



**Fairfield School of Business**

# Student Union Constitution

Version 4.0

Approved by the Board of Governors

Last Amendment: October 2019

Fairfield School of Business Students' Union (the "Union") is a Student Union within the meaning of the Education Act 1994. The Union is devoted to the educational interests and welfare of its Student Members.

This document covers various aspects of the Students' Union, such as the right to free and fair elections, and how students may make complaints about the Students' Union.



## Document Information

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## **1. FSB Student Union Constitution**

- 1.1. This constitution shall take effect from 1 September 2015 and invalidates all former constitutions of this Union.
- 1.2. This constitution shall be subject to review by the Union Council and the School at least every three years, in accordance with the Education Act 1994.
- 1.3. As a School under the Education Act 1994, FSB has a statutory duty to ensure that the Union operates in a fair and democratic manner and is held to proper account. The Union therefore will operate in a manner that ensures that the affairs of the Union are properly conducted and that the educational and welfare needs of the Union's members are met.

## **2. What is a constitution?**

A constitution is a legal document that sets out the activities and procedures of the Student Union. The constitution is made so that the Union is recognised by other bodies – particularly School governors and the National Student Union (NUS). The constitution makes sure that the rules and procedures used by FSB's Student Union are efficient, transparent and accountable to the members.

### **2.1. The Constitution:**

- Provides the framework for the operation of the Union;
- Outlines where and how union members can air their concerns;
- Shows how the executive committee can act on behalf of members;
- Defines what the Union can or cannot do.

### **2.2. Name and Form**

The name of the Student Union is "FSB Student Union", and it shall be an unincorporated association governed by this constitution.

### **2.3. The Mission Statement**

The mission of the FSB Student Union is:

"We aim to develop and maintain meaningful, imaginative, reciprocal and sustainable relationships with our students in and out of the classroom in an effort to engage students, enable a free and independent student voice, contribute towards their educational journey whilst in the School and foster success during their studies and beyond".



## 2.4. **Constitution Sections**

The constitution is made up of three sections –

1. Aims and Composition
2. Operational Information
3. Regulations

## 2.5. **Amendments to Constitution**

Only the Union Executive will be permitted to amend the constitution and schedules. All amendments will be subject to the approval of the School before they can be implemented.

All amendments to the constitution or schedules will require the support of a minimum of two-thirds of the members present who are entitled to a vote at a Union Executive meeting.

The constitution will be reviewed by the Union Executive annually, and by the School at least every 5 years, from the date of the current document's implementation.

## 2.6. **Code of Practice**

The Code of Practice is reviewed and approved annually by the FSB Executive Committee in accordance with the requirements of clause 22(3) of the Education Act 1994, which requires that the governing body of FSB shall take such steps as are reasonably practicable to secure that the Union operates in a fair and democratic manner and is accountable for its finances. The Code of Practice at the time the Constitution was approved is set out below. The latest code of practice will be published on the FSB Connect VLE and the Student Union website, and should be read in conjunction with the constitution, schedules and appendices.

### 2.6.1 Constitution

The Union will have a written constitution, approved by the School and reviewed by the School annually, and in any case at least every 5 years, as part of its annual policy review by the Quality Unit. Any amendments to the constitution will be approved by the School Executive Committee.

### 2.6.2 Opt Out

Students have a right to opt out of the Union within six weeks of joining their course. The School and Student Union are committed to ensuring that the decision to opt out does not result in restricted access to services or other unfair disadvantage.

The right to opt out is brought to students' attention in the Orientation Week presentations.

### 2.6.3 Election

The Student Union Coordinator (an employee of the School reporting to the Executive Committee) will conduct independent elections once every new term in order to facilitate changes of exiting students (completers) and entering students (new starters), to ensure that elections are fair and properly conducted.



All major Union offices (the Union Executive) are elected by a secret ballot in which all members are entitled to vote.

Any sabbatical or other paid voting Union office created by Union can only be held by any one individual for a maximum of two years.

#### 2.6.4 Finances

The conduct of the financial affairs of the Union will be monitored by the Student Union Coordinator and the Union Executive on behalf of the School, who shall appoint a Finance Officer from the Union Council. Annually, every September the Executive Committee will be allocating a budget with consultation with the President of the Union.

The Union's annual accounts will be made available to the School and to all students.

#### 2.6.5 Allocation of resources to Clubs and Societies

The Student Union Coordinator and University Executive shall monitor the allocation of resources to any clubs and societies of the Union, and shall appoint a Clubs and Societies Officer from the Union Council. The procedure for allocating resources shall be set out in the constitution and be made available to all students.

#### 2.6.6 Affiliation to external organisations

The Student Union Coordinator monitors compliance by the Union with the statutory requirements below on behalf of the School Executive Committee:-

- that a current list of affiliations be approved by a General Meeting of members annually
- to publish to members the right of secret ballot in which all members are entitled to vote for or against continuation of any particular affiliation, provided that (a) 150 or more of members sign a requisition for the ballot and (b) 365 days or more have passed since the last requisition relating to the same affiliation;
- to publish an annual report of all current affiliations to the School Executive Committee and all students, stating the name of the organisation and details of any subscription or similar fee paid or proposed to be paid.

#### 2.6.7 Complaints

Complaints by any students who are dissatisfied with their dealings with the Union will be dealt with according to the complaints procedure outlined in Section 3 paragraph 5.1 of this constitution. The complaints procedure provides for investigation and reporting by the Student Union Coordinator, who is an independent person appointed by the School .

The School Executive Committee will review annually:-

1. summary reports produced by the Union Executive as part of its annual report to the School on all complaints pursued by means of the constitutional complaints procedure, including those from students who allege unfair disadvantage after opting out of membership; and
2. each individual case report by the OIA in arising out of complaints against the Union.



### 3. **Aims and Composition**

This section defines the aims and objectives of the Union as well as setting out what can or cannot be done.

The Union is devoted to the educational interests and welfare of its members, and represents the will of the students.

#### 3.1. **Aims and Objectives**

The objectives of the Union will be:

- To enrich and enhance the educational experience of its members as people as well as intellects, and in particular to provide opportunities for members to develop their personal maturity, leadership, communication and any other such skills.
- To be the principal body representing its members' views and interests within their institutions.
- To develop the student community through the provision of entertainment, media, social and other services, and to support a wide variety of student led cultural, recreational and sporting groups.
- To provide help to students encountering problems with student life and to minimise the likelihood of such problems occurring. This work centres on advice services but also extends to the provision of facilities for students with special needs and the induction of students.

The Union aims to do this through an open and democratic structure, effective communication with our members, with emphasis on continual improvement to all our services. Fulfilment of these objectives will thereby enhance the reputation of the institutions with prospective students, potential employers and the local community.

These objectives should be pursued without regard to age, race, gender, sexual orientation, disability, ethnic origin, religion or creed and independent of any political party, organisation or religious body.

#### 3.2. **Membership Composition**

The Student Union shall be comprised of students from all programmes.

All members shall be entitled to use Union facilities and take part in its educational, social, sporting and cultural activities. Members shall be allowed to attend and speak at Union Council meetings, vote in any referendum, to nominate, stand and vote in union elections, and to hold office in the Union Council, Union Executive, and clubs and societies.



All students who are registered at the School, over the age of 16, shall be members of the Union unless they have decided to give up their membership in accordance with the 'Opting Out' regulations outlined in this constitution.

### **3.2.1 Union Council**

The Union Council will be the supreme decision making body of the Union.

The Union Council will be made up of the Union Executive, and at least 2 Course Representatives from every course on offer by the School.

The Union Executive will be made up of the Student Union Coordinator (a non-voting FSB employee) and the following student members (who are entitled to vote in meetings):-

- President;
- Vice President (Croydon Campus);
- Vice President (Birmingham Campus);
- Secretary.

The Union Executive will meet monthly to:-

- Set dates of full Union Council meetings;
- Make amendments to the constitution and schedules as appropriate;
- Monitor and discuss events and decisions;
- Approve financial reports;
- Call an emergency Union Council meeting to discuss a particular issue;
- Ensure all Union Council meetings are conducted according to the Meeting Arrangements outlined in this constitution.

At the first meeting of the Union Executive in each academic year, they shall also appoint elected Union Council members to report to the Union Executive as:-

- Finance Officer;
- Communication Officer;
- Clubs and Societies Officer.

The full Union Council will meet once a semester to:-

- Set the policy of the union;
- Exercise any of the powers delegated to the Union Executive;
- Monitor and discuss the events and decisions of the School 's committees, and to raise concerns of members to the School ;
- Approve financial reports from the Union Executive;
- Elect delegates to appropriate NUS conferences and councils.

At its first meeting of each academic year, the Union Council will also:-

- Confirm the results of the election;
- Confer recognition on and approve allocation of funding to clubs and societies;
- Approve the Union's annual budget and accounts;



- Approve the union's report to the School .

### **3.2.2 Job Descriptions**

#### **President**

The **President's** duties will be as follows:

- Preside over all executive and membership meetings
- Externally represent FSB and its members at all times
- Be a member of the Union and ensure that the decisions made are implemented
- Ensure that all officers of the Union compile a written report after served tenure
- Oversee the actions and duties of all other officers
- Act reasonably in all matters, and in the best interests of the Union
- Maintain all legal documentation relating to the Union, including the constitution, the union code of practice and all legal advice
- Be responsible for publicising all Union Council meetings and changes for discussion and circulating agendas and minutes to members of the meeting

#### **Vice President**

The **VP's** duties will be as follows:

- Deputise for the President in their absence
- Take the lead in understanding and representing the student experience of the Student Union's members.
- Set the direction for the Student Union strategic plan and be responsible for the delivery of improvements.
- Act reasonably and prudently in all matters, and in the best interests of the Union.
- Brief the Course Representatives
- Deal with all matters related to student life

#### **Secretary**

The **Secretary's** duties will be as follows:

- Keep accurate history and records of the Union's activities and meetings
- Write and distribute meeting minutes for each meeting
- Keep records of all communication and correspondence

#### **Course Representative**

The Course Representative duties will be as follows:

- Attend the Union Council meetings;
- Gather the views and concerns of other students in their class and feed them back to the lecturer directly, to the department at Course Committee meetings and to the Students Union;
- Liaise between Faculty and student body;



### 3.3. **Affiliation to External Organisations**

Affiliations to external organisations is any membership or formal association between the Union and any organisation other than the School or the NUS.

Any proposal to affiliate to an external organisation shall be approved by the full Union Council. Details of all affiliations to external organizations, including the names of the organisations and each affiliation fee paid will be published in a notice on FSB Connect, and will be included in the Union's annual report to the School, which will be made available to all members of the union and to the School .

In the event of an objection to a current affiliation to any particular external organisation, a petition signed by at least 200 members of the Union must be presented to the President. A referendum shall then be held on the issue. The referendum shall be carried out in accordance with paragraph 4.3 (Referendum) of this constitution as a secret ballot. A further referendum on the same affiliation cannot be called in the same academic year.

### 3.4. **Code of Conduct**

All Union members are expected to comply with the Code of Conduct:-

1. All members are expected to comply with the School 's Code of Conduct and policies currently in force, especially its Student Code of Conduct;
2. Members of the Union Council are expected to attend all meetings of which they are a part;
3. Members of the Union Council are expected to act at all times in the members' best interests, and avoid discrimination, bias, or conflict of interest;
4. The official and only language of the Union is English and all members are expected to respect that;
5. Union Council meetings and discussions shall remain confidential until publication is approved by the Union Executive;
6. Respect of other members is expected during discussions in meetings and any cross talk is not permitted.

### 3.5. **Beneficiary Addendum**

Should this organisation cease to exist, our funds will be donated to the School.



## **4. Operational Information**

### **4.1. Student Union Election Regulations**

This section gives further operational details of the Union's procedures.

#### **4.1.1 Student Union Coordinator**

The Student Union Coordinator will be responsible for the good conduct and administration of all union elections and shall have the sole interpretation of the election regulations. The Student Union Coordinator may appoint assistants to support them in their duties.

#### **4.1.2 Election Dates**

Elections for the Union Executive will be held during the first two weeks of February, and dates and general information will be announced via email to all active students as well as on the VLE and campus notice boards at least 28 days before the election date.

By-elections for Union Executive offices will be held within 28 days of any resignation or disciplinary expulsion taking effect, with nominations closing 7 days after the leaving officer's resignation/expulsion.

Class Representatives will be elected by verbal nominations and a show of hands vote during a class in the first few weeks of Semester 1 and Semester 2 of the course. By-elections for vacant Class Representative offices will take place at the next relevant class.

#### **4.1.3 Members for Election**

- President
- Vice President
- Secretary

Nominations for Union Executive offices shall be made by in writing to the Student Union Coordinator, stating the candidates name and position(s) they are running for, before 6pm on the date 14 days before the announced election date.

Nominated students will only be accepted by the Student Coordinator as eligible candidates if at the time of nomination they have:-

- No current disciplinary proceedings or penalties by the School ;
- If elected in their second or subsequent year of study, have attended at least 80% of the classes for their course.



Course Representatives are the key link between students and staff in their course. Every course in the School should have at least 1 Representative per class.

#### 4.1.4 Election Publicity

The Student Union Coordinator will produce a list of candidates which will be displayed on the Union notice-boards within 48 hours of the closing date for nominations.

Candidates may produce a manifesto and a poster to a specification to be determined by the Student Union Coordinator, which must be handed in with the completed nomination form.

#### 4.1.5 Campaigning

Candidates may commence campaigning at the close of nominations.

The length of speeches and responses by candidates to questions at any debate or similar event shall be determined by the Student Union Coordinator who will also appoint a chair.

#### 4.1.6 Voting procedures

All members of the Union and students will be able to vote regardless of their place or time of study.

All members of the Student Union can only vote when accompanied by a valid FSB student ID Card.

Voting will be done by secret ballots at Polling stations set up by the student Union Coordinator in the Student Union at each campus.

In the event the Student Union Coordinator is unavailable during the election she or he may appoint another person to be responsible for his or her election duties.

Voting days and length will be decided by the Coordinator.

#### 4.1.7 Declaration of Votes

The Student Union Coordinator will inform the candidates of the time and venue of the count. The candidates or their appointed representatives may, if they so wish, attend the counting of the votes as observers only.

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



Results of the elections will be declared by the Student Union Coordinator when the count for each post has been completed and any complaint has been resolved to the satisfaction of the officer.

#### 4.2. **Union Council Meeting Arrangements**

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

Meetings will be held once a semester and are open to all Student Union members to attend. Union members may speak in the Discussion part of the meeting agenda, by raising their hand and waiting to be called on by the President. Quorum is set at 25 Union Council members, and all Union Council members are expected to attend all meetings. Union Council members may attend in person, or by skype-link from their campus.

An emergency Union Council meeting may be called to discuss a particular issue.

A brief description of the meeting will be sent with the agenda of the meeting.

Voting by the Union Council or Executive committee is by show of hands, and unless otherwise stated in this constitution will be decided by a simple majority vote (i.e. 50% of those present vote in favour). If there is a tie, the President will have the deciding vote.

##### 4.2.1 Meeting Agenda

The agenda of the meeting will take place in the following order:

- Checking the minutes of the previous meeting for accuracy
- Matters arising from the minutes of the last meeting
- Events
- Union Executive Reports
- Finance Officer, Communications, and Clubs and Societies Officer reports
- Course Representative Reports
- Clubs and Societies recognition and allocation of funds
- Other matters
- Discussion

##### 4.2.2 Minutes

Minutes will be taken in all Union Council meetings and circulated to every member present in the meeting. After the corrections are carried out the confirmed minutes will be filed and made available to the School .

The following will be made available to the School :

- A copy of the constitution, including any amendments
- A copy of the annual report and any plans for the Union's activities including the budget



#### 4.3. **Referendum**

A referendum, in which all members will be allowed to vote, shall be held:-

- on any issue, if the Union Council decides by a two thirds majority of those present to call a referendum;
- if the President is handed a petition detailing the issue and containing the name, course, student number, and signature of at least 150 students who are members;
- annually to approve any affiliations to external organisations.

The Student Union Coordinator shall be responsible for deciding the wording of the question on the referendum ballot paper or online poll. The referendum shall be supervised by the Student Union Coordinator, and be conducted either by establishing Polling stations as for an election, open for 14 days, or by an online poll on the Student Connect VLE.

The arrangements for postal voting shall be the same as those for an election, as in Schedule One (Election Regulations) of this constitution.

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

#### 4.4. **Union Finance**

The Union will receive appropriate funds from the School after approval from the Executive Committee to enable it to effectively pursue its aims and objectives.

This annual allocation of funding will be decided by the School at the last meeting of the financial year, on presentation of the union's estimates for the forthcoming academic year.

The financial year of the Union will run from 1 September to 31 August of every academic year.

The organisation of the Union's finances and systems of control are outlined in the Finance Management section of this constitution.

### 5. **Regulations to follow**

The constitution will be reviewed by the Union annually from the date of the current document's implementation and any review shall be approved by the Corporation.

This section includes regulations which the Union has to follow.

#### 5.1. **Membership**

All FSB registered students will be a part of the Student Union

#### 5.2. **Opting Out**

A student who opts out of the Union will not be able to participate in the democratic and decision-making function of the Union. This includes not being able to stand for any Officer or Representative position.



A student who opts out of the Union will continue to have the right to attend Union run events and participate in the activities.

A student wishing to opt out must indicate this within six weeks of the start of their course in writing to the Student Union Coordinator.

### 5.3. **Disciplinary Procedures**

The Union's disciplinary policy has authority over any premises managed by the Union, any union activities, including any activities or any misconduct which takes place outside union premises but is connected to the Union and is likely to affect the reputation of the Union.

Allegations of a breach of the rules of the Union or the Union Code of Conduct, will be considered by the Union Executive at its next meeting. The Union Executive may decide, if such a breach is proved, to:-

- Suspend the member's use of Union facilities, resources, or membership of the Union for a period of up to 1 academic year;
- Expel the member permanently from the Union or permanently exclude the member from use of a particular Union facility or resource;
- Refer the member to the School to be dealt with under its Student Disciplinary Policy & Procedures.

In cases involving the misuse of union facilities or resources; or behaviour likely to cause potential danger or offence to students, staff or other persons, the student may be suspended from the use of particular Union facilities or resources until the disciplinary committee has reached a decision.

### 5.4. **Freedom of Speech**

The Union and its members are bound to observe the School 's code of practice in relation to freedom of speech as required by section 43 of the Education (No. 2) Act of 1986.

### 5.5. **Complaints**

The following complaints procedure will be made available to all students or groups of students who are dissatisfied in their dealings with the Union or claim to be unfairly disadvantaged by reason of their having exercised their right to opt out of union membership. The procedure is as follows:

- Any complaint about the Union will be addressed to the President. In any circumstances where the complaint relates to the President, it will be addressed to the Student Union Coordinator.
- The President will make a written reply within ten working days.
- If the complainant is not satisfied with the response they may appeal to the Student Union Coordinator. The Student Union Coordinator shall respond to the complainant within ten working days.



- If the complainant remains unsatisfied with the response provided by the Student Union Coordinator, the complaint may be referred to the Principal of the School or Associate Dean of the campus.

Members who complain about the conduct of another member will also be referred to the disciplinary procedures outlined in this constitution.

## 5.6. **Prevent**

The Union has a duty to assist the School in complying with its Prevent duty, and to have due regard to the risk of its members being drawn in terrorism. All Union events involving external speakers or attendance at external events must be submitted to the School for vetting under the School's External Speakers and Events Policy.

## 5.7. **Clubs and Societies**

The Union may set up clubs or societies, and responsibility for monitoring these shall be given to the Union Council member appointed as the Clubs and Societies Officer by the Union Executive.

### 5.7.1 Setting up Clubs or Societies

- No club or society may receive funds from the Union or use Union facilities without recognition by the Union Council.
- No club or society will be recognised if its objects conflict with those of the Union. However, this restriction shall not be interpreted so as to prevent the establishment of political, religious or ethnically based clubs and societies.
- Any club or society that wishes to be recognised by the Union shall present to the Clubs and Societies Officer:
  - a list of 10 signatures of members
  - the proposed membership fee (if any)
  - a constitution for the club or society to include:
    - the name of the club/society;
    - the aims and objects of the club/society (which shall not be contrary to those of the Union);
    - rules for membership eligibility to the club/society;
    - provision for the election of a committee for the club/society to include as a minimum a chairperson, a secretary and a treasurer;
    - the responsibilities of the committee;
    - provision for general meetings for all members of the club or society;
    - provision for an annual general meeting at which an income and expenditure account shall be presented and approved;
    - provision for the Union statement on equal opportunities.



### 5.7.2 Money for Clubs or Societies

- The Union Executive shall earmark a sum in the Union budget which shall be for grant aid of recognised clubs and societies.
- To receive funding an eligible club/society shall submit a budget proposal to the Clubs and Societies officer. This should be submitted by the end of August in the academic year before the one in which the club or society wishes to be recognised.
- The Union Executive shall meet to allocate the funds to recognised clubs and societies. Allocations will be made on the basis of the level of activity in the club/society; the number of members it has and special equipment and travel considerations. A contingency fund shall be set aside, the value of which shall be determined by the Union Executive.
- The allocations shall be approved at the first meeting of Union Council of each academic year.

### 5.7.3 Meetings of Clubs or Societies

- The annual general meeting of each club and society shall be held by the end of October in each academic year. This meeting will elect the club or society committee.
- Each club or society should have a minimum of one general meeting per semester where all committee members of the respective club/society should attend, unless reasonable apologies are submitted.
- The quorum of each club/society general meetings shall be 50% plus one of the club or society membership.
- The committee secretary is responsible for arranging the dates of meetings and must inform the members at least 7 days in advance. Agendas should be available two days in advance of the meeting.
- Changes to the constitution of any club or society can only be made at a club or societies general meeting and must be ratified by the club or society committee. In cases where the executive committee do not ratify the changes, the club or society may appeal to the Union Council.

### 5.7.4 Responsibilities of Clubs or Societies

- No-one from a club or society may commit either the club or society or the Union to any expenditure without prior authorisation through the relevant club committee or Union Council respectively.
- The club or society shall be responsible for promoting itself during induction week to encourage new membership.
- All clubs and societies' committees will produce an activities report and the treasurer will submit an income/expenditure sheet to the Union Council at the end of each semester, following a request from the Clubs and Societies Officer.
- The club or society shall not hold its own bank account and all its finance will be administered through the Union.
- The club or society shall hold no funds whatsoever outside the Union accounts.



- The chairperson of the club/society shall be responsible for the smooth running of any social events and activities and shall be responsible for convening of general meetings.
- The secretary shall be responsible for publicising general meetings, providing agendas and taking minutes of the meetings.
- The treasurer shall be responsible for ensuring that all expenditure is legitimate and that it does not exceed the club or society allocation for that year. The treasurer shall also ensure that an accurate list of all equipment purchased is kept and all equipment is returned to the Union at the end of the academic year.
- The treasurer shall ensure that all income received by the club or society is paid directly into the Union accounts and that no funds received by the club/society are withheld.
- The treasurer shall ensure that an income and expenditure account for the previous academic year is presented to the annual general meeting of the club or society and copies are sent to the Clubs and Societies Officer of the Union.
- Failure to abide by these regulations and the Union constitution may result in suspension of the club or society by the Union Executive.



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