



Impact Assessment

Impact assessment ensures that possible serious legal, financial, and reputational consequences of any policy or resolution proposals are considered prior to the motion being submitted to the student body for a vote.

This is in place to avoid conflict between the legal responsibilities of the Trustee Board and the functions of the democratic policy making processes and to reduce the usually unintended risks of significant legal, financial or reputational implications for the charity, particularly where the Trustee Board would otherwise be called upon to intervene in line with their legal responsibilities.

The **Trustee Board** shall have lead responsibility for this Policy.

This was last approved in **September 2024**.

1. Process

- 1.1 The assessment will be completed by a Full Time Officer (usually the VP Democracy and Development), the Director of Membership and the Company Secretary (or nominated deputies) on behalf of the Board of Trustees.
- 1.2 Where further specialist advice is required or a named Officer is mandated, the relevant operational Director and / or Full time Officer will be invited to attend in an advisory capacity. Where any person identifies a conflict of interest, a suitably qualified alternative member of staff should act in their absence.
- 1.3 A Full Time Officer cannot participate in the Impact Assessment (IA) process if they have contributed to the development of a motion.
- 1.4 At all times, three persons must complete the assessment. An IA scorecard will be prepopulated with the resolves prior to the meeting. Notes for consideration will be made by the Student Voice team.

2. Basis of Assessment

2.1 Core Purpose

- assess if the motion is line with the charitable objects of the Union as set out in the Articles of Association.

2.2 Legal Risk

- evaluate the motion's compliance with existing laws and regulations.
- identify potential legal challenges and liabilities.
- assess the likelihood of legal disputes and their potential impact on the organization.

2.3 Financial Analysis

- consider direct and indirect financial implications of the motion.
- analyse potential costs, revenue changes, and budgetary considerations.
- quantify financial risks and benefits associated with the proposed motion.

2.4 Reputational Risk

- conduct a thorough analysis of how the motion may affect the Union's public image.
- consider public perception, stakeholder reactions, and potential reputational damage.

2.5 IA must be completed prior to going to an All-Student Vote, Student Council or Student Members Meeting.

2.6 An IA scorecard will be completed to ensure that the motion is in line with the charitable purposes of the Union and will consolidate the findings from the legal, financial, and reputational assessments. The scorecard will prioritise and highlight the most critical risks and benefits associated with the motion. Notes, Beliefs and Resolves will all be assessed at IA.

3. Decisions

3.1 The impact assessment findings will be shared with motion proposers providing clear and concise information and a rationale for the decisions taken. It will include (where necessary) recommendations for risk mitigation strategies and potential alternative courses of action, changes to the wording and in some instances the exclusion of certain aspects or resolves.

3.2 Decisions at impact assessment will take into consideration the core purpose of the charity whilst minimizing potential legal, financial, and reputational impacts.

3.3 The recommendations made at impact assessment must be enacted before a motion gets published to an All-Student Vote.

3.4 If the recommendations are not accepted, and where further specialist advice is required, the Chief Executive should be consulted, and the Board of Trustees may be required to authorise expenditure to access further specialist advice. Wherever possible, the proposer of the motion will be consulted in this process.

3.5 Where the motion is deemed to be so high a risk that it cannot progress and the proposer and the Union cannot reach an agreement on modification to mitigate these risks, then the authority to withdraw the motion is delegated to impact assessment.

3.6 This decision will be scrutinised at the next Board of Trustees meeting and the outcome presented back to the proposers.

4. Appeals

4.1 Any student dissatisfied with the impact assessment decision made in 3.1 may submit a written request for reassessment to the Director of Membership within 48 hours of receipt of the IA outcome.

- 4.2 students should outline the specific concerns or objections regarding the initial impact assessment.
- 4.3 the appeal will be heard by the Audit and Risk Committee or the Board of Trustees whichever meets first.
- 4.4 independent experts in finance, law, or reputation management might be procured to provide an objective perspective on the concerns raised.
- 4.5 a thorough reassessment of the impact assessment, considering the proposers concerns and additional information will be undertaken by the hearing panel.
- 4.6 Final decisions will be communicated, along with the rationale, to the motion proposers to ensure transparency and clarity in conveying the outcomes of the appeal process.
- 4.7 The purpose of the appeals process is to ensure a fair and transparent mechanism for students to challenge the initial impact assessment and foster confidence in the Unions decision-making process.
- 4.8 In the event the event that the above process has not been executed with due diligence, Article 28.3 of Memorandum and Articles of Association states:
The Board of Trustees may override any decision or Policy made by the Student Members at a Student Members' meeting or by Referendum or by the Student Council which the Trustees consider (in their absolute discretion):
- 28.3.1 has or may have any financial implications for the Union;
 - 28.3.2 is or may be in breach of, contrary to or otherwise inconsistent with charity or education law or any other legal requirements (including ultra vires);
 - 28.3.3 is not or may not be in the best interests of the Union or all or any of its charitable objects; or
 - 28.3.4 will or may otherwise affect the discharge of any or all of the responsibilities referred to in Article 28.2