

Changes to the Union Staffing Structure

The Executive, acting through the General Secretary, has decided that:

- The roles of General Manager and Deputy/Assistant General Manager are not fit for purpose going forward, and that as such:-
 - There needed to be much more of a focus on strategic planning and leadership at senior level, focussed on strategy, governance and driving organisational change and performance.
 - That there needed to be a senior manager with direct responsibility for "membership services", driving performance in the student representation, welfare, societies, student development, and campaigns work.

Since it is not clear in the constitution whether or not the Executive, acting through the General Secretary, has the power to propose and implement changes to the Union staffing structure, I asked the Chair of Council to make a Judgement on the matter. His affirmative answer follows:-

"As I understand it, the Union, as noted in the Constitution, has power to "generally to do all other lawful acts whatsoever that may be necessary to the attainment of the objectives of the Union" (Articles 1.4h). In addition, Section D, Article 4 (with regards to compliance) it clearly states that the Union must act within the confines of UK law. The Charities Act 2006 (as UK law) must takes precedent over the Union Constitution of University of Manchester Students' Union, as it is ultimately answerable to national legislation, and cannot be in conflict with it.

Furthermore, my role as Chair of Council gives me the power to make a "ruling upon constitutional disputes" (Article 6.6.2a) and I feel that this makes me an appropriate person to pass judgement on this issue.

On the specific issue of whether the Executive committee, acting through the General Secretary, has the power to propose and implement changes to the Union's staffing structure, I believe the answer is clear. Article 6.8.1 states that Council has "control of the property of the Union and... shall be responsible for the management of the Union generally" whilst Article 7.2 stipulates that the Executive Committee are "Trustees" and according to the Charities Commission findings, gives them legal responsibility for the management and administration of UMSU as a charity (Section D, Clause 1, Charities Commission, February 2008; Section D, Article 10, Charities Commission, February 2008).

Given that Council is a political body and that the Executive (in their roles as Trustees) has legal responsibility, I hereby rule that the Executive committee, acting through the General Secretary, has the power to propose and implement changes to the Union's staffing structure.

I would however expect that a broad report on any changes be given to the Council for information at the earliest possible opportunity."

Currently Unison (who represent the senior managers involved who are at risk of redundancy) is engaged in a process of consultation with an employment lawyer who is acting on behalf of UMSU. It is too early to say whether or not there will be any redundancies.

A fuller report will follow at the end of this consultation period.