Question Time

- London Wide Student Panel and Focus Groups
 - Research Hub
 - Figure Head
 - London Sabb "Meet your Neighbours" events
2. To ensure that this is as flexible as possible and brought to the NEC for approval within rules 2000 "NUS Areas"

NUS Group inter-relationships and ownership

Raechel Matthey, Chair NUS Services

Background of the NUS Group

For some years NUS operated as an unincorporated association, with NUS Services operating as a separate legal vehicle owned 25% by NUS, and the remaining shares owned by students' unions. An Association of Managers in Students' Unions (AMSU) existed wholly separately.

In 2010, following extensive consultation, NUS published a strategic document, Surfing the Wave, which outlined a vision for the student movement and contained two statements that drive the discussions taking place on the inter-relationship between NUS and NUS Services:

“to eliminate duplication and deploy resources more effectively”

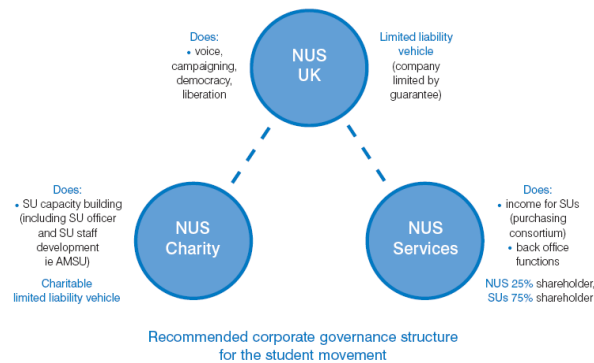
“to diversify income streams and continue to reduce reliance on affiliation fees and students' union funding”

These have been reflected in the strategic and financial plans subsequently produced, with the reduction in our reliance on affiliation fees reflected in targets in the 2011-14 NUS Strategic Plan at 40% of NUSUK turnover. Our financial strategy targets a reduction of £450K in affiliation fees in the next three years. In 2000 affiliation fees were almost 90% of income. Last year they stood at 43% of income, so good progress is being made.

NUS: A motion at Annual Conference 2008 stated that NUS should “consider incorporating as a charitable company limited by guarantee.” Annual Conference 2009 was informed that whilst we believed there were likely tax advantages in putting more of our activities through a charitable vehicle (saving money) and that establishing a limited liability vehicle would leave the organisation and trustees less exposed, there was a danger that our campaigning ability would be stifled (because of charity law restrictions).

Annual Conference 2009 was informed that further work was being undertaken with our lawyers (Bates Wells & Braithwaite) to identify a way of maximising both tax efficiencies and income opportunities, whilst limiting liability and preserving the full extent of our current campaigning ability.

As a result the following operating model was established to work towards:



In the past year good progress was made on the incorporation of NUS into a Limited body, including the drafting of appropriate and robust company articles, and the successful first approval of the new structure at National Conference in May 2011. This led to successful ratification of the company proposal at National Conference 2012. We then continued the implementation work and formally incorporated on July 1st.

NUS Charitable Services: Following the merger of AMSU with NUS and the purchase of SUEI, an arm's length NUS charity formally started operations on July 1st 2011 and over the past year we have been working on tidying up issues, including the consolidation of the remaining existing charities and AMSU structures. Work is now progressing apace with the Office of Scottish Charity Regulator (OSCR) and our solicitors in Scotland on the development of NUS Scotland's charitable operation.

NUS Services Limited: There have been considerable moves in recent years to form a more coherent group via the work of NUS Services; this has included moving much of NUS infrastructure operations into the company (IT, HR, Finance etc) and on a corporate level we have made amendments to the company rules to form a single VAT group between NUS and NUS Services. This has the consequence that as a 25% shareholder, 25% of the financial position of NUSUK must be reflected in the NUS accounts, this means the accounts need to be taken alongside each other for the picture they paint to be clear.

At present the wider corporate structure going forward assumes that the infrastructure for the group and the commercial development function will all be housed within a single body- NUS Services Limited. This has worked well practically initially but in the future there remains a potential ownership issue with that structure. It was identified that the 120 or so purchasing unions that are members of NUS Services Limited would “own” the student movement's infrastructure operation (which serves wider interests) and Surfing the Wave identified that further work was needed to address this tension to including exploring a potential new ownership model for NUS Services.

A number of other issues were outlined that gave cause for concern about NUS Services ownership model including:

- A mismatch between purchasing volumes and share ownership (where in some instances unions had a higher number of shares but weren't actually trading).
- The above caused difficulties in the theoretical possibility that should a dividend be paid it would be difficult to justify this on grounds of shareholding.
- The income profile of the company had changed considerably in the past decade meaning that whilst areas like NUS Extra and NUS Digital involved FE unions no FE unions were shareholders of NUS Services.
- There was considerable duplication of effort across the Group due to the convoluted governance model.
- There were tax inefficiencies within the existing model.

The situation was probably best expressed by a non-executive director of NUS Services that 'if we were to start with a blank sheet of paper we certainly wouldn't design it like this.'

As a result a proposal was developed and discussed at both our Strategic Conversation event in January 2012 and the Annual Convention event in April 2012 which would see NUS holding 100% of the ownership whilst establishing internal governance arrangements in NUSSL that would:

- align and devolve decision making closer to participants in activity;
- reduce duplication of decision-making across the group; and
- allow our tax affairs to be better managed

Terms of Reference

As a result the NUS Services Board agreed to form a group to examine these inter-relationships issues in greater detail with the following terms of reference:

- Consider board proposals to develop the inter-relationship between NUSSL and NUS
 - To consider and propose the appropriate legal vehicle to progress future relationships
 - To discuss the development of Co-Operative Enterprise Units (CEUs) and other appropriate committees
 - To consult with shareholders on these issues
- The group has met three times in the latter half of 2012.

History, Shareholding & Ownership

To better ensure that proposals for the future were robust, the group has considered carefully the history of the ownership structure of NUS Services.

Although discussed in detail from 1988 onwards, the company was finally established in 1991 as a successor organisation to "NSSO", the National Student Services Organisation. Two types of shares were issued to students' unions wishing to purchase them- "A" shares at £1 each were sold, and 60 had to be purchased to join the company. "B" shares were sold at £20, initially in an attempt to capitalise the company. NUS owns 25% of the shares. It would appear that the current "B" shares were the original concept for setting up the company but following discussions on the ability to pay not being a barrier to membership the "A" shares were introduced.

The shareholding in theory confers upon the union power; this is exercised through elections and in theory could be used in an AGM setting, although practically this has usually operated on a One Member, One Vote basis. The shareholding would also have been crucial in the event of a dividend being paid, but the records indicate that this has never happened.

Whilst shares were sold in 1991, it is clear from papers at the time that the attempt to use "B" shares to capitalise the company largely failed, leading to management change. Two further share issues were held; the first in 1993 which gave unions a second opportunity to purchase "B" shares; the fairness of the situation was debated at the AGM in 2000, there was an additional issue in that year of "B" shares to give unions an opportunity to equalise shareholding.

The current share value held in the company at par value is £280K (NUS have £70K of that due to the 75/25 split).

The wider questions of ownership of the company are critical. NUS is "owned" by its 600 members; whereas NUSSL is owned partly by its shareholders (75%), and partly by NUS (25%) which is in turn "owned" by its 600 members. On one level it is therefore clear that moving NUSSL into "whole ownership" by NUS would considerably simplify matters- although would open up a number of questions from purchasing members.

Power, Influence & Input

Formal power inside NUSSL and NUS has traditionally been distributed and exercised in accordance with the following model:

NUS: Through delegate entitlement at National Conference (based on number of students, where $PT=0.1$ of a FT student, recently revised to 0.6). Clearly from a company perspective a union's "stake" in the purchasing consortium is not necessarily proportionate to the size of their student body.

NUSSL: Through that union's shareholding. From a company perspective this has generated a problem; those with the most formal power are not necessarily those with the greatest stake in its activities. For example, some unions hold shares but do not

purchase; and in many cases large users of NUS Extra do not hold shares at all.

This formal power has been used for summative and larger decisions- for instance in approving plans and policies or in electing student leaders. But whilst it is possible to describe the formal power that shareholders or constituent members can exercise, it is clear that influence (over formative and smaller decisions) has been exercised in both organisations in all sorts of ways! This includes via events attendance; membership of working groups and volunteer posts; direct feedback to senior staff and officers and networks.

Analysis

As part of the group’s deliberations, five key problems were therefore identified to be addressed through proposals.

- The *influence* problem; why should Fibchester College SU have a say when they don’t purchase?
- The *safeguards* problem; some are concerned that NUS may have financial problems in the future and that the existing structure has helped to insulate NUS Services from historical NUS deficits.
- The *vehicle* problem; many would argue that NUS conference is not a suitable vehicle for strategic commercial decision making.
- The *scrutiny* problem; in the current structures if the Board gets it wrong, the AGM can tell them to go back to the drawing board. Who would do this in the future?
- The *efficiency* problem; the current structures engender duplication, delay and death by meeting internally in NUS, yet much of the company’s activity now requires agile and nimble decision making.

The notes and proposals that follow are designed to address each of these key problems.

Addressing the “input & influence” problem

It is clear that different strands of the group require different levels of input and influence from unions, and that influence should come from different people, including union officers, students and staff.

The overall view of the group was that unless at least some of the input and influence into NUS Services is semi formalised, there can be a tendency towards:

- A reliance on “usual suspects”
- A perception of cliques from those not involved
- A belief that the loudest & noisiest participants having the most influence, not necessarily those with the most to add.

In all parts of the group there has been a general positive shift to less formal structures to help guide our work. These include opt in groups; task and finish

groups; working groups and other informal structures with a focus on participation.

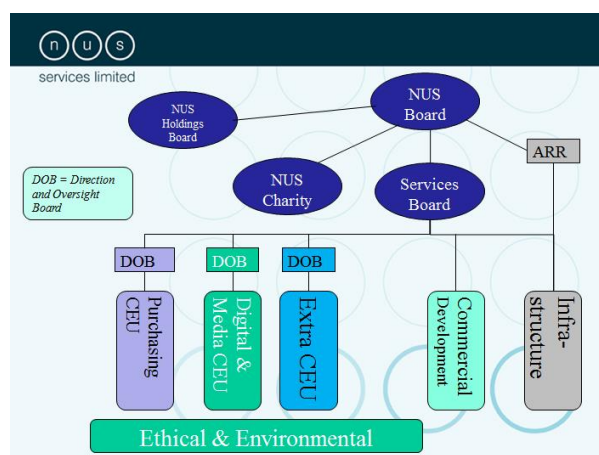
Broadly, the group believed that it is important to continue to drive formative decision making through these less formal methods of input, with a focus on ensuring that the most influence is given to the people most affected/involved by an issue or project. In addition the group believed that these methods offered “up close” scrutiny of the company’s work. It felt the proposed “cooperative enterprise units” are a central example of this type of structure.

Cooperative enterprise units and Direction and Oversight Boards:

These CEUs would sit inside the company and “house” different strands of company work. Each would have an oversight board consisting of officers and staff from members as well as members from the NUSSL the board and external members. Members can only participate in a CEU if they are active in the area of business it covers. Decision making within these will be by one member one vote (OMOV) with the ability to seek a vote based on participation as a secondary method.

Due to the issues outlined above, namely a mismatch between purchasing volumes and share ownership and a significant change in income profile of the company, the current company ownership model doesn’t provide an equitable way for the company to reward participation in the company’s activity.

In direct contrast to the share ownership model the new CEUs will be structured in a way that allows for surpluses to be applied to participating members based on their contribution. In practice this will mean that non-trading members who engage in NUS Digital and NUS Extra will benefit from real returns from their engagement and will not be disadvantaged by the fact that they don’t purchase. The reverse of this means that members who do not engage in an activity will not benefit from or hold sway over its direction.



The Direction and Oversight boards will consist of two student officers elected from the unit, two students’

union staff, three from the NUSSL board and up to two external members.

The NUSSL board will maintain a similar membership to present; made up of four students elected from the oversight boards, seven members appointed by NUS (including the Four student Union staff members as now) and up to two external advisors.

Addressing the “safeguards” problem

During initial discussions on the proposed ownership model in the future, some have been concerned that NUS may have financial problems in the future and that the existing structure has helped to insulate NUS Services from historical NUS deficits.

Overall, the view of the group was that it is just not good enough to assume that NUS will “go bad” again- there is a clear need to prevent this. In truth, wider NUS governance reforms now largely ensure that this is the case- the central NUS Trustee Board is now charged with preventing deficits, and has the power to veto decisions on the basis of financial or legal risk. Whilst it has a duty to serve the NUS NEC and related bodies, it holds legal control of the group and is specifically charged with long term infrastructure planning. Some additional use of legal vehicles may also allow “insulation”- for example new activity deemed risky will be housed in separate legal vehicles as part of the Trustee Board’s overall approach to risk management.

When originally conceived, the NUS Trustee Board was designed without membership of SU staff. Given the positive contribution made to the NUS Services Board, the group takes the view that NUS should review this provision as part of its own rules review. Important in medium term to develop the roles of the board to include stakeholders.

Ultimately, it is worth noting that NUS Services would remain as separate legal entity and this provides protection to NUS UK and other legal vehicles in the Group.

Addressing the “vehicle” problem

It may be argued that NUS conference is not a suitable vehicle for strategic commercial decision making. This is probably true- NUS National Conference is a deliberative formal political policy making event and as a result there are a number of structures in the group that have been developed that allow more suitable decision making vehicles to exist autonomously whilst allowing NUS National Conference to set overarching policy.

In the envisaged model, key strategic decisions about the company will continue to be made at an Annual company meeting. This will have autonomy in the main NUS structure where the main NUS Trustee Board could only veto on basis of risk.

It would consider key strategic decisions such as:

- The revenues retained by the company
- Consideration of the Company Plan
- Election of Board and members of cross group bodies

Working groups, task and finish groups and CEUs would be used for formative decisions and operational scrutiny and then one member, one vote would be the basis for voting on key decisions at the annual meeting.

In addition the existing “political” clause in the company rules, which enshrines the primacy of NUS National Conference would continue:

“In pursuing the above mentioned objects the Company shall conform with NUS conference policy as determined from time to time.”

A similar option is being developed for the work of NUS Charitable Services.

In addition to the main meeting, the Board and the CEUs, it is proposed to form a number of cross group bodies to look at key issues. These will include equality and diversity; membership communications and ethical and environmental issues.

Addressing the “scrutiny” problem

In the current structures if the Board gets it wrong, the AGM can tell them to go back to the drawing board. A number of people have asked who would do this in the future.

The group believes that this problem would be largely solved by the proposed annual scrutiny and strategy meeting. Summer Convention would mark the start of formative discussions on key company activity, with a February Scrutiny and Strategy meeting agreeing key summative decisions reached on direction.

Discussions inside NUS on wider scrutiny and strategy issues have suggested that it may be desirable to work towards a single Scrutiny and Strategy meeting for the group and its principal legal vehicles. This would act as a successor to existing Strategic Conversation event, housing the annual scrutiny and strategy meetings of NUSSL and the Charity, and including more detailed scrutiny of strategy and budgets for NUS itself than is possible inside the formal AGM at NUS National Conference.

Addressing the efficiency problem

The current structures engender duplication, delay and death by meeting internally in NUS, yet much of the company’s activity now requires agile and nimble decision making. The group believes that the new structure will simplify the internal structures whilst strengthening accountability and influence by the

membership. We will also give ourselves a greater ability to reach the objective of a reduction in affiliation fees. A three year financial forecast had been produced with the assumption of a 150K reduction each year we believe this £450K reduction to be on the prudent and would hope to push total affiliation fees to below £3M.

By improving the interrelationship between NUS and NUS Services, operationally, structurally and financially we can both improve the company's ability to be fleet of foot and help us to meet our targeted reduction in affiliation fees benefiting all members

Shares and “buy back”

One key issue not discussed in this paper is the “buy back” value of shares. Initial discussions suggest that students' unions would accept buy back at par value; that is the original face value. This is on the basis that the initial share purchase was not an investment expecting a return, rather a nominal share value to allow for membership (in the case of B shares) and the provision of capital to allow the company to provide services for the movement (in the case of A shares). Clearly this is an issue for further consultation with students' unions and we will seek members' views over the coming months, but it is worth saying NUS purchasing the company at a perceived 'market rate' makes the proposition unviable.

Consultation and Next Steps

This paper will be discussed at Strategy and Scrutiny 2013 and will form the basis for a formal consultation exercise in the spring. Detailed proposals will then go forward to Convention 2013 and amendments to memorandum and articles and other proposals will be circulated prior to that in 2013.

DPC Rules Review Motion to Conference

NUS Group inter-relationships and ownership

NUS Believes

1. That there have been great strides forward in NUS' overall corporate governance structure in recent years
2. These have included forming an NUS Group, merger with AMSU a new arm's length charity and closer collaboration with NUS Services

NUS Further Believes

1. That the NUS strategy, accounts and budgets usually receive little detailed scrutiny during the AGM of this conference
2. That we can do more to ensure that all parts of the NUS group involve and support our members
3. Because power in NUSSL is based on shares owned, some unions have disproportionate amounts of power in proportion to their purchasing or commercial activity

NUS Resolves

1. To pursue changes inside NUSSL, moving towards a fairer distribution of power amongst unions;
2. To pursue changes to the NUS Group Structure to align and devolve decision making closer to participants in activity;
3. To pursue a group Strategy and Scrutiny event in February to allow a detailed formative examination of budgets and strategic plans

Additional Matters

Motions and Legal Risk

Traditionally, the view that has been taken has assumed that NUS only faces a risk in relation to agreed policy at the point that it formally adopts a policy. Both cultural processes and the formal constitutional position reflect this working assumption—indeed the NUS Trustee Board is empowered to veto a **decision** on the basis of legal risk, but not the **publication** of a proposal. In the past decisions have been taken to not publish resolutions of a meeting or conference, or at least to downplay public campaigning action on the basis of such risks. Thus we tend to look carefully at minutes and resolutions of meetings rather than proposals that come to meetings for debate.

The problem with this approach is twofold. Firstly it is clear that in the age of social media and instant publishing, motions or proposals to meetings that might previously have remained a mystery to the outside world are now distributed freely. The difference between a proposal to a meeting from and NUS Officer and a resolution of a meeting is likely to be lost on journalists or the general public that read reports of “NUS Conferences” debating motions.

In addition it is clear that the act of publication itself of a defamatory view is in and of itself problematic, and our previous assumption of a “conduit defence”, particularly in light of the social media and instant publication of content referred to above, is not sound.

Regulation

Both the DPC and the President have powers to rule text out of order:

- “Any text not submitted in line with regulations issued by the Democratic Procedures Committee will be ruled out of order by Democratic Procedures Committee”
- “The President will notify in writing the Democratic Procedures Committee and Constituent Member concerned of any motion, or amendment to it, which s/he rules out of order. Such notification must be given by deadline set by the Democratic Procedures Committee”

When the existing constitution was drafted it afforded considerable political autonomy to the National Conference, the NEC and various other bodies on the basis that the Trustee Board could step in to mitigate or prevent risk by means of a veto or overrule of a decision. Clearly, because taking steps to address the issues above requires stepping in at the publication-of-proposal stage, this mechanism is unsuitable.

In any event, whilst the NUS Trustee Board is charged with the regulation and mitigation of risk, it is the NUS Democratic Procedures Committee that is charged with the regulation of NUS’ Democratic Structures. The DPC has responsibilities and powers that are both directly applied (for example in relation to National

Conference) and indirectly applied (by devolving its powers and responsibilities to other bodies such as the NEC Clerks, or Nations’ procedures committees).

The DPC does hold a series of residual powers in relation to ruling motions “out of order” (see above) that can be adapted on the basis that it requires the submitter of any motion criticising an individual or organisation to fully justify any such critique, to the DPC’s satisfaction. The DPC can then require that all those who have DPC powers devolved to them (such as NEC clerks or Liberation steering committees) follow the same rules. This can be then operationalized with the NUS staff team.

Precautions

As a result we will ask that anything presented to a democratic body (ie one mentioned in any of NUS’ constitution, rules or schedules) that

- a) Makes a judgment about or includes a view on an individual
- b) Makes a judgment about or includes a view on an external organization or company

needs to be sent for checking centrally before it is formally published. This is such that we can determine whether it includes defamatory allegations of fact in respect of an individual or an organization or company.

In the event that it does, a “standard of proof” will be required. This will require robust evidence for any allegation being made. For example, where the basis for an allegation is the reported comments of an individual, the proposer of the motion ought to go to the horse’s mouth to verify that the individual (or indeed, spokesman of a corporate entity or group) really made those comments. Proposers will be required to take care to avoid being fooled by misreporting, by comments taken out of context or even by third parties impersonating that individual/spokesman, for instance on fake Facebook profiles. Defamatory facts ought either to be sourced (reliably) from the person/organisation being criticised and or from robust, reliable third-party sources (ideally multiple sources)

Qualified Privilege

Finally, it is clear that both NUS and SUs would benefit from legal clarity on the extent to which “free debate” can be protected within democratic structures. Thus legal advice should be sought on this basis.

Proposals

DPC Rules Review Motion to Conference: Motions and Legal Risk

NUS Believes

1. That some legal risk is attached to the publication, debate and resolution of motions mentioning individuals and companies
2. Students should be free in our structures to debate issues and DPC and its delegated bodies must protect this
3. We also have a duty to protect NUS from legal challenge

NUS Resolves

1. To require in regulations surrounding motion submission that any motion submitted to a democratic body that that
 - a. Makes a judgment about or includes a view on an individual, or
 - b. Makes a judgment about or includes a view on an external organization or company
 - c. includes robust evidence, contains verifiable quotes and is not defamatory.
 2. If in the view of the DPC any text breaches this requirement in the first instance it will work with the submitter to reword the motion to meet the requirement
 3. In the event that agreement cannot be reached the DPC will reserve the right to rule the text out of order in line with rule 414
 4. Any body with powers devolved to it by the DPC is required to operate procedures to this end
 5. To continue to explore the way in which legal protections may be developed for NUS and students' unions to allow free debate on matters of common concerns without fear of or reducing legal risk
-

DPC Rules Review Motion to Conference: Tidy Up

Conference Believes

1. National Conference Rule 389 contains reference to a Card Vote, which no longer exists

Conference Resolves

1. To delete the words "card vote" from rule 389