1. REMOVING AN ELECTED OFFICER
   1. CEnsuring or Removing an Elected oFficer

If you have a concern about the conduct or actions of an elected representative, we encourage you to contact the CEO or President of the Union, who can signpost you to advice on how to take it forward using our democratic processes and Union policies.

If you have a complaint about the conduct of an elected officer, you can use Bye-law 9.

* 1. Censuring an Officer or Representative

Elected Officers are accountable to Student Members. If students are dissatisfied with an officer’s progress or political performance, they may censure them and make the wider student body aware of this.

* + 1. Parliament shall hold to account, with the power to censure, any person elected through either cross-campus election or itself. At least 5 days’ written notice must be given of any Motion to Censure an Officer of the Union.
    2. Any student can submit a Motion of Censure to Parliament.
    3. Parliament may pass a Motion of Censure by a simple majority.
    4. Upon passing a Motion of Censure, the Student Union must inform members of the Censure and reasons for it within 5 days.
    5. If an Officer’s work report fails, a censure is automatically issued. If two consecutive work reports fail, it will automatically trigger a Vote of No Confidence.
    6. Three Censures within an academic year will automatically trigger a Vote of No Confidence, to be written by Members of Parliament who voted against the work reports.
    7. If a Vote of No Confidence falls, any previous Censures are discounted.

* 1. Removing Representatives

Elected student officers are voted in by students and can also be voted out by students. If an elected officer has done something which warrants no longer holding their position, students can call for a Vote of No Confidence, which could remove them from their position.

Non-Full-Time Members of Parliament are subject to instant removal by either:

* + - 1. A resolution passed by two thirds of the entire membership of Parliament, provided that notice of the Vote of No Confidence motion had been published in accordance with Parliament’s procedures;
      2. A resolution passed by a two thirds majority vote at a General Meeting, provided that the Vote of No Confidence motion had been on the published Agenda for that meeting in accordance with Bye-law 5; or
      3. A referendum passed in accordance with the process set out in the Bye Laws.

Removing a Full-Time Officer

* + - 1. A Full-Time Officer, who is also an employee and Trustee, may be subjected to disciplinary proceedings for not acting in the best interests of the Student Union. A Full-Time Officer shall be instantly removed if:
      2. The Full-Time Officer has been absent without sufficient reason for a period of 1 week or more;
      3. The Full-Time Officer has breached a Union regulation regarding their Conditions of Employment; or
      4. The Full-Time Officer has been removed from the Trustee Board under charity regulations or Student Union governance requirements.
      5. For the avoidance of doubt, should a Full-Time Officer commit an offence under the above, the Full-Time Officer will be instantly referred to the process for Removal.
      6. Should one of the above be triggered, the Chief Executive Officer shall be required to deal with the matter in accordance with the Heriot-Watt Student Union Disciplinary Procedures relating to Gross Misconduct. The Full-Time Officer has a right of appeal under the Disciplinary Procedures.
      7. A Full-Time Officer removed from their post shall also be removed from both their remunerated Full-Time position and as a Trustee.
      8. Student Members can also remove a Full-Time Officer by either:
      9. A referendum for a Vote of No Confidence passed in accordance with the process set out in Bye-law 7;
      10. A Vote of No Confidence passed by a two thirds majority vote at a General Meeting, provided that the Vote of No Confidence had been on the published Agenda for that meeting in accordance with Bye-law 5.

Vote of No Confidence Process for Full-time Officers

* + - 1. A Student Member must submit a proposal for a Vote of No Confidence in writing, outlining the reasons why the Officer should be removed from their position, including any relevant evidence.
      2. This will be reviewed by a relevant Union staff member and an elected officer who has not been directly involved to ensure the process is fair. If there is anything within the proposal that could be deemed inappropriate, personal or constitute bullying and harassment, the proposer will be contacted with recommended amendments.
      3. The Officer who has a Vote of No Confidence proposed against them will be informed immediately and given a minimum of 5 working days to provide a statement which will be published as part of the Referendum process.
  1. Officers or Representatives subject to Removal
     1. Any Officer removed from post is ineligible for election to any Union post for the remainder of that academic year.
  2. Removing a Society Leader from Post
     1. Members of student societies can remove society office holders from their roles if they are judged to be ineffective or unsuitable for the position, by means of an [Extraordinary General Meeting (EGM)](https://www.hwunion.com/get-involved/societies/run/agmegm/) and a simple majority vote.
     2. A society EGM can be called by any office bearer of the society, or by a consensus of at least ten standard members or 10% of the total society membership, whichever is higher. Ten days’ notice in writing must be given to the full society membership, detailing the purpose of the meeting.
     3. The Vice-President Community or Activities Coordinator of the Union should be informed of the issue so that they may offer appropriate guidance and support throughout the process.
     4. The Union may suspend or remove Society Leaders from their position if they are judged to be in breach of the University and/or Union Code of Conduct. In these circumstances, the Union Disciplinary Procedures contained within these Bye-Laws should be followed.