

# STUDENT ASSOCIATIONS POLICY 2020

The Senate of the University of Sydney, as the governing authority of the University of Sydney, by resolution adopts the following Policy.

Dated: 9 December 2019

Last amended: 7 April 2021 (commencing 8 April 2021)

Signature:

Name: Mr David Pacey, Secretary to Senate

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### 1 Name of policy

This is the Student Associations Policy 2020.

### 2 Commencement

This policy commences on 7 February 2020.

### 3 Policy is binding

Except to the extent that a contrary intention is expressed, this policy binds the University, staff, students and affiliates.

## 4 Statement of intent

This policy:

- (a) specifies requirements for establishing and operating student associations;
- (b) establishes governance, approval and quality assurance arrangements for student associations;
- (c) prohibits student associations from acting inconsistently with the [University of Sydney Act 1989](#), University policy, procedures or their own constitutions; and

**Note:** See the [Policy Register](#).

- (d) prescribes the manner in which the University will conduct investigations into student associations, where required.

## 5 Application

This policy applies to all:

- (a) student associations;
- (b) students, staff and affiliates, including when:
  - (i) attending or organising a University event, function or activity, whether or not on University lands;
  - (ii) participating in any activity, wherever held, as a representative of the University;
  - (iii) performing duties or functions on the University's behalf as a staff member or affiliate; or
  - (iv) participating in a University event or representing the University as a student in any place, including on a study abroad or exchange program.

## 6 Definitions

In this policy:

**affiliate** has the meaning given in the [Staff and Affiliates Code of Conduct 2021](#), which at the date of this policy is:

clinical title holders; adjunct, conjoint and honorary appointees; consultants and contractors to the University; holders of offices in University entities, members of Boards of University Foundations, members of University Committees; and any other persons appointed or engaged by the University to perform duties or functions on its behalf.

<b>Associate Dean (Student Life)</b>	has the meaning given in the <a href="#">University of Sydney (Governance of Faculties and University Schools) Rule 2016</a> , which at the date of this policy is:  means an Associate Dean whose area of accountability corresponds to a committee of the University Executive.
<b>audit</b>	means an independent inspection of any of a student association's: <ul style="list-style-type: none"><li>• accounts;</li><li>• records;</li><li>• documents; or</li><li>• other materials relevant to its operation and activities.</li></ul>
<b>conflict of interests</b>	means, for the purposes of this policy, a situation where a person's external, personal or financial interests or duties come into actual, potential or perceived conflict with their duties to a student club or society, a student representative organisation or the University.
<b>constitution</b>	means a document which specifies an association's: <ul style="list-style-type: none"><li>• object;</li><li>• purpose;</li><li>• membership;</li><li>• management of affairs, including financial;</li><li>• operational conditions; and</li><li>• any other relevant matters.</li></ul>
<b>establishing authority</b>	means: <ul style="list-style-type: none"><li>• the Deputy Vice-Chancellor (Indigenous Strategy and Services);</li><li>• the Pro Vice-Chancellor (Student Life); or</li><li>• an Associate Dean (Student Life).</li></ul>
<b>faculty</b>	means, as appropriate, a faculty or a University school, established and constituted consistently with the provisions of the <a href="#">University of Sydney (Governance of Faculties and University Schools) Rule 2016</a> .
<b>school</b>	means a school within a faculty.
<b>staff or staff member</b>	means an employee of the University, including a casual employee.

<b>student</b>	means a person who is: <ul style="list-style-type: none"><li>• currently admitted to candidature in an award course at the University;</li><li>• a non-award student, exchange student or study abroad student; or</li><li>• currently enrolled in a course offered by the Centre for English Teaching.</li></ul>
<b>student association</b>	means any student representative organisation, student club, or student society (regardless of how they are named).
<b>student representative organisation</b>	means a student association listed in subclause 7(1) of this policy.
<b>student club or student society</b>	means a student association established under the terms of clause 8 of this policy.

## 7 Student representative organisations

- (1) The University will have the following student representative organisations:
  - (a) Sydney University Postgraduate Representative Association (SUPRA);
  - (b) Sydney University Sport and Fitness Limited (SUSF);
  - (c) University of Sydney Students' Representative Council (SRC); and
  - (d) University of Sydney Union (USU).
- (2) The constitution of a student representative organisation must be approved by Senate.
- (3) Subsequent amendments to the constitution of a student representative organisation must be approved by the Deputy Vice-Chancellor (Education).
- (4) If the Deputy Vice-Chancellor (Education) rejects an amendment or amendments to the constitution of a student representative organisation, the student representative organisation may appeal that decision to the Senate.
- (5) In relation to subclause 7(4) the Senate may:
  - (a) approve or reject the amendment or amendments to the constitution of the student representative organisation; and
  - (b) set a commencement date for the operation or the amendment or amendments.

**Note:** See the [University of Sydney \(Delegations of Authority\) Rule 2016](#).

## 8 Establishment of student clubs and societies

- (1) Subject to clause 13, student clubs and societies must:
  - (a) be established consistently with this clause if they use or propose to use:
    - (i) the University name;
    - (ii) University lands; or
    - (iii) University resources,and
  - (b) as appropriate, develop requirements and policies that are consistent with the [University of Sydney Act 1989](#), University policy and procedures.

**Note:** See in particular [the Charter of Freedom of Speech and Academic Freedom](#), the [Student Charter 2020](#), and the [Modern Slavery Policy 2020](#).
- (2) Students proposing to establish a student club or society affiliated to a student representative organisation must:
  - (a) submit a written application and a draft constitution to the most appropriate student representative organisation; and
  - (b) seek approval to establish the club or society from that organisation in accordance with:
    - (i) the requirements and policies of the appropriate student representative organisation
- (3) The Deputy Vice-Chancellor (Education) may, in consultation with the student representative organisations and establishing authorities, determine general conditions under which student clubs or societies are created by means of procedures associated with this policy.
- (4) Students proposing to establish a student club or society under the supervision of an establishing authority must submit a written application and a draft constitution to that authority, as provided in this policy.
- (5) An establishing authority must:
  - (a) consider each application it receives; and
  - (b) recommend to the Deputy Vice-Chancellor (Education) as to whether or not the proposed clubs or societies should be established.
- (6) In relation to subclause 8(5) the Deputy Vice Chancellor (Education) may:
  - (a) approve or reject an application to establish proposed student club or society;
  - (b) set a commencement date for its operation; and
  - (c) impose conditions on the operation of the proposed student club or society.
- (7) If any application to establish a student club or society is rejected the proponents may apply to the relevant student representative organisation or the Deputy Vice Chancellor (Education) in relation to an establishing authority as appropriate, for a statement of reasons.
- (8) Students may reapply to establish a previously rejected student club or society, after taking into consideration any reasons provided in the statement referred to in subclause 8(7).

- (9) The Deputy Vice-Chancellor (Education) will establish and maintain a register to record, in relation to each student club or society approved by the Deputy Vice-Chancellor (Education), on the recommendation of an establishing authority:
- (a) its name;
  - (b) the date of approval;
  - (c) the date of cessation; and
  - (d) any other relevant information which the Deputy Vice-Chancellor (Education) considers appropriate.

## 9 Expenditure and reporting

- (1) Student associations must only expend funds in accordance with their constitutions.
- (2) All student representative organisations must report annually to the Senate on their financial activities of the organisation in writing. Reports must include:
- (a) financial statements audited by an independent certified public accountant in accordance with the requirements of the University's auditing standards or the [Corporations Act 2001 \(Cth\)](#);
  - (b) a balance sheet; and
  - (c) any other information required by Senate.
- (3) Each student club or society must report annually in writing to the student representative organisation or an establishing authority under which it was established. Reports must include:
- (a) a summary of activities in the preceding year (if required by the student representative organisation or establishing authority);
  - (b) a financial report as specified in the procedures;
  - (c) any other material required by its constitution or as a condition of approval of its establishment; and
  - (d) a compliance report in relation to any conditions to which it is subject.

## 10 Complaints

- (1) A person who has reasonable cause to make a complaint about a student association in relation to any alleged:
- (a) financial irregularity;
  - (b) electoral irregularity; or
  - (c) governance misfeasance
- must, in the first instance, attempt to resolve the matter in accordance with relevant provisions in the student association's constitution or policies.
- (2) Complainants who are unable to resolve the matter in accordance with subclause 10(1), may refer it to the Student Affairs Unit in accordance with the [Student Complaints Procedures 2015](#).

- (3) On receipt of a complaint about a student association, the Student Affairs Unit will:
- (a) conduct a preliminary assessment;
  - (b) assist to resolve the matter;
- Note:** See clauses 8 and 9 of the [Student Complaints Procedures 2015](#).
- (c) if appropriate, commence an investigation under clause 11 of the [Student Complaints Procedures 2015](#); or
  - (d) refer the matter to the Registrar:
    - (i) for handling in accordance with the [University of Sydney \(Student Discipline\) Rule 2016](#); or
    - (ii) for consideration of whether to refer it to the Vice-Chancellor under subclause 10(4).
- (2) If the Registrar is satisfied that there are substantial issues of governance, financial or electoral irregularities, they will refer the matter to the Vice-Chancellor with a recommendation that an investigation be carried out in accordance with clause 11.
- (3) Individuals who have a conflict of interests in relation to a complaint must not be involved in managing the complaint.

## 11 Investigations

- (4) The Vice-Chancellor may recommend to Senate that it appoint a suitably qualified investigator to carry out an investigation into a student association in relation to any matter specified in subclause 10(1).
- (5) Before making any such recommendation to Senate, the Vice-Chancellor will consult with the governing body of the relevant student association.
- (6) Senate will consider any such recommendation by the Vice-Chancellor and may, if it believes it is appropriate to do so, authorise an investigation.
- (7) Any authorisation by Senate of an investigation must be reported to the governing body of the relevant student association and, unless the Senate believes there is good reason not to do so, to the members of the relevant student association.
- (8) Students, staff and members of the association must provide to an investigator appointed in accordance with subclause 10 (3) information and documents that the investigator reasonably requires.
- (9) Upon completion of the investigation, the investigator must:
  - (a) report findings; and
  - (b) any recommendationsto the Vice-Chancellor.
- (10) Upon receipt of the findings and recommendations of an investigator, the Vice-Chancellor may take one or more of the following actions:
  - (a) appoint, for a specified temporary period:
    - (i) affairs;
    - (ii) an administrator with power to manage the student association's an external auditor to monitor and report on the student association's financial records and activities,

- (b) direct a fresh election of any or all officers under the supervision of:
    - (i) the University;
    - (ii) an independent firm of accountants or lawyers; or
    - (iii) another appropriately qualified expert,
  - (c) in the case of a club or society, require it to show cause why it should not be disestablished:
    - (i) where cause is not shown, disestablish the club or society,
  - (d) implement such other steps which take account of the findings or recommendations of the investigation.
- (11) The Vice-Chancellor will report to Senate:
- (a) on any action taken or proposed to be taken; and
  - (b) recommend whether other persons or groups should be advised of the outcome of the investigation,
- in relation to the student representative organisation.

## **12 Recordkeeping**

The University must keep appropriate records of all complaints and allow parties to the complaint reasonable access to those records.

**Note:** See [Recordkeeping Policy 2017](#) and [Recordkeeping Manual](#).

## **13 Transitional arrangements**

Student clubs and societies existing at the date of commencement of this policy must, within one year of the commencement of this policy:

- (a) be established by a student representative organisation in accordance with subclause 8(2); or
- (b) be established by the Deputy Vice-Chancellor (Education) in accordance with subclause 8(6).

## **14 Rescissions and replacements**

This document replaces the *Sports Unions, SRC and Faculty Societies, SUPRA, Union, Cumberland Student Guild and SASCA* which commenced on 1 July 2006 and which is rescinded as from the date of commencement of this document:



## NOTES

### Student Associations Policy 2020

Date adopted:	9 December 2019
Date commenced:	7 February 2020
Date amended:	7 April 2021 (commencing 8 April 2021)
Administrator:	Deputy Vice Chancellor (Education)
Review date:	1 November 2024
Rescinded documents:	<i>Sports Unions, SRC and Faculty Societies, SUPRA, Union, Cumberland Student Guild and SASCA</i>
Related documents:	<a href="#">Corporations Act 2001 (Cth)</a> <a href="#">University of Sydney Act 1989</a> <a href="#">University of Sydney (Delegations of Authority) Rule 2016</a> <a href="#">University of Sydney (Governance of Faculties and University Schools) Rule 2016</a> <a href="#">Charter of Freedom of Speech and Academic Freedom</a> <a href="#">Staff and Affiliates Code of Conduct 2021</a> <a href="#">Extra-Curricular Education Policy 2017</a> <a href="#">Modern Slavery Policy 2020</a> <a href="#">Recordkeeping Policy 2017</a> <a href="#">Student Charter 2020</a>

## AMENDMENT HISTORY

Provision	Amendment	Commencing
clause 10	add complaints process.	8 April 2021
clause 12	add recordkeeping requirements.	8 April 2021
6	Added definition of 'conflict of interests'.	8 April 2021
7(1)(a)	Removal of 'Cumberland Student Guild (CSG)'.	8 April 2021
6 Definitions	Update definition of affiliate to include new <i>Staff and Affiliates Code of Conduct 2021</i> .	8 April 2021
7(5) Note	Update reference to the <i>University of Sydney (Delegations of Authority) 2020</i> .	8 April 2021