Doc Ref 6.10.O App 1

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| **Annual Statement of Legal Compliance to Warwick SU Trustee Board****2018/2019** |
| The Chief Executive has ensured that the organisation has applied its processes and internal systems of control in a manner that gives satisfaction, to the extent that it is possible to do so from the facts and matters available, so that: * The organisation has sufficient understanding of its relevant statutory and contractual obligations for 2018/19;
* Member’s expectations are being met through monitoring of performance targets, measures and outputs;
* There are sufficient processes and internal systems of control in place to enable Warwick SU to deliver its services to members and meet its relevant statutory and legal obligations for 2018/19;
* Appropriate systems and processes are in place to allow Warwick SU to identify, manage and review its risks.
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In particular, confirmation can be given on the following:

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| Requirement | Check | Confirmed by |
| Charity Commission Requirements | * Annual Report and Audited Accounts are compliant with the Statement of Recommended Practice (SORP) and have been submitted to the Charities Commission for 2017/18.
* Statutory Annual Return was submitted online by the required deadline.
* Organisation address and trustee details are kept up to date.
* Procedures are in place to ensure the charity’s funds are used only for purposes set out in the Constitution.
* An External Speakers Policy and procedures are in place and relevant staff, trustees, volunteers and officers understand the need for these to be followed.
* Campaign activity undertaken is not party political in nature.
* A policy is being drafted for reporting serious incidents to the Commission
 | MCMCMCCJCJCDDJC |
| Companies Act 2006 | * Checks are in place to ensure that directors/trustees are eligible to be appointed.
* Directors’ appointments, contact details and resignations are notified to Companies House within 14 days.
* Auditors have been reappointed following a competitive tender process in 2019.
* An annual report and accounts (2017/18) have been prepared and presented to and approved by Directors.
* Directors meetings have been convened appropriately and minutes taken.
* Conflicts of Interest have been declared and recorded.
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| Health and Safety at Work etc. Act 1974andother Health and Safety legislation | * The organisation’s Health and Safety policy has been updated and was approved by the Board. The Health and Safety Committee is in place and is chaired by the Commercial Operations Director and monitors compliance on an ongoing basis.
* The Audit and Risk Committee review the minutes from these meetings and receive an annual Health and Safety report.
* Competent persons are in place and are suitably trained.
* Risk assessments are reviewed annually by Department Heads who are responsible for ensuring they are up to date and cover relevant risks.
 | JC / SRSRSR SR |
| Employment Legislationincluding but not limited to:* Equality Act 2010 (Equal Pay Act is now incorporated)
* Minimum Wage Act 1998
* Equality Act 2010 (Gender Pay Gap Information Regulations 2017)
 | * Male and Female employees are offered the same rates of pay for comparable positions – job evaluation scheme is in place.
* Employment contracts give staff at least and often enhance the legal minimum terms and conditions in relation to all employment rights including holiday entitlement and other forms of leave.
* Solicitors are available for employment law advice and their services are used as required.
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| Equality Act 2010 | * Procedures are in place to prevent gender segregation at meetings and events (other than during religious worship)
* Employment related procedures have been drawn up with appropriate awareness of discrimination and diversity issues. Full policy review with equality impact assessments is commencing June 2019
* The HR Director is responsible for HR practices; advising on and overseeing recruitment and other line-management procedures across the organisation.
* Training for employees is provided.
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| Data Protection Act 2018 and the General Data Protection Regulation. | * Policies are available to employees on the Warwick SU intranet site.
* Privacy notices have been disseminated to employees
* Warwick SU is registered as a data controller with the Information Commissioners Office. The registration is renewed annually. The Chief Executive leads on monitoring organisational activity, advising personnel and ensuring compliance as the person responsible on behalf of the Controller.
* The SU has a Data Protection Supervisor who handles any data breach notifications and subject access requests
* There is a Data Sharing Agreement in place between the SU and the University; this is drafted with consideration of GDPR.
* The SU has reviewed its policies and procedures and has brought them into line with the new legislation. The work is ongoing
 | JCKDJC/MCCJC / FSDDITDDIT |
| Education Act 1994 | * Warwick University has developed a Code of Practice (Ordinance 10) that covers all relevant aspects of the Education Act.
* Warwick SU constitution (Articles of Association) is approved by the University Council and reviewed at least every five years
* Students are given the right to opt out of membership.
* Warwick SU finances are regularly reviewed both by the Students' Union’s Board of Trustees and the Finance sub group of the Finance and General Purposes Committee of the University. Management accounts are shared with the University following review by the Board of Trustees. An annual financial and strategic plan and allocation bid is submitted to the Finance and General Purposes Committee.
* The full list and details of organisations to which Warwick SU has affiliated is published annually and made available to students via the website.
* An annual vote takes place each year on affiliations.
* Allocation of funds to student groups is conducted in a fair manner and decisions are publicised.
* A Complaints Process is in place and readily available to students on the organisation’s website.
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| Bribery Act 2010 | * An Anti-Bribery policy is in place and was reviewed in June 2017. It is communicated to employees and Trustees.
* Records are kept of gifts, hospitality etc. and these are monitored.
* Staff are encouraged to report any concerns in confidence.
 | KDMCCKD |
| Fraud Act 2006 | * An Anti-Fraud policy is in place and has been communicated to employees and Trustees.
* Staff are encouraged to report any concerns in confidence.
* Procedures are in place to report any significant instances of fraud to the Charities Commission.
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| Transparency of Lobbying Act 2014Political Parties, Elections and Referendums Act 2000 | * Ensure that any campaigning activity is in support of its charitable objects.
* No donations have been made to political parties.
* Campaign communications are monitored in the 6 weeks before elections or referendums to avoid party political support.
* Advice from NUS has been taken on this and followed and the Board have been appraised at meetings.
 | JC |
| Counter Terrorism and Security Act 2015 | * Regular liaison takes place with the University.
* Information on external speakers and events is shared with the University to enable them to comply with the law.
* External speakers policy is up to date and staff are aware of their responsibilities
 | JCJC JC |
| Commercial / Trading | * Food, Health and Hygiene legislation is complied with, including regular checking of best before dates and temperature checking of fridges and chilled deliveries. Additional bi-weekly audits of all food outlets are conducted as standard in order to exceed all expected compliance and flag further opportunities to promote operational excellence.
* Pest control checks are carried out in food and drink locations every 6 weeks (or as required if sooner).
* PAT testing is carried out as necessary - based on risk.
* Risk assessments have been carried out for all aspects of typical tasks specific to the outlet, including cash handling and manual handling in food and drink environments.
* The Commercial Director is the Designated Premises Supervisor for Licencing purposes, with a secondary DPS held by the Commercial Manager. The Commercial Director liaises regularly with both the Council and Police as required.
* The Union takes appropriate advice when entering into commercial contracts with suppliers.
 | SRSRSRSR/DPSRSR / MC |
| Insurance | * Insurance requirements reviewed through a professional insurance broker on a three yearly basis (next review July 2021).
* All required insurances in place up to renewal date of 30 September 2019
* Public and employer’s liability augmented by Trustee and Officer cover, as well as other insurance coverage required to meet operational objectives.
* Key person insurance in place for MSL
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| HMRC (Employer Registration) | * The Union is registered as an employer with HMRC for the reporting and payment of all PAYE and tax matters.
* The external audit includes compliance with requirements relating to PAYE.
 | MCMC |
| HMRC (VAT Registration) | * The Union is registered with HMRC for the reporting and payment of VAT.
* Payments are made in compliance with statutory timescales through quarterly returns.
* External audit includes compliance with requirements relating to VAT.
 | MCMCMC |

Signed:

 Date: 12th June 2019

**Jacqui Clements, Chief Executive**