

# The Open University (OU) and The Open University Students Association Relationship Agreement

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## Introduction

Clause 19 of The Open University's Charter says that 'there shall be an organisation of students of the University whose constitution, powers and funding shall be prescribed by Ordinance'. This requirement has been effected by an Ordinance establishing the Open University Students Association.

This Relationship Agreement between the OU and OU Students Association is a statement of intent that each party is committed to honour and sets out how we will work together:

- 1 Under our [Student Charter](#) principles, to secure the University's mission (being open to people, places, methods and ideas) and to promote the University's values (being inclusive, innovative and responsive).
- 2 To support the Student Association's objectives for the advancement of OU students' education, set out in the [OU Students Association Constitution](#) by:
  - defending the principles of equal opportunity and of open access to the OU regardless of academic qualifications or financial circumstances;
  - promoting the interests and welfare of OU students, and representing and supporting them;
  - being the recognised representative channel between students and the OU, and any other external bodies;
  - asserting that all students studying with the OU have the right to have their views heard and acknowledged; and
  - providing social, cultural and recreational activities and forums for discussions and debate for the personal development of students.
- 3 To ensure that the Students Association operates in a fair and democratic manner, and is accountable for its finances.

This agreement also complies with the statutory requirements for the Code of Practice under section 22(3) of the Education Act 1994.

This agreement will be reviewed annually. Any changes to this Relationship Agreement or anything covered by it must be agreed by the Vice Chancellor of the OU and the President of OU Students Association, and submitted for approval by the Council of The Open University.

The Open University is incorporated by Royal Charter (RC 000391), an exempt charity in England & Wales and a charity registered in Scotland (SC 038302). The Open University is authorised and regulated by the Financial Conduct Authority in relation to its secondary activity of credit broking.

## **The principles of the relationship**

### **Working together to secure the University's mission**

Students are at the centre of the relationship between the OU and OU Students Association, which:

- is characterised by a shared commitment to developing and improving the student experience, and to promoting opportunities for students and their representatives to engage in quality enhancement processes;
- is a partnership through which each party can contribute to the strategic direction of both organisations; and
- will ensure that the student voice is engaged in a dialogue at every level of the decision making processes in both organisations and that the outcomes are widely communicated.

### **Respect and understanding**

The OU and the OU Students Association both work together in partnership and are separate organisations with their own distinctive roles – something that is understood and valued by both parties.

- The OU provides the academic environment for students. It supports their learning and assessment, awards credit, and confers qualifications.
- The Students Association is focused on building a vibrant and engaged student community featuring volunteering opportunities, peer-to-peer support and a strong, representative student voice throughout the University and to external organisations.
- Our independence as separate organisations with distinct roles may sometimes lead to differences of views. When this occurs, both parties recognise the benefits of working together to resolve those differences wherever possible as part of an ongoing healthy partnership.

### **Openness and trust**

The OU and the OU Students Association believe that an effective working relationship is based on full, open and regular two-way communication and discussion of relevant issues.

In order to build and sustain a culture of openness and trust, we share a commitment to approach matters jointly wherever possible, debating any potential concerns and acting on them wherever possible.

### **Mutual support and commitment**

The OU and the OU Students Association recognise that they can each fulfil the responsibilities of their roles more effectively if they work together to support students.

- Working together may take place through formal and informal relationships and both parties will commit the time and resources to make those relationships effective.

- The Student Charter and this Relationship Agreement are evidence of our commitment to work together.
- The OU and the Students Association will work together to embed the principles of the Relationship Agreement in the development of University strategies, policies, procedures, programmes and projects that relate to the student experience.

## **Equality, diversity and inclusion**

The OU and the OU Students Association have a shared commitment to equality and diversity. They will work together to create an inclusive university community and a society where:

- people are treated with dignity and respect;
- inequalities are challenged; and
- we anticipate and respond positively to different needs and circumstances so that everyone can achieve their potential.

The OU is a unique university, operating in all four nations of the United Kingdom and around the world. The OU and the Students Association recognise that they should take into account and celebrate the breadth of experiences and circumstances of all OU students, as well as the diversity of and differences in the four UK nations and the countries and regions outside the United Kingdom.

## **How we will achieve this**

### **1 Our Student Charter commitment states:**

**‘We actively support the OU Students Association to engage with all its members to foster a vibrant student community and to promote their educational and social interests.’**

The OU and the Students Association will work together to ensure that the Students Association is a fair, democratic and accountable students association that is resourced by the OU to meet its objects and strategic aims.

#### **a. Promotion of OU Students Association**

The OU recognises the value of having a strong and independent students association. It actively promotes the role of the Students Association with staff, students and enquirers.

#### **b. Communicating with OU Students Association members**

Students Association members are all students of the OU who have not chosen to opt out of membership. The OU undertakes to provide the Association with access to OU systems and student data to enable the Association to communicate and engage with its members. This includes the ability to send electronic communications to all of its members or any section of them, access to forums and other OU social media systems to enable the Association and its members to communicate with each other, and hosting a comprehensive website that supports the fulfilment of the Association’s objects. The details are covered in the Data Agreement between the OU and the Association.

**c. The OU Students Association Constitution**

The Students Association operates under a written constitution approved under an Ordinance by the OU Council that sets out the objects and powers of the Association, the rights of members, and the processes for electing officers, making decisions and conducting business. The Association will review its constitution at least every five years, subject to approval by the Council, to ensure that it remains fit for purpose and supports the Association to support its members.

**d. Opting out of membership**

A student who opts out of Students Association membership is not entitled to participate in Association decision making processes or to stand for office or a representative position. However, the Association undertakes to allow access for students who are non-members to all other Association facilities, including participation in societies, welfare provision and commercial activities.

**e. Budgets and resources**

- i. The OU and the Students Association will operate an agreed procedure for determining a Students Association budget that provides reasonable resources to enable it to carry out its plans and conduct its activities in an effective, efficient and economic manner.
- ii. The procedure to be agreed for determination of a Students Association budget will include:
  - confirmation that the planned activities are within Association objects and have been properly arrived at within Association rules and are consistent with the plans set out in the Annual Report;
  - ensuring that the resources are sufficient to enable the Association to meet its formal obligations and any exceptional requirements that are agreed between the OU and the Association;
  - the procedure to be followed in the event that any variation in the budget is sought by either party;
  - a mechanism to be utilised for discussing and agreeing new services and other activities which may be initiated by either party;
  - details of any resources which may be provided by the OU to the Association in kind or without charge, for example, office and meeting accommodation, telephone and IT systems, technical and human resources support.
- iii. The Students Association must satisfy the OU that it has in place appropriate and robust systems of financial management and control, including a regular forecast of income and expenditure.
- iv. The Students Association will have written procedures for allocating of resources to its registered groups and affiliated societies that are seen to be fair and reasonable. The existence and availability of such procedures will be published on the Association website.

- v. The Council will approve each year the University's overall budget, which will include the allocation to the Students Association determined in accordance with this clause.

**f. The Annual OU Students Association Report to Council**

The OU Students Association will report annually to the Council and its members on its activities and how it has used and managed its resources. More details of the formal requirements for the Students Association Annual Report to the Council are set out in Appendix 1.

**g. Complaints about OU Students Association**

The OU Students Association will provide a complaints procedure for any student who wishes to raise a complaint or concern about any aspect of the Association's operation or services. A complaint may be made to the OU under the procedure set out on the Student Complaints and Appeals website by a student or groups of students who are dissatisfied in their dealings with the Association, or who claim to be unfairly disadvantaged because of exercising their right to opt out of membership.

**2 Our Student Charter commitment states:**

**'We actively promote and support the right of students to participate in the governance of the University through the Open University Students Association.'**

The OU Students Association is run by students for students. Its purpose is to serve students' interests and to ensure that the student voice is heard throughout the **University.**

**a. Recognition of OU Students Association**

The OU recognises the OU Students Association as the single official representative body for the student voice both within the OU and externally.

Elected officers and other representatives of the OU Students Association are protected by and subject to a number of student policies and codes of practice, regardless of whether or not they are current students of the University as defined by the academic regulations. These policies include, but are not limited to: the Student Charter, the Dignity and Respect Code, the Code of Practice for Student Discipline, the Complaints & Appeals Procedure, the Safeguarding Policy, the Information Advice and Guidance Policy, the Advocacy Guidelines and Procedure, the Anti-Fraud Policy, the Computing Policy, the Data Protection Policy, the Code of Practice for OU Events and the Freedom of Information Code of Practice.

**b. Appointment of members of the Council and the Senate**

The OU Students Association has the right to appoint members of the Council and the Senate as set out in the OU Charter and Ordinances.

**c. Appointment of members of OU Committees**

The OU Students Association will have the right to appoint members to any committee whose terms of reference affect the student experience. The number and qualification of such members will be approved by the Council or the Senate as appropriate, and set out in the Terms of Reference for that committee.

**d. Status of OU Students Association appointees**

- i. An OU Students Association appointed member will be a full member of a committee, with the same rights and responsibilities as any other full member, as set out in the applicable Standing Orders.
- ii. The OU and the Students Association will support the induction and training of Association appointed members to ensure that they are prepared for their role as a member of an OU committee and to enable them to make a full and effective contribution.

**e. Right to attend committees remotely**

The secretary of each Committee will, if requested to do so, ensure that student members are enabled to attend and participate effectively in a meeting by remote means.

**3 Our Student Charter commitment states:**

**‘We consult with members, encourage – and remove barriers to – participation and welcome constructive feedback to enhance the student experience.’**

The OU and OU Students Association share a commitment to maintain and enhance the standards and reputation of our University, recognising the contributions that all members make to its success.

**a. Support for Academic freedom and Freedom of speech**

The OU and the Students Association are committed to upholding the principles of academic freedom and freedom of speech which are fundamental to University life, and encourage the use of OU facilities for a wide range of internally and externally organised events and activities. Both the OU and the Students Association agree to comply with the Code of Practice for Open University Events which ensures that OU events are compliant with the Prevent (Counter-Terrorism) Duty, Equality and Diversity and Health and Safety legislation, Freedom of Speech and the OU’s Statement of Principles on Academic Freedom.

**b. Student voice and engagement**

The OU maintains the formal processes to consult with and engage students that have been agreed jointly between the OU and the Students Association. These processes include arrangements for consultation with and through Students Association representatives, and for direct consultation with students generally. The Association acknowledges that such consultation may be with students and not directly with the Association. The Association is represented on the Student Consultation Management Group which oversees the student consultative processes and maintains records of consultations and their outcomes.

The Student Voice Steering Group provides overall guidance and strategic direction for student engagement in quality enhancement activities, including student consultation, student representation, students as partners and student feedback. The Students Association is represented on the Student Voice Steering Group, which is jointly chaired by the Association President and the OU’s Director of Strategy.

**c. Executive meetings**

To support working together in partnership the OU and the Students Association will provide opportunities for regular meetings between Association Executive Officers and managers and their counterparts in the senior management of the OU. Meetings should take place wherever the conduct of the business of the University may be enhanced by the direct involvement of student representatives and, similarly, where the conduct of Association business may be enhanced by the direct involvement of OU staff and officers. The Director, Academic Services and Association President are the senior representatives of the OU and the OU Students Association respectively who are responsible for managing the development of the relationship between the organisations.

**d. Working together**

Whenever the OU conducts its business through a project, working group or informal committee, the members of staff responsible should consider the extent to which business may be enhanced by the direct involvement of students. If this is considered appropriate, the OU Students Association should be contacted to seek agreement on an appropriate way for students to participate in that work. The members of staff responsible should also consider using the OU's student consultative process to seek the views of the student body.

**e. Quality enhancement planning**

Each year under this heading, Appendix 2 will set out those matters that the OU and the Students Association have agreed they will work together on for the following year to enhance the quality of the student experience. The Appendix will be reviewed and updated at each subsequent annual review.

## Appendix 1

### The OU Students Association Annual Report to Council

The Students Association Annual Report to Council will be published on the Association's website and its publication will be announced on the OU StudentHome website.

The Annual Report to Council is the means by which the Students Association reports on its activities for the year and formally satisfies its members and the OU Council that it is operating fairly and democratically, and is accountable for how it has used its resources.

In addition to a report on its activities and how it has used and managed its resources, the Annual Report to Council must include:

- 1 A formal statement by the General Manager of the Students Association, as the returning officer for Students Association elections, that any elections held during the period covered by the report have been conducted fairly and in accordance with the requirements of the Students Association Constitution;
- 2 A report on the activities of the Students Association during the period covered by the report;
- 3 Audited accounts and a financial report for the period, which shall be presented to the University's Finance Committee before being presented to Council and which include:
  - a list of the external organisations to which the Students Association has made donations (if any) and details of those donations;
  - where the Students Association is affiliated to any external organisations, a list of the external organisations to which the Association is currently affiliated (if any) and details of subscriptions or similar fees paid, or donations made, to such organisations;
  - if the Students Association decides to affiliate to an external organisation, a notice of its decision stating the name of the organisation and details of any subscriptions or similar fees paid or proposed to be paid, and of any donations made or proposed to be made to them.
- 4 The Students Association operational budget for the next year.



## Appendix 2

### Quality enhancement planning

For 2018/19 the OU and the Students Association will work together on the following to enhance the quality of the student experience:

#### *Students First Transformation*

The University will work closely with the OU Students Association to ensure that students have a voice in the Students First Transformation and inform its decision making.

#### *The Student Kitemark Project*

The purpose of this project, which is led by the OU Students Association and supported by the University, is to explore the feasibility of introducing a University-wide kitemark signaling that a project or programme has completed meaningful engagement with students.

#### *Student Engagement*

The University will work with the OU Students Association to ensure that support for student consultation and engagement gains momentum and is given the appropriate level of support and financial resources to produce a culture which is at the fore-front of the sector.

#### *Individual Student Representation*

The OU Students Association will seek to define what individual student representation should consist of, with the support of the University and with reference to experiences in other Student Unions. Examples to be explored may include providing an advice service and representing students through the University's complaints or student disciplinary processes.

#### *Student Travel and Subsistence Expenses*

The University will work with the OU Students Association to resolve ongoing issues with the administration of travel and subsistence expenses incurred by student representatives on University business.

#### *Shared Services*

The University will work with the OU Students Association to clarify shared service arrangements, such as payroll, accommodation and IT services, in the light of the Students Association's plan to change its legal structure by incorporating into a charitable company limited by guarantee (CLG).