

BYE LAWS

FOR

NATIONAL ASSOCIATION OF STUDENT EMPLOYMENT SERVICES

December 2011

1 MEMBERSHIP

- 1.1 The Membership year will run from 1st January to 31st December.
- 1.2 All applications for membership must be approved by the Membership Secretary
 - 1.2.1 Membership can be individual (Associate), institutional (Service) or corporate.
 - 1.2.2 Membership is not transferable.
 - 1.2.3 Directors may refuse an application for membership if deemed in the best interests of the Charity to refuse the application.
 - 1.2.4 NASES must keep a register of names and addresses of the members.
- 1.3 Membership of the Association is based on the following conditions:
 - 1.3.1 All members agree to be bound by the Memorandum and Articles of the Association, and the aims and objectives of Association.
 - 1.3.2 Institutions agree to adopt the Associations Codes of Practice, and/or work towards developing their own in-house guidelines for regulations governing their dealings with students, university personnel and employer organisations.
 - 1.3.3 All members are bound by the agreement not to act or be involved with any act which may be viewed as being to the detriment of the Association and/or any members of Association.
 - 1.3.4 All profits made from the services offered by the student employment service are to be used to fund further student development activities or re-invested within their own institution.
 - 1.3.5 Members should not own and/or manage a student employment service at more than one higher educational institution.
 - 1.3.6 Members should not own and/or manage a student employment service at more than one further educational institution.

1.3.7 An exception to the conditions is made when a service has responsibility for managing and promoting a student employment service to colleges who are recognised partners to their own institution.

1.3.8 All information gained through attendance at national and regional meetings, and via closed areas of the NASES website, should be for NASES Exec, Directors and members only and treated in the strictest confidence. Minutes from Exec and Regional meetings will be available on the NASES website and be available for members to access. All information from national and regional meetings must not in any way be used to benefit one student employment service over another.

1.4 Every member shall be entitled to a certificate of membership, such certificates shall at all times remain the property of the Association, and shall be returned to the Association on the cessation of membership.

1.5 Every member of the Association shall become liable to pay the appropriate annual subscription for class of membership as laid down by the Executive Committee.

1.6 The Executive Committee may, at their absolute discretion, increase, reduce, remit or compound any annual subscription or the arrears of any annual subscription of any member of the Association.

1.7 The Membership Secretary has the right to terminate any membership with immediate effect. A written response outlining why a membership has been terminated will be given with 28 days.

1.8 Institutional Membership

Membership of the Association is by Institution. Upon joining, each Institution will be required to provide details of one named individual who will receive membership entitlements.

1.9 Corporate Membership

Corporate Membership is available to organisations outside of higher or further education that have an interest in promoting the area of student employment, applications will be forwarded for approval to the Association's Executive Committee.

1.10 Honorary Life Membership

Honorary Life Membership may be awarded from time to time by the Associations Executive Committee to those who it feels have made a significant contribution to the work of the group and/or in the field of student employment.

2 REGIONAL GROUPS

2.1 Regional Groups may be formed to provide opportunities for networking and support and shall adhere to the Aims and Objectives of the NASES and abide by its Memorandum & Articles.

2.2 Training can only be provided in consultation with, and on the approval of, the Training Co-ordinator.

2.3 Each Regional Group must be recognised by the Executive Committee and should include at least one member of the Executive Committee.

2.4 All members of a Regional Group should also be members of NASES. Non members interested in becoming NASES members will be invited to attend one Regional meeting at the discretion of the Regional Representative. Regional representatives can organise meeting agendas so guests, employers or members not running student employment services can attend timed sessions and members running student employment services attend whole meetings.

2.5 Each Regional Group shall have a Regional Contact (in addition to their representative on the Executive) whose responsibility is to liaise with the Regional Co-ordinator.

2.6 The Regional Representative on the Executive Committee shall be notified of all Regional Group meetings at least seven days in advance. Regional meetings to be promoted on the NASES website.

2.7 The Regional Representative on the Executive Committee shall receive copies of the Agenda and Minutes for each Regional Group meeting within one month, for adding onto the NASES website.

3 WORKING GROUPS

3.1 The Executive Committee may establish Working Groups as may be necessary to conduct the work of the Association. A majority of Working Group members must be NASES members. Each Working Group should elect a Chair.

3.2 Each Working Group must submit a written report of every meeting to the Executive Committee and to the AGM.

3.3 A copy of the Minutes of every Working Group meeting shall be sent to the Executive Committee.

3.4 Each Working Group shall determine its own terms of reference, to be agreed by the Executive Committee.

3.5 Any member of the Working Group who fails to attend for one year without due reason will automatically forfeit membership of the Working Group.

4. PUBLICATIONS

The Executive Committee may authorise publications from time to time.

5. ROLES & RESPONSIBILITIES

The Executive Committee are elected as per the NASES Memorandum and Articles, their roles and responsibilities are outlined below. Additional duties may be required by NASES Exec.

Chair

The Chair is very much the 'figure head' of NASES, and is responsible for ensuring that the Executive Committee work effectively as a team towards shared goals. In practical terms, the Chair chairs all Committee meetings and co-ordinates the work of committee members. The Chair also represents NASES externally, and working with the vice chair is responsible for maintaining good relationships with associated organisations.

- To act as the spokes person for the association and to act in the best interests of NASES
- To support the National Office
- To ensure the executive committee complies with the Articles of Association, the Memorandum of Association and the Bye Laws of the Association
- To set up the medium and long term financial strategy of NASES and ensures policies and procedures adhere to long term feasibility of the organisation.
- The Chair of the Executive Committee, or their nominated representative, shall act as Chair of the Annual General Meeting
- Maintain Political Profile and links
- Additional duties as required by NASES Exec

Vice Chair

The Vice Chair will deputise in the absence of the Chair and work with the chair to develop external relationships to further develop student employment and the association. In addition the Vice Chair will work with Conference, SEOTY and NSEW planners to provide them with advice / guidance and ensure events at least break even and that regular updates are given to Exec.

- To deputise in the absence of the Chair
- Work with National Office to establish and maintain Employer and other associated links
- To oversee the local planning team in organising the conference
- To advice and support the local planning team
- Provide Conference updates and Financial update to exec meetings
- To oversee the planning and organisation of NSEW

- To advice and support the NSEW planning team
- Provide NSEW updates and Financial update to exec meetings
- To oversee the planning and organisation of SEOTY
- To advice and support the SEOTY planning team
- Provide SEOTY updates and Financial update to exec meetings
- Additional duties as required by NASES Exec

Secretary

The Secretary works closely with the NASES National Office to ensure all activity occurs in accordance with the association Constitution.

- Issue agenda for exec meetings and associated papers
- Minutes will be kept as a record of transactions of meetings of the Executive Committee and General Meetings of the Association. They will be posted to a website and circulated via email as soon as possible after production but in any case no more than 28 days after the meeting
- Invite regional representative and other local contacts to attend local exec meeting
- Maintain the Articles of Association, the Memorandum of Association and the Bye Laws of the Association and make any amendments and updates
- Organise AGM - Notice of the AGM shall be sent by the Secretary to all members not less than 21days before the date of the AGM. Papers for the AGM shall be sent to all members not less than 7 days before the date of the meeting.
- Maintain NASES Exec Pages on the Web Site
- Co-ordinate the EXEC elections in accordance with NASES Articles of Association, the Memorandum of Association and the Bye Laws of the Association
- Additional duties as required by NASES Exec

Treasurer

The Treasurer takes responsibility for the finances and accountability of the organisation, and works closely with the NASES National Office. It is essential that the Treasurer has competence in financial matters.

- Ensure the annual accounts comply with the long term financial strategy of NASES
- Liaise with NASES accountant to sign off annual accounts
- Ensure that the organisation is run in accordance with companies house regulations
- Ensure that the appropriate returns are made before the required deadline

- Update and develop the NASES Financial Procedures
- Update the appropriate webpages on the NASES website.
- Additional duties as required by NASES Exec

Membership Secretary

The day-to day administration of membership will be undertaken by the National Office the exec member responsible for this area should oversee activity and report back at each exec meeting and the AGM.

- Liaise with National office to further develop Membership
- Oversee Annual Member Survey
- Review and Develop Member services
- Co-ordinate Honorary Life Membership which may be awarded from time to time by the Associations Executive Committee to those who it feels have made a significant contribution to the work of the group and/or in the field of student employment.
- Update the appropriate webpages on the NASES website.
- Additional duties as required by NASES Exec

Regional Co-ordinator

To co-ordinate regional representatives to assist members network and share best practise on a local level and report back at each exec meeting and the AGM.

- To co-ordinate regional activity in accordance with NASES Constitution
- To maintain and update the NASES Regional Co-ordinator Pack
- Forward and receive feedback from/to the NASES Executive
- Administrative duties include holding copies of regional meeting minutes/agenda items
- As and when required write marketing material for the NASES regional review and other publications
- Update the appropriate webpages on the NASES website.
- Additional duties as required by NASES Exec

Training Co-ordinator

To work with the National Office to enhance the continued professional development of the sector. To be responsible for the development of the MSWE course. To report back to the Exec on the MSWE course and the NASES training programme to date, at each exec meeting and the AGM.

- Oversee annual training activity

- To maintain and oversee the development of the MSWE.
- Update the appropriate webpages on the NASES website.
- Additional duties as required by NASES Exec

Publications/Press Co-ordinator

To ensure a consistent professional approach to publications issued from NASES and to generate press coverage for student employment and NASES, working closely with the National Office.

- Advise NASES National Office Manager in an editorial capacity for the quarterly Newsletter
- Work with NASES National Office Manager to issue monthly e-news
- To advice on the publication of any NASES Materials
- Press Release Co-ordination
- Representing NASES to the National Press
- Overseeing NASES & **More Than Work** Web Sites
- Update the appropriate webpages on the NASES website.
- Additional duties as required by NASES Exec

NSEW Co-ordinator

- To co-ordinate NSEW
- To liaise with National Office to ensure Sponsorship is sort and budgets set
- To provide feedback to the exec team
- To make recommendations for future NSEWs
- Update the appropriate webpages on the NASES website.
- Additional duties as required by NASES Exec

SEOTY Co-ordinator

- To co-ordinate SEOTY
- To liaise with National Office to ensure Sponsorship is sort and budgets set
- To provide feedback to the exec team
- To make recommendations for future SEOTYs
- Update the appropriate webpages on the NASES website.
- Additional duties as required by NASES Exec

Conference Co-ordinator

The conference organisation is undertaken by the National Office, the role of the Conference co-ordinator is to advice and guide the team to ensure NASES deliver an effective, profitable annual conference.

- To oversee the local planning team in organising the conference
- To advice and support the local planning team
- Provide Conference updates and Financial update to exec meetings
- Update the appropriate webpages on the NASES website.
- Additional roles as required by NASES Exec

Other Roles may be appointed from time to time to support the overall strategy of the organisation.

6. CODE OF GOOD RECRUITMENT PRACTICE

Members of NASES are required to exercise their professional skill and judgement to the best of their ability and to carry out faithfully their professional responsibilities with integrity.

This Code of good Practice is intended to establish and maintain recognised standards for practitioners, students and employers using Student Employment Services (SES). This code has been established with industry stakeholders to ensure that all members of NASES conduct their business ethically and to the highest standards and to promote good practice within the student employment sector.

Job Centre style services – NASES Code of Practice

1. All enquiries to the SES will be dealt in a prompt and courteous manner.
2. SES practitioners agree to undertake appropriate training and development activities relevant to the field of student employment, where possible. Practitioners will also aim to continually improve the performance of their staff through continuing development of their knowledge and skills.

It is the duty of the service to ensure that employers and employment opportunities meet all statutory legal requirements with regard to students employed via the SES. This Job Centre style code of practice refers to opportunities whereby the student is employed directly by an employer, or an employment agency, and paid, via a payroll, at least National Minimum Wage. However, Each individual SES can also choose to set their own additional policies with regard to accepting work that is offered as self-employed, commission-based, or working at a private address, but must ensure that all opportunities comply with current employment and immigration legislation. An SES offering these additional types of opportunities must also offer students appropriate guidance (e.g. with regard to personal safety, tax implications, visa implications, payment etc).

3. The SES will seek in its activities to help students to avoid conflict between work and study.

Students

1. The SES will make information about appropriate job vacancies available to registered students. Information will be displayed in the SES office (if available) and online . The SES may contact suitable candidates directly about particular vacancies.

2. The SES will not disclose the names, addresses or telephone numbers of students without their permission and shall conform to the requirements of the Data Protection Act and any subsequent related Acts.

3. The SES will provide students with employment information which is as accurate and up-to-date as possible. All information is given in good faith and based on information provided by the employer to the SES. Students must confirm for themselves that this information is accurate.

4. It is the responsibility of the student to ensure that they have the relevant skills, qualifications, and availability required for a particular post before applying for it.

5. Students must notify the SES immediately when they have found work, giving appropriate details of their employment.

The SES will provide information about employment issues (e.g. tax and national minimum wage) and when appropriate, will direct the student to other sources which offer more specialised information and guidance.

6. Contracts of employment are between the student and the employer. If a student is unhappy about any aspect of their employment, they must first try to resolve matters with the employer. If the

student believes the employer is in breach of employment law or this code of practice, then they are advised to contact the SES which will seek to give appropriate information and referral for further guidance. In such circumstances, it is solely the responsibility of the student to bring any legal action against an employer.

7. Students requiring information/guidance on issues related to employment and employability (e.g. writing a CV or information about financial support) will be directed to a more appropriate source, usually within the university, if the SES does not provide this support.
8. Students are expected to be aware of their own study commitments and not to take employment that will adversely affect their academic work.
9. The SES Reserves the right to remove from the SES register, any registered student who fails without good reason to attend a pre-arranged employer interview or who otherwise abuses the service.

Employers

1. The SES will endeavour to assist employers in locating suitable student employees, but the SES reserves the right not to advertise vacancies it considers unsuitable for students, and to refuse to advertise further vacancies from any company which breaches this code.

The employer must make clear the nature of the work offered and specify any necessary skills required, the proposed wages and other terms. If they are able, the employer should also state the number and distribution of hours to be worked and the date that the employment will commence and end, if appropriate.

2. It is the responsibility of the employer to ensure that their vacancy is kept up to date, and closed when the vacancies are filled.
3. It is the responsibility of the employer to let all candidates know the result of an application as soon as possible, and also to inform the SES.
4. The employer should be aware of student's study obligations and should bear these in mind when negotiating hours of work with students. The SES will promote vacancies offering employment of up to an agreed number of hours per week during term-time. This limit is set by the individual SES. The SES will advertise up to full-time employment in vacation periods.

5. It is the duty of the employer to meet all statutory legal requirements with regard to students employed via the SES. In particular the employer is reminded of the following:
 - 5.1. payment of at least the national minimum wage
 - 5.2. working time directive legislation, including holiday entitlement
 - 5.3. payment, and correct processing of National Insurance contributions and income tax
 - 5.4. adherence to health and safety regulations and provision of adequate insurance
 - 5.5. adherence to The Childrens Act
6. compliance with legislation against discrimination in employment on basis of disability, ethnic origin, gender, sex, sexual orientation, religious belief, or age The employer shall satisfy themselves as to the suitability of any employee and shall be responsible for taking up any references provided by the employee before engaging the student.
7. The employer is responsible for checking international students' right to work in the UK, and must ask to see a passport or other official document proving immigration status, as stated by the Home Office. Employers agree to employ international students/dependants who have proven their eligibility to work in the UK, but have not yet received a permanent National Insurance number. Employers agree to adhere to all guidance and legislation set by the UK Border Agency (Home Office), when recruiting and employing international students. Employers, who offer students employment during unsocial hours (e.g. late night working), or situations where there is lone-working, are encouraged to consider the safety of, and transport home for such employees.
8. Employers cannot charge students for finding employment. However, it is accepted that employers within the entertainment and modeling industries can charge in accordance with employment legislation, and individual SES's can make a decision regarding accepting fee-charging vacancies from these industries only.
9. Where any charge is to be levied on an employer using the SES, the amount, its purpose and the method of payment will be stated clearly, in writing, when the vacancy is notified.
10. Employers will permit visits by representatives of the SES to the place of work, as may be necessary.

11. The SES and the institution, Students' Union or organisation responsible for running the service, shall bear no liability for loss, damage or delay howsoever arising in the performance of these services and in particular caused by circumstances beyond its control (of whatsoever kind).
12. The placement of an advert with the SES shall be deemed acceptance of and agreement to this code of practice.

Agency style services – NASES Code of Practice

1. Services will ensure that all staff are aware of and comply with the provisions of the 1973 Employment Agencies Act as amended, the Conduct of Employment Agencies and Employment Businesses Regulations 1976 and any future amendments, other relevant legislation, statutory codes and official guidance including that relating to equal opportunities and equal pay, taxation, health and safety, data protection, trade union membership, immigration, rehabilitation of offenders, telecommunications privacy and working time.
2. Service managers will ensure that staff are informed and trained to carry out their duties effectively, and that they seek to improve continually the performance of their staff by continuing development of their knowledge and skills.
3. Services will deal with and represent themselves to candidates, temporary workers and clients fairly, openly, honestly and courteously at all times.
4. Services will establish and operate in accordance with their own internal written complaints procedure which should aim to effect swift and appropriate resolution of complaints. This procedure should be clearly communicated to all staff and must be followed when dealing with complaints brought against the service.
5. Services will advise clients of any potential conflicts of interest before attempting to fill a vacancy.

6. Services will develop a positive policy towards and take necessary steps to promote equal opportunities in employment. In particular they will comply with the requirements of the REC Best Practice Code on equal opportunities.
7. Any selection tests used, including psychometric and personality questionnaires should be relevant, properly validated and where appropriate conducted by trained or licensed personnel.
8. SESs will submit or transmit details of candidates, temporary or contract workers only in respect of registered vacancies or fields of potential interest.
9. The express agreement of clients must be obtained before a vacancy is displayed on any website.
10. The express agreement of candidates or temporary or contract workers must be obtained before a CV or any personal details which might identify the candidate, are displayed on any website.
11. No personal details or details which might identify the candidate, such as name of current employer or information which might identify the current employer should be displayed in any open website. Such information may be displayed in password protected parts of a site, provided candidates are advised that clients will have access to such information. If current employers might have such access the candidate must be warned.
12. Clear agreement should be reached with candidates or temporary and contract workers and clients about any expenses payable for attending interview or for any other purpose. Information on any expenses payable should be given in writing before interview or commencement of an assignment, where possible.

Advertisements

13. Services advertisements must be accurate. All descriptions, claims and comparisons must be capable of substantiation.
14. All specific vacancies advertised must be available at the time of going to press, or being put on display. Filled vacancies must be removed from display as soon as reasonably practicable.

Providing Temporary or Contract Staff Services

15. On initial contact with a client SESs will provide clear and accurate information about the services they may provide.
16. SESs will provide clear and fair written terms of business to the client as soon as possible after receipt of a request to supply a temporary worker to a client.
17. SESs will document accurately, contemporaneously and appropriately all stages of the recruitment process, including the results of interviews, tests and references.
18. SESs will endeavour to take up references as appropriate on temporary or contract workers before providing them on assignment to clients. If for exceptional reasons, referees have not been contacted, the client must be informed.
19. SESs will treat information about candidates and temporary workers confidentially. Disclosure of information or data identifying a candidate either explicitly or implicitly must be restricted to those involved in the recruitment process. Clients will be encouraged to treat information on candidates confidentially at all times.

SESs' Duties to Temporary and Contract Staff

20. On initial contact with a potential temporary or contract worker, SESs will provide clear and accurate information about the services they may provide.
21. SESs will transmit to temporary or contract workers as accurately and promptly as possible all relevant information provided to them by clients, including information relating to health and safety matters.
22. SESs will pay temporary staff promptly and efficiently and as specified in the contract with temporary or contract workers. In the event of any unavoidable delay in payment, the temporary or contract worker should be informed immediately of the reason for the delay, steps to be taken to resolve late payment, and likely timescale for resolution of the reason for late payment.

23. SESs will inform temporary or contract workers that if the client engages them direct during or within an agreed period after the end of the assignment, the client may either be charged a fee or the period of the assignment may be extended before the temporary or contract worker can take up work direct without charge to the client.

24. SESs will provide the information requested for references for individual temporary workers unless they can objectively justify their decision for refusing to give such information in any particular case.

7. DISCIPLINARY PROCEDURES

7.1 General

NASES has an important role in raising and setting professional standards in the student employment sector. The Memorandum of Association states in paragraph 3 that one of the main objectives is:-

f) to establish standards of good practice for student employment practitioners;

Members of the Association are committed to the achievement of these objectives and to the maintenance of the standards of professional conduct as established by the Codes of Good Practice.

NASES investigates complaints against members that arise out of a breach of these NASES Codes of Good Practice. Any person may complain to NASES that a member's conduct has breached the NASES Codes of Good Practise. Any such complaint will be considered under this Complaints and Disciplinary Procedure.

NASES may instigate an investigation if evidence or allegations in the public arena come to its attention that suggests that a member has breached the NASES Codes of Good Practice.

7.2 Introduction

7.2.1 Complaints must be made to the NASES Director, NASES National Office, Centre for Lifelong Learning, University of Liverpool, 150 Mount Pleasant, Liverpool, L69 3GD address in writing

7.2.2 NASES will not under normal circumstances accept anonymous complaints but will require full disclosure from all parties in a complaint investigation. Anonymous complaints may be referred to the relevant statutory authority as appropriate.

7.2.3 A complaint must be made within one year of the incident complained about occurring unless it is not reasonably practicable to bring a complaint within that time frame. In the event that a complaint is brought after one year, the complainant must provide written reasons for the delay. If, in the reasonable opinion of the Director, the reasons given do not reasonably justify the delay in bringing the complaint, the Director shall have the discretion to refuse the complaint.

The Complaints Procedure

REC Complaints & Disciplinary Procedure

7.2.4 It is recommended that the complainant should in the first instance raise the matter with the member concerned, preferably in writing. If no satisfactory response or explanation is provided the complaint may then be referred to NASES.

7.2.5 Complainants must provide relevant documentation and any documentary evidence supporting the complaint to enable NASES to assess the basis of the complaint and its relevance to the NASES codes of practice.

7.2.6 Any relationship between the member concerned and the complainant or other conflict of interest should be divulged.

7.2.7 The Director will notify the member concerned in writing of the nature of the complaint, along with a copy of the complainant's letter of complaint and any supporting documentation, with a request that the member responds within 10 working days of the date of sending out the notification. In appropriate circumstances the Director may exercise discretion to mediate a settlement between the parties without instituting the formal Complaints and Disciplinary Procedure. In these circumstances the Director may contact either or both parties by telephone or in writing in order to reach an agreed settlement and will document the agreed outcome in writing to both parties within 5 working days of the outcome having been agreed.

7.2.8 If the Director makes a finding that any of NASES codes have been breached, the Director will write to both parties to confirm this and to require a specific response from the member concerned in

respect of evidence and/or assurances about future conduct. If the member responds with adequate evidence and/or assurances and is reasonably satisfied that standards are in place or improved as a result of the complaint, the Director may consider the matter satisfactorily resolved and will write to both parties stating this and that no further action is proposed. If the member's response is not forthcoming or satisfactory the matter may be referred directly to an Enquiry Team.

7.3 The Enquiry Team

7.3.1 An Enquiry Team shall consist of three members of NASES nominated by the chair of the NASES Executive Committee and will normally include a past president, the Team may co-opt up to two additional members, if specialist knowledge is required. The Chair of the Team will be appointed by the chair of the NASES Executive Committee.

7.3.2 The Enquiry Team will:

- examine the available evidence including hearing representations, if appropriate, and to make such enquiries as are necessary to establish whether or not the complaint is substantiated;
- report to the NASES Executive Committee the findings of the Enquiry Team including any recommendations of the Enquiry Team to the Executive Committee regarding which sanction or sanctions is or are appropriate;
- recommend to the Executive Committee whether the findings of the Enquiry Team and decision of the Executive Committee should be published and whether or not the name of the respondent should be divulged.

7.3.4 The Team will consider all information and evidence already submitted in a complaint investigation by both parties and the written reasons for an appeal of the Directors findings. All documentation will be sent to Team members no later than 10 working days before the Team meeting. The Team will not or cannot guarantee that they will consider additional information submitted after this point unless this has been specifically requested.

7.5 Procedures

7.5.1 When it has been decided that there is a case to answer, all parties will be notified within 21 days of the nature of the complaint and be given 28 days' notice of a hearing, if deemed appropriate.

7.5.2 Hearings will take place at a venue and at a time to be decided by the Team.

7.5.3 The Enquiry Team may be legally advised by a solicitor or by Counsel. The respondent will inform the Enquiry Team whether he wishes to be legally, or otherwise represented, to call witnesses and/or submit documents as evidence.

7.5.4 At the hearing the Director will present the case. If the Respondent is legally represented then the Association may be similarly represented in which case the case against the Respondent may be represented by the Association's legal representative.

7.5.5 When the hearing is completed all except the chair and members of the Enquiry Team and its legal adviser will retire to allow the Enquiry Team to reach a decision.

7.5.6 The decision of the Team shall be agreed by a simple majority of members of the Team including co-opted members. In the event of a tie the Chair of the Enquiry Team shall have a casting vote.

7.5.7 When a decision has been reached all concerned will be recalled and informed of the findings of the Enquiry Team and any recommendations which the Enquiry Team will be making to the Executive Committee. The Respondent will also be informed of the appeal procedure.

7.5.8 The Committee may decide the matter in one or more of the following ways:

- That there is no evidence of a breach of NASES codes
- That the complaint is not proven
- Termination of membership (expulsion)
- Suspension of membership for a defined period
- Suspension for a specified period from office holding at branch and national level
- Reprimand or Caution (by way of warning about future conduct)

7.5.9 In addition the Enquiry Team may make recommendations to avoid a similar complaints in the future and may decide whether to publicise its decision once the period for appeal has elapsed.

7.5.10 The Enquiry Team will make recommendations to the NASES Executive Committee, the chair will then formally accept the recommendations and agree the most appropriate course of action.

7.5.11 The decision of the Enquiry Team will be notified to the member and the complainant in writing and shall set out the Team's reasons for the decision.

7.6 Appeal Procedure

7.6.1 Either the complainant or the member concerned may appeal the decision of the Enquiry Team within 10 working days of the date of the written notification of the decision, if they have grounds to do so on the basis of additional information or evidence not previously submitted or on the basis of a substantiated challenge to the operation of this procedure.

7.6.2 The appeal shall be heard by an Appeal Panel, of three members, which shall be appointed from the NASES Executive Committee. The Appeal Panel shall nominate one of their number to act as Chair of the Panel.

7.6.3 Notice of Appeal must be submitted to the NASES Director by the complainant within 28 days of receipt of the written notification of the decision of the Enquiry Team.

7.6.4 The Director will circulate copies of the written reasons for appeal together with any supporting documents to the Appeal Panel and both parties to the appeal. The Appeal Panel will consider all information and evidence already submitted during the course of the complaint investigation by all parties and the written reasons for an appeal of the Enquiry Team's findings. All documentation will be sent to Panel members and the relevant parties no later than 10 working days before the Appeal hearing. The Panel will not or cannot guarantee that they will consider additional information submitted after this point unless this has been specifically requested.

7.6.5 The Appeal Panel will meet to agree the most appropriate procedure to resolve the issue within 28 days of appeal being received.

7.6.6 The decision of the Appeals Panel will be final and not subject to approval from the Exec Committee.

8. NASES TRAINING

8.1 To develop the NASES Training Programme to satisfy members needs and expectations

- 8.2 To promote the NASES Training Programme to members and support the personal development of its members

9. MANAGEMENT OF STUDENT WORK EXPERIENCE (MSWE)

- 9.1 NASES will continue to enhance the continued professional development of the student employment sector and its member's through MSWE and other training.
- 9.2 To further develop and oversee the MSWE course and promote to NASES members and other interested parties ie Placement Officers

10. ANNUAL GENERAL MEETING / ELECTIONS

- 10.1 A minimum notice of 21 days will be given in holding an Annual General meeting or an Extraordinary General meeting. (S 7.1a) unless agreed by members entitle to vote.

10.2 The notice must specify the date, time and place of the meeting, the general nature of business to be transacted and must state that it is an Annual General meeting.

10.2.1 The function of AGM will be to receive reports from officers, regional groups or sub-committees.

10.2.2 To elect Directors and members of the Exec.

10.2.3 To consider resolutions proposed and seconded by members and received before the AGM

10.2.4 To hear Items put forward as an Agenda item and any other business

10.3 The notice must be given to all the members and to the Directors and auditors.

10.4 No business shall be transacted at any general meeting unless a quorum is present (S 9.1).

10.5 A quorum is one tenth of the total membership at the time. The authorised representative of a member organisation shall be counted in the quorum

10.6 The General meetings shall be chaired by the person who has been appointed to chair at meetings of the Directors.

10.7 Elections

10.7.1 Election Candidates – Only current members of the association are entitled to stand for elections to the executive committee.

10.7.2 All nominations for election need to be proposed and seconded by NASES members

10.7.3 The Secretary, or their nominated representative must receive nominations, with an election manifesto of not more than 500 words, a minimum of two weeks before the date of NASES Annual General Meeting.

10.7.4 The Secretary may, in her/his absolute discretion, accept late nominations and the Chair may, in her/his absolute discretion, accept nominations made at the Annual General Meeting.

10.7.5 Only members of the association at the time of the AGM are entitled to vote. The election will be conducted on the basis of one member one vote.

10.7.6 No member shall be entitled to vote at any general meeting or at any adjourned meeting if he or she owes money to the Charity.

10.7.7 If the number of persons nominated be more than the vacancies, the new Executive members will be elected at the Annual General Meeting of the Association after a ballot. Postal/faxed/emailed voting may be allowed at the discretion of the Executive Committee and any votes must be received before the AGM.

10.7.8 Election Ballot - Members may either vote by postal/fax/email ballot (if approved by the Executive Committee) or by members casting a vote at the Annual General Meeting.

10.7.9 All voting shall be by a show of hands, unless before, or on the declaration of the result of, the show of hands a poll is decided on.

10.7.10 All ballot papers will be counted after the close of the election and before the date of the Association's Annual General Meeting.

Votes shall be counted by a Returning Officer appointed by the Executive Committee.

10.7.11 The candidates who have the greatest number of votes shall be declared elected.

10.7.12 In the case of a tie, the election shall be held again using Single Transferable Vote procedures. If this second election is tied, the Chair of the Annual General Meeting, or their nominated representative, shall have a casting vote.

10.7.13 The declaration by the person who is chairing the meeting of the result of a vote shall be conclusive unless a poll is demanded.

10.7.14 The result of the vote must be recorded in the minutes of the Charity but the number or proportion of votes cast need not be recorded.

11 ALTERATIONS TO Articles of Association and Memorandum of Association

11.1 No alteration in, or addition to NASES, **Articles of Association and Memorandum of Association** may be made except at the AGM or at a Special Meeting convened specifically for that purpose.

11.2 Alterations in, or addition to, these Byelaws can be made will full approval of teh NASES Executive Committee.

16 FURTHER PROVISIONS

16.1 Any matters which do not fall within the scope of these Rules and Regulations should be brought to the attention of the Executive Committee.

16.2 Any decisions will require a majority vote from the Exec.

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