

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

Introduction

Clause 18 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 was effected by an Ordinance establishing the Open University Students Association. Following incorporation on 1 August 2019, the OU Students Association's governing document is its Articles of Association, which have taken the place of its constitution.¹

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:

Under our [Student Charter](#) principles, we are committed to securing the University's mission (being open to people, places, methods and ideas) and to promoting the University's values (being inclusive, innovative and responsive).

We will work together to support the Student Association's objectives for the advancement of OU students' education by:

- defending the principles of equal opportunity and of open access to the OU regardless of prior 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;
- recognising that we operate across four nations and beyond, working for the inclusion of our diverse student body;
- 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.

We will also ensure that the Students Association operates in a fair and democratic manner and is accountable for its finances.

¹ The Charter and Ordinance still refer to a constitution and will, at an appropriate time, require updating. Articles of Association were approved by the Council of The Open University in March 2019.

This agreement 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 Pro-Vice-Chancellor (Students) of the OU and the President of the OU Students Association, and submitted for approval by the Council of The Open University every two years.

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 representative body for its students. It actively promotes the role of the Students Association with staff, students and enquirers.

b. Communicating with OU Students Association members

All Open University students are members of the OU Students Association, unless they have chosen to opt out. 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 Student Data Sharing Agreement between the OU and the Association.

c. The OU Students Association Articles of Association

The Students Association operates under Articles of Association approved by the OU Council. The Articles of Association set 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 Articles of Association at least every five years, subject to approval by the Council, to ensure that they remain 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 agree and operate a 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, 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, payroll, office and meeting accommodation, telephone and IT systems, technical and human resources support are set out in the shared services agreements between the OU and the Association.

- 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 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 support student engagement in University decision-making, ensuring the feedback loop is closed; and commit to building partnership between staff and students.'

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 Policy, the Code of Practice for Student Discipline, the Complaints and Appeals Procedure, the Safeguarding Policy, the Information Advice and Guidance Policy, the Advocacy Guidelines and Procedure, the Anti-Fraud, Bribery and Corruption 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. All student members of OU Committees will be entitled to claim reasonable expenses for attendance.

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. Sharing of academic governance and Boards of Studies papers

Reasonable sharing of papers between small groups of student representatives is recognised as important in enabling student representatives to be as effective as possible in putting forward a student perspective leading to better informed decisions in the interests of both parties. Papers can be shared as follows:

- i. Where papers are 'internal only' they can be shared with all student representatives who sign the Volunteer Confidentiality and Non-Disclosure (Student Voice) form. This includes:
 - Members of the Students Association Central Executive Committee (CEC)
 - Student members of governance committees (CCRs)
 - Student members of Boards of Studies (BOS reps)
 - Members of the Students Association Senate Reference Group (SRG)
- ii. By 'shared' we mean available to access on a SharePoint site or, if not available on SharePoint, available on request from the Secretary of that committee. It also means these students listed are free to share these papers and discuss the content with other students as listed.
- iii. Papers that contain sensitive personal information such as Central Disciplinary Committee and Special Appeals Committee papers, or any confidential papers from other committees that contain sensitive personal information, should not be shared beyond the membership of that committee.
- iv. All papers can be shared with relevant Students Association staff for the purpose of supporting the full engagement of student reps in meetings.

- v. Where papers are 'confidential' outside of point iii. they may be shared with other student members in higher levels of the academic governance structure to which the business relates³. In addition, student members of Boards of Studies may share confidential papers outside of point iii. with student members of other Boards of Studies in the same Faculty.
- vi. OU Students Association Senate Reference Group and Central Executive Committee members will have access to academic governance papers and Boards of Studies papers, including confidential papers.
- vii. The sharing agreement is made on the understanding that confidential papers will not be shared beyond those student members referred to in this agreement.

f. Right to attend committees remotely or in person

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. It is not the intention of either partner that Student Members should be required to attend remotely instead of face-to-face. It is the intention that remote attendance should always be an option available to the Student Member and supported where possible. The only exception to this will be for student members residing outside the UK, Republic of Ireland or continental Europe, where face-to-face attendance will be at the discretion of the organiser with remote attendance likely to be the only option for such students.

3 Our Student Charter commitment states:

'We treat each other with courtesy and respect, respecting the rights of individuals to hold different beliefs and views and to express them appropriately.'

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

³ For Boards of Studies representatives, for example, this will usually include Teaching Committees, Qualifications and Assessment Committee, Curriculum Partnerships Committee, Student Experience Committee, Education Committee and Senate. For Research Degrees Committee reps, it would include Research Committee and Senate.

include arrangements for consultation with and through Students Association representatives, and for direct consultation with students generally. The Association acknowledges that such consultation is with the wider student body and not directly with the Association. The Association is represented on the Student Consultation Management Group, which is a partnership between the OU and the Association and oversees the student consultative processes, maintains records of consultations and their outcomes and ensures the feedback loop is closed.

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 Pro Vice-Chancellor (Students).

c. Executive meetings

To support working together in partnership the OU and the Students Association will provide opportunities for regular meetings between Association managers and members of the Central Executive Committee 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 Pro Vice-Chancellor (Students) 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 business relating to aspects of the student experience through a project, working group or informal committee, it is expected that students will be represented on the relevant group. The OU Students Association should be contacted to seek agreement on an appropriate way for students to participate in that work.

All such meetings, working groups or project/programme groups where there is student representation will include provision for student representatives to physically attend the meetings including the covering of reasonable expenses, unless mutually agreed to be inappropriate.

Where the student representative requests remote attendance instead, every effort will be made to accommodate this request. Participation in the meetings will be supported through timely production and circulation of any papers to be considered. The members of staff responsible should also consider using the OU's student consultative process to seek the views of the student body.

Student representatives will be included on all senior executive appointment panels as standard.

e. Our partnership commitments

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.

Relationship Agreement Appendix 1

The OU Students Association Annual Report to Council

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.

The Students Association Annual Report to Council will be published on the Association's website.

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 Chief Executive and President of the Students Association 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 governance arrangements;
- 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.

Relationship Agreement Appendix 2

Our partnership commitments

Response to COVID-19

The impact of the COVID-19 pandemic has meant a challenging year for both the Association and the University. We have made every effort to work in partnership to address these challenges – ensuring the Association has been involved in the University’s response and valuing the contributions, and recognising the resultant workload, of all involved in ensuring students have been able to continue to meet their study goals wherever possible. For 2021/22 the OU and the Students Association will continue to work together in this crucial area to understand and learn from the ongoing experiences of our students; and will also prioritise the following areas of partnership working to enhance the student experience:

Strategy development and implementation

The University and the Students Association will work closely together to ensure that students have a voice in the development of the new OU strategy; while in the meantime there will be close collaboration in the priority areas of student success and student satisfaction. Both parties will also work together on the implementation of the Association’s strategy, where appropriate including developing a potential model of individual student representation.

Student Voice

The University will work in partnership with the OU Students Association to ensure that support for the Student Voice continues to gain momentum and that the Student Voice Action Plan is implemented. This includes:

- embedding partnership working across student-facing areas of the University and at all levels, including raising awareness and developing understanding of what genuine partnership looks like.
- building on the review of academic representation at the OU with the long-term aim of developing a new code of practice for academic representation.
- developing an institutional framework for Student Voice that enables the sharing of guidance and best practice for OU staff, including resolving ongoing issues with the administration of travel and subsistence expenses incurred by student representatives on University business.

Student Charter

The Students Association and the University will continue to work in partnership to promote the new Student Charter, ensuring that the new Student Charter has increased profile, is meaningful and impactful. In particular, we will promote the value of treating others with courtesy and respect, including in relation to social media spaces.

Student community

The Students Association and the University will work in partnership to develop joint activities to promote the sense of the OU as an academic community, including consideration of more joined-up working around student engagement in extra-curricular activities beyond quality enhancement.

Equality, Diversity and Inclusion

The Students Association and the University will work in partnership to promote Equality, Diversity and Inclusion at the OU, for example collaborating on initiatives such Black History Month, the implementation of the Access, Participation and Success strategy and measures to improve the diversity of students involved in Student Voice activities.