

# CONSTITUTION 2026 REVIEW – WHAT DOES THIS MEAN FOR MEMBERS?



## WHAT IS THIS CONSTITUTIONAL UPDATE ABOUT?

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The Union of Brunel Students is both a registered charity and a students' union. Its Constitution must meet the requirements of charity law, the Education Act 1994, and modern expectations of good governance. The previous constitution was based on an older NUS model and no longer fully reflected current legal, regulatory, or sector standards.

This work is a planned constitutional update, aligning the Union's governing document with the NUS 2024 model, Charities Commission guidance, and sector best practice. The purpose of the update is to strengthen governance, reduce legal risk, and ensure student democracy remains fair, accessible, and fit for the future, while keeping students at the heart of decision-making.

## WHY WE'RE UPDATING THE CONSTITUTION?

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In updating the Constitution, several clear principles guided the changes

- **Outdated & to keep parity industry** – Current constitution is based on a 15-year-old NUS model and doesn't reflect NUS 2024 standards. Not acting now will result in the Union losing credibility and lagging in the sector.
- **Lack of Clarity & Cohesion** - The current constitution lacked clarity and had contradictory information. The Constitution should be simpler and clearer, with roles and responsibilities properly defined. Operational management and democratic governance should be clearly separated, so decisions are taken at the right level.
- **Supports Longevity & Relevance** - Strengthens governance and enables the Union to make changes effectively without having to implement frequent constitutional changes, helping to future-proof our democracy.
- **Reduces Risk** – Current version creates avoidable legal, operational and governance risks. Trustees need clearer protections and procedures, to reflect their legal duties and reduce risk.
- **Rigid & Ineffective** - The Union needs governing documents that can adapt over time, without constant constitutional change. The current version is inflexible and prevents us



from responding to students' evolving needs effectively. Student democracy must remain central, but with more flexible ways for students to participate.

Overall, the revised Constitution modernises how the Union is governed while preserving student control.

## WHAT IS CHANGING IN THE NEW CONSTITUTION?

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### 1. Clearer membership structure

The revised Constitution clearly defines Student Members and Constitutional Members and their roles. While these are currently the same people, this change resolves tensions between charity law and the Education Act and makes members' rights and responsibilities clearer.

**Why this helps:** *It protects student democracy while ensuring the Union complies with charity law.*

### 2. A Modern Student Voice Framework

The core democratic principles will remain within the Constitution, but detailed election, referendum and participation rules will be moved to the Bye-Laws. This allows democratic processes to be updated more easily.

This enables:

- Digital and hybrid voting
- More flexible engagement methods
- Faster improvements to democratic processes

**Why this helps:** *Students keep full democratic rights, but participation can evolve with student needs and technology.*

### 3. Stronger Trustee Safeguards

The revised Constitution introduces explicit protections based on natural justice, including:

- Clear notice of concerns
- The right to be heard
- Conflict-of-interest management
- Clear removal and appeal processes

**Why this helps:** It protects both individual trustees and the Union from legal challenge, supporting stable governance.

#### 4. Clear separation between governance and operations

Trustees focus on strategy, oversight and compliance. Day-to-day management is explicitly delegated to the Chief Executive and senior staff, within limits set by the Board.

The Chief Executive cannot unilaterally change governing documents or exceed Board authority.

The chair of Trustee Board will be an external Trustee, providing independence, expertise and continuity across academic periods.

**Why this helps:** Decisions are clearer, faster, and made at the right level, reducing confusion and risk.

#### 5. Bye-Laws modernisation

All Bye-Laws will be rewritten to align with the new Constitution, covering:

- Democratic processes
- Officer and committee roles
- Student engagement structures

**Why this helps:** Bye-Laws can be updated more easily, keeping democracy responsive without changing the Constitution.

## WHAT IS NOT CHANGING?

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- Student voting rights remain the same
- Representation and officer eligibility will remain unchanged.
- Members will retain control over constitutional changes and overall democratic control
- Major decisions will still require member approval

## WHY ARE THESE CHANGES GOOD FOR MEMBERS?



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- **They strengthen democracy**, by making participation easier and more accessible
  - **They improve fairness and transparency** in decision-making
  - **They reduce legal and regulatory risk**, protecting the Union
  - **They future-proof the Union**, allowing governance to evolve as students change

## WHAT HAPPENS NEXT?

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This constitution is based on the approved NUS 2024 model, incorporating what is important to us in our existing constitution. It has been prepared independently by our lawyers and has been endorsed by the Trustee Board. The updated constitution is with the Charities Commission for approval, but it must be noted that the 2024 NUS model has been pre-approved by the Charities Commission. The next step is to seek membership approval at the General Meeting taking place **Thursday 28th May 2026**. If passed at the General Meeting, it will be presented to the University council **Wednesday 8th July** for ratification. A comprehensive update to the Byelaws will take place over the summer break.