



national union of students

model constitution  
for further education students' unions

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Model Students' Union Constitution and Guide 1



national union of students

*An introduction from the NUS Vice President, Further Education Union Development:*

## **A new “Model Constitution” for FE Students’ Unions**

Both the AoC and NUS believe that strong, healthy and vibrant students’ unions in FE are vital. Their work on democratic participation, representation and student activities make for a successful community in colleges.

Within a students’ union in a modern further education institution, a number of citizenship development opportunities arise:

- students’ union elections are high profile events in the college calendar and give students experience of democratic participation in a real yet safe environment – literally thousands of students vote in students’ union elections each year;
- students’ attendance at a union parliament meeting gives them experience of participating in debate and discussion around issues inside and outside the college;
- the executive and committee officers of a students’ union often attend meetings and organise activities which contribute to their skills development;
- students’ unions work with trade unions, health organisations, and voluntary sector organisations on many issues and these can develop the students’ wider sense of community through activities, campaigning and volunteering.

Local students’ unions are governed by the 1994 Education Act, and this provides the legislative framework in which a “whole college” approach to the embodiment of citizenship values within a college can be explored. A case study outlining the exciting developments at Merton College is included in the pack as an example of this approach.

This resource pack gives both students' union officers and colleges advice on how to construct or review a union constitution to meet these requirements and needs, and represents the latest in good practice and legal advice.

# The AoC/NUS Model Students' Union Constitution:

## A Guide for Students' Union Officers

The purpose of this section of the pack is to aid anyone who wishes to either:

- : write a constitution from scratch
- : rewrite certain sections of one that already exists

Included in the pack is a guide to students' union constitutions and a model document, containing both articles and schedules, for colleges to adapt and use. The model represents both the latest legal opinion and an agreement between NUS and the AoC on how best to ensure healthy, vibrant, democratic students' unions.

Please note that the model is only a guide and it will be necessary to look at local conditions first. Contact your NUS Regional Office if you need assistance.

### What is a constitution for?

A constitution is a legal document that sets out the activities and procedures of an organisation. There has to be a constitution before the union is recognised by other bodies - particularly college governors and NUS.

#### a. GOVERNORS

The governors are actually responsible for making sure that the college is run in line with government legislation. The college's constitution is in effect a document known as the "Instrument and Articles of Government". A document issued by the Department for Education and Skills gives guidance on what should be in the articles concerning a students' union at the college. The wording usually is:-

*"Any students' union shall conduct and manage its own affairs and funds in accordance with a constitution approved by the corporation and shall present audited accounts annually to the corporation. No amendment to or rescission of that constitution, in part or in whole, shall be valid unless approved by the corporation."*

The wording in your own college's instrument and articles should be similar.

Students' unions have a responsibility to make sure they stick to their constitution. If it is broken then the governors may wish to pass comment or even take some

form of action. Equally, if the college tries to interfere in the way students run the union, students should appeal to the governors.

For example: a student wishes to stand for union president. The principal sends a memo to the union saying that the student cannot stand for a number of reasons. The union, therefore, could appeal to the governors who would examine the constitution and rule whether or not the student could stand.

Any changes the membership may wish to make to the constitution have to be approved by the governors. If the changes have been agreed democratically it would be hard to say no. At the same time, the governors cannot propose their own amendments to the constitution; they do not have this power as they are not members of the union. The procedure for changing the constitution will be defined in the amendments section of the constitution.

## b. NUS

NUS is a voluntary membership organisation comprising a confederation of local student representative organisations in colleges and universities throughout the United Kingdom and Northern Ireland that have chosen to affiliate and pay a membership fee. It has nearly 750 constituent members (CMs) - virtually every college and university in the country.

NUS is one of the largest student organisations in the world and represents the interests of around five million students in further and higher education throughout the United Kingdom. NUS provides research, representation, training and expert advice for individual students and students' unions. It deals with over 15,000 welfare enquiries each year and trains over 3,000 students' union officers.

To be an affiliated to the National Union of Students a students' union needs:

- : a regular source of income
- : a democratic constitution

Members need to have indicated, in line with the constitution, that they wish their students' union to be affiliated to NUS. This is a requirement for all types of colleges.

## The constitution:

: *provides the framework for the running of the union;*

: *outlines where and how union members can air their concerns;*

: *shows how the executive committee can act on behalf of members;*

: *defines what the union can or cannot do.*

Remember - being a legal document, the constitution protects union decisions provided they were arrived at by the method laid down in the constitution.

### **Changing the constitution:**

NUS gets many enquiries from union officers who are anxious to change their constitution. They wish to do this for a variety of reasons - most notably "because it doesn't work" or is "out of date". It may be that certain committees or posts are no longer needed. Circumstances of the union may have changed, for example the union may be going through a merger - or it could be that the constitution doesn't work because people don't make it work. For example, there may be provision for a union parliament but it never meets. This does not necessarily mean that there is no need for a union parliament, but that its role requires clarifying.

When going through any proposed changes to the constitution, make sure they are discussed as thoroughly and as widely as possible. The changes will then need to be passed by the sovereign body of the union, in our model the union parliament, and then receive approval by the college corporation before they can be implemented.

### **To summarise:**

- : *look at some of the difficulties and problems the students' union faces;*
- : *decide whether or not a constitutional change would solve the problem - or whether it is a functional/political problem;*
- : *advertise any proposed changes widely and involve the membership in the discussion.*

### **The structure of the constitution:**

The constitution is not meant to be a complicated and secret document jealously guarded by the executive committee. It is an active document that union members use to raise the issues that concern them, or that officers can use to seek members' views on certain issues. Either way the constitution should be as easy to understand as possible. The way it is set out is therefore very important. There should be three sections:

1. **The Articles** – these form the main body of the constitution. They set out what people can or cannot do and define the aims and objects of the union. The 'notes' section of this pack explains the nature of the common clauses.

2. **The Schedules** - these consist of some sections that require more detail. They are rules that cover particular areas of the constitution and are usually operational in nature. For example, within the Articles the membership need only know that elections will take place at a certain time for certain posts. The specific rules and regulations that deal with elections are placed in a schedule so as not to fill the main body of the constitution with unnecessary detail.

3. **Appendices** - these cover regulations that the membership cannot directly change. They include the Code of Practice, the opt-out procedure and the union disciplinary procedure.

## **The model constitution:**

The main content of this pack is a standard constitution that can be incorporated in full or in part into your students' union. The constitution starts from the principle that the students' union should be easily accessible to the members who wish to participate in activities. The constitution also incorporates the necessary requirements of the Education Act 1994 Part II, as well as current charity legislation.

The model constitution is based on the following decision-making model:

### **The union parliament**

The union parliament is the sovereign body of the students' union. It is the top decision making body, save those decisions made by a referendum. The members of the parliament are elected from constituencies within the college. These constituencies may be based on sites and/or the faculties that students study in.

As well as making policy, the parliament will receive and approve reports from the executive officers. They will also approve the union's annual budget and accounts and agree amendments to the union's constitution and rules.

Some parliaments will approve new clubs and societies and confer honorary membership on individuals.

### **The executive committee/trustee board**

This is the body responsible for the day to day running of the union. They organise activities and should meet regularly.

In this version of the model we have separated out the "executive" from the "trustee board". This is to ensure that the model fits with charity law, where in unincorporated associations those in control of the charity's finances would be deemed trustees - this new section ensures that members of the trustee board are over 18 whilst allowing under 18s to be elected to the executive.

The trustees are responsible for ensuring that the union's assets are used in accordance with the constitution and policy, as well as current legislation.

The executive officers are usually elected by a ballot open to all students in the college, although some members may be elected by sites. The executive is usually made up of a president (in some unions this is a sabbatical - a student who takes 12 months off their course, and is paid an allowance to work full time for the union) and other officers with portfolios that cover education, recreation, welfare, sports, communications etc.

As well as implementing decisions set by the parliament, the executive will also be responsible for the strategic direction of the union and promoting the union to students.

## Notes

The following notes explain each clause.

### Name and Status

The important point to note here is that the full title of the students' union has been defined as "the union". If you use a shortened form or any abbreviations you must always qualify what you mean e.g Association of Colleges (AoC) - don't use the initials (AoC) without explaining them.

### Aims and Objects

#### *What can the union do?*

The aims and objects of the union are the legal limitations on union activities. They are sufficiently broad to allow the union to undertake all normal students' union activities.

It is a good idea to include a clause along the lines of 2.2, and your college may well insist on the reference to independence from political parties and religious organisations in 2.6, but be aware of what this means.

It does not mean that the union cannot fund a political club such as a Labour Club or a Conservative Club. It is well established in law that student unions, although charitable, may provide funds to such clubs as these further the educational objects of the union.

In addition, the union can form and promote views on student-related political issues such as student funding.

### Membership

*union?*

#### *Who is in the*

Some unions have different clauses that denote different levels of membership for different types of students. It's much easier to have one clause as in the model constitution. However, the union as it develops may want to extend some form of membership beyond the student body. This is alright provided it is made clear that they have no powers of policy making.

You may find that, for example, a member of staff devotes a lot time and effort into helping run a students' society (e.g. a member of staff who regularly prints the

students' union newsletter, or the member of staff who runs a sports club). As such the students' union may wish to reward the person by giving them honorary membership. It should not, however, be given lightly as it is a great privilege.

Other members of the college staff may just wish to attend union functions and, as such, should be charged a membership fee for associate membership of the union, thus enabling them to join individual clubs and societies (paying the same club membership fee as the ordinary members).

In this version under 16s are defined in a separate category of membership; this is because the 1994 Act was written around organisations of students that *formed the generality of students in a post-16 institution*. On advice, therefore, under 16s may not participate in elections or be elected to office, and colleges and executive committees will want to ensure that they discuss the best ways of serving this group of students.

You may wish to allow members of other local colleges into your functions, in which case the reciprocal membership clause is needed.

Union Parliament  
does?

*Who decides what the union*

This clause is one of the most vital; it's the forum for the representatives of the union to air their views, as well as being the governing body of the students' union. In a number of colleges the physical make-up of the college ie, a lot of sites spread around a wide area, will mean that holding a single general meeting of all the students is nigh on impossible. In this scenario the union has to develop systems of representation that are accessible to the individual student. In this model, although there are elected representatives with voting rights, individual students are allowed to attend and speak.

There are one or two points worth noting:

- 7 college working days notice allows all part-time students at least 2 to 3 days notice of the meeting, if they wish to attend. It also allows individual students the opportunity to consult their reps.
- Quorum is the number of people you need for a meeting to take place. Quorums may vary between 25 members to a half of the membership. Bear in mind the higher the number the more democratic but it should not be so high as to be unobtainable.
- The membership of the parliament should be based on the idea of representative interest groups. This could be on an academic basis, in this case

faculties and/or electing people from each site. You should choose the system most appropriate to your union.

## Executive Committee and Trustee Board

*Who does the work?*

It is important to remember that the trustee board are the trustees of the union and they are all collectively responsible for decisions that the union makes. They have responsibilities laid down in charity law. We would recommend that you contact the Charities Commission and obtain copies of booklet CC3 'Responsibilities of Charity Trustees'. The address is in the NUS Guide.

No person who is under 18 can serve as a trustee. For this reason we have constructed the model so that there is an executive committee **and** a trustee board (who are the trustees and have to be over 18). This allows students under the age of 18 to be able to participate and hold positions of responsibility in the union.

Obviously you should choose posts that will suit the college's needs. Members of the executive should have a clear function. You will need to draw up job descriptions for each post, examples are contained in the schedule to the constitution. The executive should be made up of positions that are 'doing' positions, so you should avoid representative posts as such. They should sit on the union parliament and other committees.

For further information consult your NUS Regional Office on the range of positions which exist.

You will note in clause 5.4 that the model promotes executive committee elections in March each year. It is important that these officers are elected during this period for a number of reasons. This will allow one set of officers to be able to handover properly to the new set, thus building greater continuity into the running of the union; it allows the newly elected officers to be trained through NUS; it ensures there is a team of people who can plan and execute an effective promotion strategy for enrolment.

Students who are on 1-year courses still have the opportunity to become members of union parliament.

Clause 5.8 allows for the office of president to be a sabbatical post. A sabbatical officer is an elected officer who takes time off their course to serve the union full-time for a year. They are usually paid an allowance by the union during this period of time. Even if you do not have a sabbatical in your union, it is worth building in this clause as it means that you can implement it quickly if money does become

available for a sabbatical position. It is important that you state in the clause that the sabbatical will receive a paid allowance.

Sabbaticals should be treated by the college as students. They will fall under the regulations relating to students apart from those relating to courses.

For more information about sabbatical positions contact NUS.

## Clubs and Societies

There is no need to go into detail here. It refers the reader to the relevant detail if they want it.

## Affiliations to External Organisations

This clause is a requirement of the Education Act 1994 Part II. The model standardises the number of students required to trigger a referendum to challenge an affiliation with the arbitrary figure of 200 members. The legislation specifies a maximum of 5% of the student body, however in many colleges this is not practical and the clause has been designed in recognition of this.

## Complaints Procedure

*What to do if you are not happy with the union or its officers*

The complaints procedure should be laid down in the code of practice for the students' union and included as an appendix to the union constitution.

The way to remove officers from their positions should be clearly explained.

If a student officer is removed because of disciplinary reasons then the full appeals process must be exhausted before the union can move to a by-election.

## Union Finance

*Money for the union*

This is the basic responsibility a students' union has in relation to its funds. This clause outlines the powers that the union has to open a bank account. The details of the signatories to that account are contained in the finance schedule referred to in the clause. Under the Education Act 1994, the governing body has a right to receive a budget, audited accounts and interim financial reports. However, note that their role is one of approval and monitoring. It is not the job of the governing body to set the budget or decide areas of expenditure.

The financial year is the same as the college financial year.

## Minutes

*Freedom of information*

Being a democratic organization, the union needs to make all "government" as open as possible. Placing minutes in the library means that minutes are kept safely and properly filed, as well as being in the public arena.

On items which the meeting deems to be confidential, it may be appropriate for the union to develop a specific code detailing the kind of matters that will not be discussed in public.

## Amendments *runs*

*Changing how the union*

The notice period for constitutional amendments is included in Schedule Three (Meeting Regulations).

The review process every 5 years is a condition of the Education Act 1994 Part II.

## Indemnity

This clause is important as it protects the officers of the union from being held liable for any losses that the union may incur, as long as they acted constitutionally and responsibly.

The one thing you can't do is indemnify people against illegal actions. As a union you might want to add a sentence about ultra vires (i.e. doing things that go beyond the aims and objectives of the union).

## Referendum opinions

### *Polling students on their*

The returning officer for the referendum will be appointed annually by the union parliament. However, referendums cannot necessarily be planned and it may be difficult for that person to make themselves available. You may wish to give them the power to appoint a deputy.

## Code of Conduct

### *The responsibilities of members*

The code of conduct will also contain the disciplinary process as outlined in Appendix Two. The code should be developed to incorporate equal opportunities policy, as well as including details about behaviour and what is expected of the student.

## Interpretation

Interpretation of the constitution is required whenever a matter arises which is not clearly covered by the clauses in the constitution. Any ruling made by the president should be put in writing and stored with the constitution.

## Schedule 1

Elections Schedule  
*elections*

*How to run*

This schedule tells you everything that you need to know about running elections in your students' union. It is vital that elections are held in accordance with the constitution and at the times stated. The dates for elections should be set at the beginning of the year and you should get them published in the college calendar.

It is necessary to have voting over a sufficient period of days so that part-time students can vote. Unions that fail to do this could find themselves at the receiving end of a complaint.

The counting system is available from NUS in a guide.

## Schedule 2

Clubs and Societies  
*going*

*Getting activities*

The Education Act 1994 Pt II requires that "the procedure for allocating resources to groups or clubs should be fair and should be set down in writing and freely accessible to all students".

## Schedule 3

Meeting Regulations

*How do union meetings work?*

The meeting regulations are rules that you can use to help run your meetings more efficiently. They can certainly clarify matters if there is a point of confusion over what to do next. However, if you are going to use them then you need to make sure that the membership have a copy and understand them. This certainly means making sure they have a copy of this schedule or producing an easy-to-understand guide to meetings.

## Schedule 4

Finance Regulations  
*money*

*How to control the*

This schedule goes into more detail about the trustee board's responsibilities for administering the union's finances. The schedule should allow for the trustee board to take prompt action to protect the union's assets without having to make constitutional changes.

## Schedule 5

### Job Descriptions

*Who does what?*

These outline the roles and responsibilities of all the executive committee positions. Any additional posts that are created will need to have job descriptions developed.

## Appendix One

### Opting Out

*Relinquishing membership*

Every student has a right not to be a member of the union if they so choose. This appendix outlines how this works.

## Appendix Two

### Disciplinary Procedure

This appendix indicates what happens if students breach union rules or are involved in activities that could bring the union into disrepute. The disciplinary procedure also outlines how officers may be removed if the student body is not happy with their performance.

## Appendix Three

### Code of Practice

Clause 22 (3) of the Education Act 1994 (Pt II) requires that there is a Code of Practice in respect of how the union operates that is approved by the college corporation.

If you need any more advice on writing or changing your constitution you can contact:

1. Your NUS Regional Officer (England)
2. Your Development and Training Officer (Scotland and Wales)
3. NUS\USI Convenor (N Ireland)

## Case Study: Merton College

There are two main mechanisms for giving our students a greater role in college decision-making and the incentive to be active citizens in the wider community – our two student parliaments and our tutorial programme. Why two parliaments? Because the college has two sites, one largely vocational and the other predominantly academic, we believe it encourages greater participation if each site has its own representative body. Currently there are 70 young people involved with the parliaments, split about 40/30 between the vocational and the academic.

The Principal and senior managers have been very supportive of the parliaments. Senior managers have accepted invitations to attend and answer questions on library facilities, refectory prices, term dates, sports and common room facilities, lockers, toilets and security. The students have won notable victories. For instance, student lockers have been installed at our Sixth Form Centre site and a mature common room has been opened at our vocational and access studies site.

Taking things a stage further, we now have executive groups of students, elected by the parliaments, who are playing a more proactive part in college affairs. At present the executive group follows up issues raised by the parliament, negotiates an action plan with senior management and reports back to the parliament – engagement in a political process that represents a genuine taste of active citizenship. Representatives from the two student executives sit on the Academic Board and the Corporation

As managers, we need to learn how to 'let go' before the students can play a more proactive part.

And, just as they must develop their skills, we need to improve our own to give them the space and opportunity to enjoy an enhanced role.

As a next step we'd like to see students giving more of their own ideas on what they would like to see happening in the college and how far would they want to be involved in management. Current ideas include running a summer jobs fair and organising and managing a major end-of-term event, each with budgetary responsibilities. We'd also like them to play a larger part in managing the student common rooms.

A very wide range of students have become actively involved in both the parliaments and the executives include students from foundation level, level 2 and level 3 as well as those from English for speakers of other language courses. Although I've been particularly pleased with the achievements of this group, the real measure of success will be if we can involve the more disengaged, many of whom remain sceptical about college democracy.

Looking to the future, there are some exciting opportunities for the students. We're moving into a five-year rebuilding programme and have started to get student comment on what facilities should be included, even though they won't be here to see the benefits. On specific issues, I'd be happy to see the students take on board the issue of managing their own students' union. And in terms of continuity, I'd like to see the second years inducting the new students into the representative processes of the college.

For more information contact [John Keenan](mailto:jkeenan@merton.ac.uk) at [jkeenan@merton.ac.uk](mailto:jkeenan@merton.ac.uk).





national union of students

# NUS/AoC Model Constitution

This constitution shall take effect from ... [date]..... and invalidates all former constitutions of this union.

This constitution shall be subject to review by union parliament and the corporation at least every five years, in accordance with the Education Act 1994.



Part II of the Education Act 1994 requires institutions to 'take steps as are reasonably practicable to secure that any students' union for students at the establishment operates in a fair and democratic manner and is accountable for its finances'.

The corporation recognises ...[name]... Students' Union as a democratically run organisation, committed to serving and representing the students of the college. The corporation will endeavour to ensure that the activities of the union do not contravene the college's equal opportunities policy nor bring the college into disrepute.

The constitution is a legal document that sets out the activities and procedures of the students' union.

It provides a framework for the operation of the students' union by:

- Defining what the union can or cannot do
- Indicating how the executive can act on behalf of union members
- Outlining how members can air their concerns

The constitution is made up of three sections:

### **Section 1 – The Articles**

This section defines the aims and objectives of the union as well as setting out what can or cannot be done.

### **Section 2 – The Schedules**

This section gives further operational details in relation to how things get done.

### **Section 3 – The Appendices**

This section includes other regulations that the union has to follow.

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### Section 3 : The Appendices

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## **1.0 Name and Status**

- 1.1 There shall be a students' union in the name of .... [*insert name*] .... (for the rest of the document the organisation will be referred to as 'the union'). The union is an unincorporated association with exempt charitable status.

## **2.0 Aims and Objectives**

- 2.1 To advance the education of its members and students of the college as a whole.
- 2.2 To represent the interests of its members and act as a channel of communication in dealing with the college and other bodies.
- 2.3 To promote and protect the welfare of its members.
- 2.4 To promote, encourage and co-ordinate student clubs, societies, sports and social activities.
- 2.5 These aims and objects shall be practiced without discrimination on the grounds of age, sex, race, religion, creed, sexual orientation, disability or medical condition, except that action may be taken to promote equality of opportunity.
- 2.6 The union shall practice the above aims and objectives independent of any political party or religious organisation.

## **3.0 Membership of the Union**

- 3.1 All students who are registered at the college, over the age of 16, shall be members of the union unless they have decided to give up their membership according to the 'Opting Out' regulations, in Appendix Two of this constitution.
- 3.2 Any sabbatical officer shall be a full member of the union.
- 3.3 Registered students of the college under the age of 16 shall not be members of the union but may participate in certain activities, as agreed by the executive committee and any forum for students under the age of 16 and approved by union parliament. Students under the age of 16 will not be granted an NUS card or a card bearing the NUS logo.
- 3.4 All members shall be entitled to use the facilities of the union and take part in its educational, social, sporting and cultural activities. Members shall be allowed to speak and vote at union meetings, to nominate, to stand and to vote in union elections, and to hold office in clubs and societies.

## **4.0 Union Parliament**

- 4.1 The union parliament shall be the supreme decision making body of the union, except for a decision that is made in a referendum. It shall also raise

issues that are of concern to its members to the senior management team of the college.

4.2 The membership of union parliament shall be made up of the following categories:

- i) the executive committee
- ii) the course representatives
- iii) the student governor/s.

- 4.3 The functions of union parliament shall be to:
- i) set the policy of the union
  - ii) amend the constitution and schedules as appropriate, subject to the approval of the corporation
  - iii) instruct and hold accountable the executive committee on their work
  - iv) monitor and discuss the events and decisions of the formal college decision making bodies and to raise concerns of members to the student governor/s and members of the senior management team
  - v) elect delegates to appropriate NUS conferences and councils
  - vi) approve reports from committees, working parties and the executive committee
  - vii) approve financial reports from the executive committee.
- 4.4 The first meeting of union parliament shall be held in October and chaired by the president. This meeting shall also:
- approve the union's annual budget and accounts
  - approve the union's annual report
  - elect the union parliament chairperson
  - confer recognition on clubs and societies.
- 4.5 An ordinary union parliament meeting shall be called at least once per term by the president.
- 4.6 An emergency union parliament meeting may be called to discuss a particular issue.
- 4.7 All union parliament meetings shall be conducted according to Schedule Three (Meeting Regulations) of this constitution.

## 5.0 Executive Committee

- 5.1 The executive committee of the union shall run the union on a day to day basis according to the terms of this constitution, its schedules and appendices, relevant legislation and the decisions that have been made by union parliament and by referendum.
- 5.2 The executive committee shall be made up of the following major union officers, elected by a secret ballot that is open to all members of the union:
- i) the president
  - ii) the finance officer
  - iii) the education officer
  - iv) the women's officer
  - v) the welfare officer
  - vi) the student activities officer
  - vii) the entertainment's officer
- and the following officers elected by a secret ballot of members of the union who are registered at the appropriate college site:
- viii) the centre officer ...*[insert site name]* ...
  - ix) the centre officer ...*[insert site name]* ...
  - x) the centre officer ...*[insert site name]* ...

5.3 The executive committee officers shall be elected in March of each year according to the regulations contained in Schedule One (Election Regulations) of this constitution. They will serve as members of the executive committee from July 1st of that year to June 30th of the following year.

- 5.4 The role of the executive committee shall be to:
- i) carry out the decisions made by union parliament and by referendum
  - ii) act in the absence of union parliament
  - iii) act as a channel of communication between members of the union, the college management, the corporation and other organisations
  - iv) be responsible for the direction of the union through the implementation and development of the union strategic plan
  - v) establish working groups, where relevant, and to receive any reports from working groups
  - vi) liaise with and offer relevant support to any forum for students under the age of 16
  - vii) fulfill specific responsibilities as laid down in Schedule Five (Job Descriptions) of this constitution
- 5.5 Executive committee meetings shall be called by the president and shall meet at least once every ten college days. Further meetings may be called by a written request of a majority of committee members to the president. The chair will be the president or his/her nominee. The chair may only vote in the event of a tie.
- 5.6 Executive committee meetings shall only take place if there is at least 50% of serving executive committee members present throughout the meeting.
- 5.7 Any member of the executive committee who fails to attend three consecutive meetings of the executive committee or union parliament without giving apologies to the president, and does not provide satisfactory reasons acceptable to the executive committee, shall be considered to have resigned.
- 5.8 The president may be a sabbatical post. The postholder shall be paid an allowance determined by union parliament and be required to sign an agreement of office. No member shall be eligible to stand for and serve more than two sabbatical terms of office.

## **6.0 Trustee Board**

- 6.1 The trustee board of the union shall be responsible for the financial affairs of the union and shall ensure that any money is spent in accordance with the charitable objects of the union.
- 6.2 The trustee board of the union shall be made up of all members of the executive committee over the age of 18. All members of the executive committee under 18 years of age shall be observers at any meetings of the trustee board.
- 6.3 The role of the trustee board shall be to:
- i) ensure that the union finances operate efficiently and effectively
  - ii) devise the union budget, which will be subject to the approval of union parliament, and to ensure that financial reports are made to each ordinary union parliament meeting

- iii) prepare the union's annual report detailing the activities of the union, the union finances, including any donations made to external organisations, and any other information required under current legislation
  - iv) submit the union budget, annual report and any other information required under current legislation to the corporation for approval.
- 6.4 Trustee board meetings shall be called by the finance officer and shall meet at least once every ten college days (normally following each ordinary meeting of the executive committee). Further meetings may be called by a written request of a majority of committee members to the finance officer. The chair will normally be the finance officer or his/her nominee.

- 6.5 Trustee board meetings shall only take place if there are over 50% of eligible members present, or at least three trustees present, whichever is greater.
- 6.6 Any member of the trustee board who fails to attend three consecutive meetings without giving apologies to the president, and does not provide satisfactory reasons acceptable to the executive committee, shall be deemed to have resigned.

## **7.0 Clubs and Societies**

- 7.1 Clubs and societies may be recognised by the union parliament provided that they meet the requirements set out in Schedule Two (Clubs and Societies) of this constitution and do not breach the union's aims and objectives.

## **8.0 Affiliations to External Organisations**

- 8.1 Any proposal to affiliate to an external organisation shall be approved by union parliament.
- 8.2 The college and members of the union shall be informed of all new affiliations to external organisations. The notice shall include the name of the organisation being affiliated to and the affiliation or subscription fee to be paid.
- 8.3 Details of all affiliations to external organizations, including the names of the organisations and each affiliation fee paid, shall be included in the union's annual report which shall be made available to all members of the union and to the corporation.
- 8.4 In the event of an objection to a current affiliation to any particular external organisation, a petition signed by at least 200 members of the union must be presented to the president. A referendum shall be held on the issue. The referendum shall be carried out in accordance with clause 14.0 (Referendum) of this constitution. A further referendum on the same affiliation cannot be called in the same academic year.

## **9.0 Complaints Procedure**

- 9.1 Complaints about an individual officer, the executive committee or any member of union parliament shall be dealt with under the complaints procedure contained in Appendix Three (Code of Practice) of this constitution.

## 10.0 Union Finance

- 10.1 The union shall receive appropriate funds from the college to enable it to effectively pursue its aims and objectives. This annual allocation of funding shall be decided by the corporation at the last meeting of the financial year, on presentation of the union's estimates for the forthcoming academic year.
- 10.2 The union, acting through the trustee board, shall be empowered, in pursuit of its aims and objectives, to open bank accounts in the name of the union, lend monies, invest monies, borrow monies, offer its material assets as security and do all other such things as are necessary for the prudent conduct of its financial affairs as though it were a legal person. The trustee board in exercising these rights shall be subject to no other restrictions except those contained in clause 6.0 and Schedule Four (Finance Regulations) of this constitution and any which may be imposed by union parliament.
- 10.3 The trustee board shall supervise all union finances and ensure that proper books of account are maintained and that these books shall be audited annually by a person qualified to undertake audited accounting.
- 10.4 The trustee board shall be responsible for ensuring that the annual budget, amendments to the budget, audited accounts and all other short-term financial reports and financial proposals are discussed and approved by union parliament.
- 10.5 A copy of the union's budget and the audited accounts shall be given promptly to the corporation each financial year for approval and be made available to all students.
- 10.6 The financial year of the union shall run from 1<sup>st</sup> August to 31<sup>st</sup> July.
- 10.7 The organisation of the union's finances and systems of control shall be contained in Schedule Four (Finance Regulations) of this constitution.

## 11.0 Minutes

- 11.1 At all meetings of the union, minutes shall be taken which shall be circulated and any necessary corrections made, at the next appropriate meeting. Confirmed minutes shall be filed and made available to all students.
- 11.2 A copy of the constitution, including any amendments, a copy of the annual report and any plans for the union's activities, including the budget, shall be made available to all students.
- 11.3 All meetings of the union shall be considered open to all members of the union. However, the members of the meeting may vote to hold a specific meeting or an item of a meeting as a closed session.
- 11.4 The regulations for the organisation of union meetings shall be contained in Schedule Three (Meeting Regulations) of this constitution.

## 12.0 Amendments

- 12.1 The union parliament shall be the only body permitted to amend the constitution and schedules. All amendments will be subject to the approval of the college corporation before they can be implemented.
- 12.2 All amendments to the constitution or schedules shall require the support of a minimum of two-thirds of the members present and entitled to a vote at a quorate meeting of the union parliament.
- 12.3 The constitution shall be reviewed by the union at least every 5 years from the date of the current document's implementation and approved by the corporation.

## 13.0 Indemnity

- 13.1 Every executive officer and person approved to make decisions of behalf of the union shall be entitled to be indemnified out of the assets of the union against all losses or liability which she/he may incur in or about the execution of his or her office or otherwise in relation thereto; and no officer, appointee or member of staff shall be liable for any loss, damage or misfortune which may happen to or be incurred by the union in the execution of the duties of his or her office or in relation thereto; provided that nothing in this clause shall affect their liability for the consequences of any negligent or unlawful act on their part.

## 14.0 Referendum

- 14.1 A referendum, in which all members will be allowed to vote, shall be held on any issue, if union parliament decides by a two thirds majority to call a referendum. The president shall call a referendum if they are handed a petition detailing the issue and containing the name, course, union card number and signature of at least 200 students who are members.
- 14.2 The returning officer shall be responsible for deciding the wording of the question on the referendum ballot paper.
- 14.3 The referendum shall be supervised by the returning officer. Polling stations shall be open for ...*[insert number]* ... college days.
- 14.4 The arrangements for postal voting shall be the same as those for an election, as in Schedule One (Election Regulations) of this constitution.
- 14.5 The result of a referendum will take priority over any existing union policy on the same issue.

## **15.0 Code of Conduct**

- 15.1 The executive committee shall draw up a code of conduct which shall be approved and amended from time to time by union parliament.
- 15.2 All members of the union shall be required to adhere to this code, particularly when on union premises, or attending events organised by the union or its clubs or societies.
- 15.3 The code of conduct may include restrictions up to and including the unlimited suspension of any or all of the rights of union membership.

## **16.0 Interpretation**

- 16.1 In the event of a challenge to the interpretation of any part of this constitution, the ruling of the president shall be sought.
- 16.2 In the event of a challenge to the president's ruling, following legal advice, the decision shall be taken to union parliament.
- 16.3 If a member of the union remains unsatisfied with the ruling of union parliament they may appeal to the college corporation. The ruling of the college corporation shall be final.

## Schedule one

### ELECTION REGULATIONS

This schedule outlines what to do for all elections for all positions in the union. It also outlines the procedure to follow if a vacancy occurs in any position.

#### 1.1 Returning Officer

- i) The returning officer, who shall not be a full member of the union, shall be appointed annually by union parliament, subject to the approval of the college corporation. The returning officer shall be responsible for the good conduct and administration of all union elections and shall have the sole interpretation of the election regulations. They shall not be a full member of the union. The returning officer may appoint assistants to support them in their duties.

#### 1.2 When elections should happen

- i) The returning officer shall ensure that election of the executive committee takes place before the end of March each year. Once elected the members of the committee shall take office from July 1<sup>st</sup> of that year and shall serve for not more than 12 months.
- ii) The dates of elections for executive committee members, a copy of the election timetable and a copy of the election regulations shall be posted on the union notice-boards at least 21 college days before the elections.

#### 1.3 Standing for election

- i) The members of the executive committee shall be:
  - the president
  - the finance officer
  - the education officer
  - the women's officer
  - the student activities officer
  - the welfare officer
  - the entertainment's officer
  - the centre officer ...*[insert site name]* ...
  - the centre officer ...*[insert site name]* ...
  - the centre officer ...*[insert site name]* ...
- ii) All members of the union are eligible to stand for any of the following executive committee positions:
  - the president
  - the finance officer
  - the education officer
  - the student activities officer
  - the welfare officer

- the entertainment's officer

No member who has opted out may stand for any position.

- iii) Only members of the union who are women are eligible to stand for the position of women's officer.
- iv) Only members of the union registered at a specific centre shall be eligible to stand for the position of centre officer at that centre.
- v) Reopen nominations (RON) shall be a candidate in all union elections.
- vi) Nomination forms will be available from the returning officer and shall be available from college reception, the college library and the union office twenty college days before the election. The nomination form shall contain a copy of the description of the role of each position in the election. It shall also contain information on the facilities the union will make available to each candidate.
- vii) Members of the union may stand for election upon completion of a nomination form signed by the candidate and at least one proposer and one seconder.
- viii) Nomination forms must reach the returning officer or a person appointed by him/her not later than 5.00pm on the day, twelve college days before the date of the commencement of the ballot.

#### **1.4 Publicity about the election**

- i) The returning officer shall produce a list of candidates (together with the proposer and one seconder) which shall be displayed on the union notice-boards within 48 hours of the close of nominations.
- ii) Candidates may produce a manifesto and a poster to a specification to be determined by the returning officer, which must be handed in with the completed nomination form.
- iii) On receipt of a valid nomination form the returning officer or a person appointed by him/her shall provide the candidate with an election campaign pack.
- iv) The contents of the election campaign pack shall be determined by the returning officer in conjunction with the executive committee.

#### **1.5 Campaigning**

- i) Candidates may commence campaigning at the close of nominations.
- ii) A 'question time' session shall be held on at least one main site, at a time and date to be determined by the returning officer. Any candidate absent from question time without apologies to the returning officer shall be deemed to have withdrawn from the election. The length of speeches and responses by candidates to questions shall be determined by the returning officer who shall also appoint a chair.
- iii) Candidates cannot use any communication materials that are not sanctioned by the election campaign pack.
- iv) There shall be no campaigning within the same room as any ballot box.

- v) The returning officer shall publicise the location and arrangements of the question times and voting stations, together with a list of candidates and manifestos, ten college days before voting.

## **1.6 Voting procedures**

- i) The returning officer shall ensure that all members of the union have access to vote no matter their place or time of study.
- ii) All members of the union shall be able to vote for the positions as outlined in 1.3 (i) except the centre officers who shall be elected by the members registered at that centre and the women's officer who shall be elected by women members only.
- iii) All members of the union may vote on production of a current union membership card or appropriate identification as decided by the returning officer.
- iv) A voting paper will be issued to each voter, which shall bear the union stamp. Votes will be cast in sealed ballot boxes. Voting papers shall bear the name of each candidate and the office being contested. There will be a facility for reopening nominations as outlined in clause 1.3 (v).
- v) Voting shall be by secret ballot and shall be conducted according to the most recently published edition of the rules for the operation of the single transferable voting (STV) system as set by the Electoral Reform Society.
- vi) A postal vote shall be granted to any full member of the union who is unable to exercise their right to vote in person.
- vii) The returning officer shall publicise the arrangements for postal voting at the time of close of nominations.
- viii) The member must inform the returning officer in writing, at least 4 college days before the beginning of voting, that they wish to vote by post.
- ix) Postal votes will be accepted up until the close of ballot boxes, at the end of the voting period.

## **1.7 Counting and declaring votes**

- i) The returning officer shall inform the candidates of the time and venue of the count. The candidate or their appointed representative may, if they so wish, attend the counting of the votes as observers only.
- ii) The returning officer may be assisted in the count by a number of individuals appointed by them. The count shall be conducted according to the most recently published edition of the rules for the operation of the single transferable voting (STV) system as set by the Electoral Reform Society.
- iii) Once the votes have been counted they should be kept for a period of six months in case of appeals against the result.
- iv) Results of the elections shall be declared by the returning officer when the count for each post has been completed and any complaint has been resolved to the satisfaction of the returning officer.

- v) A list of successful candidates will normally be posted at each site within one college day of the declaration of results. The returning officer should send a copy of the result to union parliament, the college corporation and the college library.
- vi) The results will become official 48 hours after they have been posted provided that no complaint has been lodged with the returning officer within 48 hours. In the event of a complaint being received by the returning officer the results shall be suspended until the complaint has been resolved.

## 1.8 Complaints

- i) Any challenge or complaint concerning the administration and good conduct of the election will be heard and determined by the returning officer within 48 hours of such a complaint being lodged by any full member or the candidate or their nominee.
- ii) Any complaint against the conduct or administration of the election should be received by the returning officer before the start of the count.
- iii) A challenge or complaint during or following the count, must only relate to the conduct of the count, and be lodged with the returning officer who shall resolve the complaint within 48 hours of it being lodged.
- iv) In determining a resolution to the complaint, the returning officer after hearing all the appropriate evidence may not uphold the complaint; or may halt elections for specified post(s) or disqualify specified candidate(s) if, in their view, a candidate(s) has breached election regulations. The ruling of the returning officer on any complaint shall be final, subject only to a successful appeal to the Clerk to the Corporation, in accordance with clause 3.9.4 of the complaints procedure, contained within the Code of Practice (Appendix Three) of this constitution.

## 1.9 Election for members of union parliament/course representatives

- i) The returning officer shall ensure that elections take place for members of union parliament by the end of September. Once elected they shall take office on the ...*[insert date]*... October and shall serve for no more than 12 months. In cases where a course begins at a different time of year, course reps will be elected at the first available opportunity.
- ii) Nominations shall open at the start of the meeting and shall require a proposer and seconder who are members of the meeting.
- iii) If more than one nomination is received a secret ballot shall be held.

*Optional alternative regulations for unions requiring a smaller union parliament:*

- iv) *Members of union parliament shall be elected by a meeting of the course representatives in each faculty before the end of October.*
- v) *There shall be one representative for each year of study, for each faculty.*

## 1.10 Vacancies for positions on the executive committee

- i) If any post on the executive committee falls vacant then a by-election shall be arranged by the returning officer. Nominations shall open no later than three college days after confirmation of the vacancy arising. All other election regulations apply.

## Schedule two

### CLUBS AND SOCIETIES

**2.0** There shall be clubs and societies of the union.

#### **2.1 Setting up a club or society**

- i) No club or society may receive funds from the union or use union facilities without recognition in each academic year by union parliament.
- ii) To be considered for recognition, the club or society shall lay before union parliament an acceptable constitution, a plan of activities and a list of paid up prospective members in accordance with the clubs and societies schedule.
- iii) No club or society will be recognised if its objects conflict with those of the union. However, this restriction shall not be interpreted so as to prevent the establishment of political, religious or ethnically based clubs and societies.
- iv) Any club or society that wishes to be recognised by the union shall present to the student activities officer:
  - a list of 10 signatures of members
  - the proposed membership fee
  - a constitution for the club or society to include:
    - a) the name of the club/society;
    - b) the aims and objects of the club/society (which shall not be contrary to those of the union);
    - c) regulations relating to membership eligibility to the club/society;
    - d) provision for the election of a committee for the club/society to include as a minimum a chairperson, a secretary and a treasurer;
    - e) the responsibilities of the committee;
    - f) provision for general meetings for all members of the club or society;
    - g) provision for an annual general meeting at which an income and expenditure account shall be presented and approved;
    - h) provision for the union statement on equal opportunities.

#### **2.2 Money for clubs and societies**

- i) The trustee board shall earmark a sum in the union budget which shall be for grant aid of recognised clubs and societies.
- ii) To receive funding an eligible club/society shall submit a budget proposal to the student activities officer. This should be submitted by the end of September.
- iii) The trustee board shall meet and allocate the funds. Allocations will be made on the basis of the level of activity in the club/society; the number of members it has and special equipment and travel considerations. A contingency fund shall be set aside, the value of which shall be determined by the trustee board.

- iv) The allocations shall be approved at the first meeting of union parliament of the new academic year.
- v) All clubs and societies shall be given a budget number by the finance officer. Any request for expenditure must be approved by the finance officer and paid by cheque.

## **2.3 Meetings of clubs and societies**

- i) The annual general meeting of each club and society shall be held before the end of October of each year. This meeting will elect the club or society committee.
- ii) Each club or society should have a minimum of one general meeting per term where all committee members of the respective club/society should attend, unless reasonable apologies are submitted.
- iii) The quorum of each club/society general meetings shall be 50% plus one of the club or society membership.
- iv) The committee secretary is responsible for arranging the dates of meetings and must inform the members at least five college days in advance. Agendas should be available two days in advance of the meeting.
- v) Changes to the constitution of any club or society can only be made at a club or societies general meeting and must be ratified by the executive committee. In cases where the executive committee do not ratify the changes, the club or society may appeal to union parliament.

## **2.4 Responsibilities of clubs and societies**

- i) No-one from a club or society may commit either the club or society or the union to any expenditure without prior authorisation through the union's budgetary control system.
- ii) The club or society shall be responsible for promoting itself during induction week to encourage new membership.
- iii) All clubs and societies' committees will produce an activities report and the treasurer will submit an income/expenditure sheet to the executive committee at the end of each term, following a request from the finance officer.
- iv) The club or society shall not hold its own bank account and all its finance will be administered through the union.
- v) The club or society shall hold no funds whatsoever outside the union accounts.
- vi) The chairperson of the club/society shall be responsible for the smooth running of any social events and activities and shall be responsible for convening of general meetings.
- vii) The secretary shall be responsible for publicising general meetings, providing agendas and taking minutes of the meetings.
- viii) The treasurer shall be responsible for ensuring that all expenditure is legitimate and that it does not exceed the club or society allocation for that year. The treasurer shall also ensure that an accurate list of all equipment purchased is kept and all equipment is returned to the union at the end of the academic year.

- ix) The treasurer shall ensure that all income received by the club or society is paid directly into the union accounts and that no funds received by the club/society are withheld.
- x) The treasurer shall ensure that an income and expenditure account for the previous academic year is presented to the annual general meeting of the club or society and copies are sent to the finance officer of the union.
- xi) Failure to abide by these regulations and the union constitution may result in suspension of the club or society by the executive committee.

## Schedule three

### MEETING REGULATIONS

Meeting regulations shall apply in full to all union parliament meetings. They shall apply to all committee meetings of the union in terms of conduct of meetings.

#### 3.1 Union parliament

- i) The business of union parliament shall be divided into two parts:
  - a) **College business:** to discuss any matters relating to members as students of the college associated with their education and other college issues.
  - b) **Union business:** to discuss all other issues of interest to members of the union.

#### 3.2 Who can attend union parliament?

- i) All members of union parliament (see clause 4.2 of the articles of the constitution) will be expected to attend all meetings of union parliament. Any member of union parliament who fails to attend three consecutive meetings without giving apologies to the chair, and does not provide satisfactory reasons acceptable to union parliament, shall be considered to have resigned.
- ii) Any full member of the union may attend union parliament meetings in accordance with clause 3.4 of the articles of the constitution. Any individual/s who are not members of the union who wish to attend must receive permission from the meeting by submitting a request to the chair. The chair shall then take a vote on whether the individual/s may attend.

#### 3.3 Who may speak at union parliament?

- i) Any full member of union parliament may speak at union parliament.
- ii) Any full member of the union may attend union parliament and speak with the permission of the meeting. Members of the college senior management team may attend and speak at the college business part of the meeting but will not be entitled to speak or attend the union business part of the meeting unless expressly requested by the meeting. Any other individual may attend and speak as a guest, if invited to do so by either union parliament or the executive committee.
- iii) Any member wishing to speak must raise their hand. The chair of the meeting shall decide the order of speaking.

#### 3.4 Who may vote at union parliament?

- i) Only members of union parliament who are present at the meeting may vote.
- ii) The chair of union parliament may not vote unless the vote is tied, in which case they may have the casting vote.

### 3.5 How to get things done

- i) All items for debate shall be submitted to the president five college days before the meeting. Proposals for amendments to the constitution and schedules must be submitted seven college days before the start of the meeting.
- ii) All debates shall require the signatures of at least two full union members. These shall be known as the proposer and the seconder(s).
- iii) The president shall be responsible for publication of details of all union parliament meetings ten college days before the meeting on union noticeboards and in available union publications.
- iv) Proposals of changes to debates may be submitted by any full member of the union. The changes require the signatures of at least two members and shall be submitted to the president two college days before the start of the meeting.

### 3.6 Who runs the meeting?

- i) The president shall be responsible for the agenda and publicising the meeting.
- ii) The president shall take the chair of the first meeting of the academic year. There shall be an election for a chairperson and a deputy chairperson at this meeting.
- iii) In the event of any situation arising not being covered by meeting regulations then the chairperson shall rule on the procedure to be adopted. Such ruling shall be subject to the approval of union parliament.
- iv) In the event of the chair being in conflict or alleged to be in conflict with the item under discussion, the chair should be resigned for the duration of the item under discussion to the deputy chair.

### 3.7 What is talked about at meetings?

- i) The agenda of meetings shall normally be taken in the following order:
  - a) College business:
    - Welcome from the chair
    - Checking the minutes of the previous meeting for accuracy
    - Matters arising from the minutes of the last meeting
    - Reports from the senior management team
    - Management question time
    - Education issues
  - b) Union business:
    - Checking the minutes of the previous meeting for accuracy
    - Matters arising from the minutes of the last meeting
    - Reports from the executive committee
    - Reports from the trustee board

- Other reports
- Executive question time
- Debates
- Discussion groups
- Any other business

- ii) The meeting will have the right to table the following items collectively as a consent agenda provided that written reports and minutes are distributed in advance:
  - Checking the minutes of the previous meeting for accuracy
  - Matters arising from the minutes of the last meeting
  - Reports from the executive committee
  - Reports from the trustee board
- iii) Any member may request that any item be discussed in full, provided that notice is given in advance of the meeting.
- iv) All debates shall be run as follows:
  - the proposer of the debate shall make a speech
  - any changes to the debate will be raised according to clause 3.8 of these regulations
  - the chair will invite a speech against the debate
  - the chair shall balance the number of speeches for and against the debate
  - the chair shall invite any questions and statements relating to the debate
  - the proposer of the debate shall have the right to sum up
  - the vote shall be taken.

**3.8 Changes to the debate** shall be run as follows:

- any changes to the debate will be raised after the proposer has spoken
- the chair shall invite and take a speech against the changes
- the chair shall attempt to balance the number of speeches for and against the changes
- the chair shall leave time for questions and statements before the vote
- when all changes have been voted upon, the main debate shall be discussed and voted upon.

**3.9 General rules**

- i) Every debate shall have a proposer and a seconder.
- ii) Any motion may only be withdrawn with the consent of the meeting.
- iii) Debates shall require a simple majority to be decided except where otherwise specified in the constitution.
- iv) Emergency debates may only be discussed if they deal with matters that have arisen since the date for submission of debates, and if a two thirds majority vote for the discussion of this debate. The debate should be submitted in writing to the chair before the start of the meeting.

## Schedule four

### FINANCE REGULATIONS

#### 4.1 Bank Accounts

- i) There shall be a bank account held in the name of the union. There shall be four signatories to the account:
  - the president
  - the finance officer
  - the student services manager
  - the finance manager
- ii) Cheques shall be signed by either the president or the finance officer, **and** either the student services manager or the finance manager.
- iii) In the case of either the president or the finance officer not being over 18, the executive committee shall elect new signatories from amongst the members of the trustee board.

**4.2** The collection of all money due to the union shall be the responsibility of the finance officer, under the supervision of the trustee board, which shall be notified promptly of all money due to or owed by the union.

#### 4.3 Limits on payments

- i) All expenditure on student activities over £50 shall be approved by the trustee board. Any expenditure over £250 should be approved by union parliament.
- ii) The finance officer (or, if under the age of 18, a member of the trustee board elected by the executive committee) shall have the power to authorise expenditure on activities, goods or services up to £50 provided that such expenditure is ratified subsequently by the trustee board.
- iii) The finance officer (or, if under the age of 18, a member of the trustee board elected by the executive committee) shall be responsible for the operation of the petty cash account and shall present a record of transactions once a month to the trustee board.
- iv) All invoices for sums over £50 must be approved by the finance committee before they can be paid.

#### 4.4 Contracts

- i) No financial agreement (e.g. a leasing contract) may be entered into which involves a financial commitment beyond the term of office of the executive committee and/or exceeds a total value of £250 unless authority is given by union parliament.
- ii) All contracts shall have two signatories. Contracts shall normally be signed by the president and the finance officer. Any contracts exceeding a value

of £250 shall be signed by either the president or the finance officer **and** either the student services manager or the finance manager.

- iii) No contract should be signed without the approval by the trustee board.

#### **4.5 Budgets and financial statements**

- i) Budgets shall be drawn up for all areas of proposed expenditure in June. These areas shall be determined by the trustee board, before final approval by union parliament.
- ii) The finance officer, under the direction of the trustee board, shall provide union parliament and the corporation with a financial statement once a term.

#### **4.6 Loan agreements**

- i) No loan agreement may be entered into which involves a financial commitment beyond the term of office of the executive committee and/or exceeds a total value of £250 unless authority is given by union parliament.
- ii) All loan agreements shall have two signatories. Loan agreements shall normally be signed by the president and the finance officer. Any loan agreement exceeding a value of £250 shall be signed by either the president or the finance officer **and** either the student services manager or the finance manager.
- iii) No loan agreement should be signed without the approval of the trustee board.

#### **4.7 Security and insurance**

- i) The union shall be responsible for maintaining proper security at all times for all stock, stores, furniture, equipment, cash etc, under its control.
- ii) The trustee board shall inform the executive committee in any case where security is thought to be defective or where it is considered that special security arrangements may be needed.
- iii) The trustee board shall be responsible for ensuring that proper insurance cover is undertaken, including fire risks, theft, damage and loss etc. of property and employers' liability.

#### **4.8 Events**

- i) All events undertaken or provided by the union must be costed and budgets prepared.
- ii) Annually, the entertainments officer, in consultation with the president and the finance officer and under the direction of trustee board, shall draw up a proposed entertainments budget, subject to ratification by union parliament. This shall form the basis of all entertainments expenditure.
- iii) Records of all expenditure for events shall be kept. The finance officer shall advise the trustee board when the limits laid down in the budget set are likely to be exceeded. The entertainments officer is responsible, under the direction of the trustee board, for ensuring that agreed budgets are not

exceeded, unless the necessary approval has been given before the proposed expenditure.

#### **4.9 Expenses to union members**

- i) Any member of the executive committee may receive expenses for costs incurred whilst on union business.
- ii) Any costs incurred for childcare whilst a member of the executive committee is on union business inside or outside college shall be met by the union.
- iii) Expenses must be authorised by a member of the trustee board, who shall not be the person claiming the expense.

#### **4.10 Petty cash**

- i) The petty cash limit shall be £75.00. The finance officer, under the direction of the trustee board, shall ensure that petty cash stays at or below this limit and that a record is kept of all advances and expenditure.

#### **4.11 Donations**

- i) The union shall not make donations or affiliations to any organisation outside the aims and objectives of the union. The union may allow for its facilities to be used for special events which raise money for a specific charity or cause. Only the net profit from such events may be passed to the charity.

- 4.12** Any member of the executive committee under the age of 18 shall not sign any contract or financial agreement, authorise any expenditure, take responsibility for any budget, sign cheques or make any financial decisions.

## Schedule five

### JOB DESCRIPTIONS

#### 5.1 The PRESIDENT,

who shall be a member of the executive committee, shall:

- i) be the prime representative of the union and seek to involve as many students in the union as possible
- ii) attend the corporation and other relevant college committees, and report back to the union
- iii) lead delegations to NUS annual conference, regional conferences and any area conference and report back to union parliament
- iv) be a cheque signatory to the union bank account, if over the age of 18
- v) be the prime representative of the union to liaise with the college over any matters affecting students
- vi) compile a report on his/her activities for consideration at union parliament
- vii) meet with the returning officer and ensure that elections happen in accordance with the union constitution; notify union parliament of the resignation of any union officer and ensure the union parliament decides appropriate action
- viii) participate fully in executive committee meetings
- ix) maintain all legal documentation relating to the union, including the constitution, instrument and articles of government, the union code of practice and all legal advice
- x) arrange training for the executive committee following their elections
- xi) ensure that all officers of the union compile a written report for each meeting of union parliament and for wider circulation
- xii) ensure that a report is presented to the union parliament on the activities of the union over the previous year. After approval this should be submitted to the college corporation and logged in the union office and college library
- xiii) ensure that each centre officer compiles a report on upcoming activities for their centre over the next academic year. This should be presented by the outgoing president to the college corporation together with a budget for the activities
- xiv) be a member of union parliament and ensure that the decisions made are implemented
- xv) be responsible for publicising all executive committee and union parliament meetings, receiving debates and changes for discussion and circulating agendas and minutes to members of the meeting
- xvi) act reasonably and prudently in all matters, and in the best interests of the union

## 5.2 The FINANCE OFFICER,

who shall be a member of the executive committee, shall, under the direction of the trustee board:

- i) regulate expenditure of the union in such a way as to maximise union activities
- ii) be responsible for ensuring that the union draws up and approves an annual budget
- iii) be responsible for the gathering of information on discounts and promoting these to students
- iv) be responsible for petty cash, and present a record of petty cash transactions to each executive committee meeting
- v) present relevant reports to the executive committee
- vi) present an update of income and expenditure to each meeting of the union parliament
- vii) be a signatory to the union account, if over the age 18
- viii) in conjunction with the president, ensure that all financial transactions are legitimate, and the necessary paper work and receipts are kept for all transactions
- ix) ensure that the union accounts are audited annually, and that they are presented to the board of governors
- x) be responsible for the banking of any money received, and ensure that no more than £75 is kept in the union office at any time
- xi) be responsible for paying bills promptly, and for sending out relevant invoices for money owed to the union
- xii) in conjunction with the student activities officer, allocate grants to clubs and societies and monitor their expenditure
- xiii) provide guidelines to all budget holders on financial control and planning
- xiv) carry out other duties as laid down by the executive committee and union parliament.
- xv) be a member of union parliament, and present relevant reports
- xvi) act reasonably and prudently in all matters, and in the best interests of the union

### 5.3 The EDUCATION OFFICER,

who shall be a member of the executive committee, shall:

- i) in conjunction with the president be responsible for dealing with students' concerns, aspirations and problems in relation to their courses
- ii) liaise with the welfare officer on the development of the union's welfare strategy within the college
- iii) in conjunction with the welfare officer meet with the college for the purposes of monitoring and review of the student charter, complaints, equal opportunities and disciplinary procedures
- iv) meet with departmental heads to develop and maintain a system for the election of course reps
- v) arrange training for course representatives in conjunction with NUS
- vi) maintain contact with course representatives over the year and represent their views and concerns to the college through the academic board and other appropriate forums
- vii) be a member of the academic board and any other relevant bodies established by the college
- viii) present relevant reports to the executive committee
- ix) carry out other duties as laid down by the executive committee and union parliament
- x) be a member of union parliament, and present relevant reports
- xi) act reasonably and prudently in all matters, and in the best interests of the union

#### **5.4 The WOMEN'S OFFICER,**

who shall be a member of the executive committee shall:

- i) ensure that women's views and opinions are reflected throughout the whole of the union's work
- ii) provide a women's perspective on all matters concerning the union and the college, and a regular forum/group for women to meet
- iii) organise social and educational meetings for women only
- iv) organise training events for women
- v) establish, and maintain, contact with and provide information from groups and organisations which work on women's issues
- vi) liaise with the president on the development of the college equal opportunities policy
- vii) promote the positive involvement of women in all areas of the student union's activities
- viii) represent the views of women students to the union and the college
- ix) present relevant reports to the executive committee
- x) carry out other duties as laid down by the executive committee and union parliament
- xi) be a member of union parliament and present relevant reports
- xii) act reasonably and prudently in all matters, and in the best interests of the union

## 5.5 The STUDENT ACTIVITIES OFFICER,

who shall be a member of the executive committee, shall:

- i) arrange a freshers fair at the beginning of the academic year and a refresher's fair in January
- ii) develop new clubs, societies and sports teams
- iii) liaise with appropriate bodies outside college for promotion and sponsorship of clubs and societies
- iv) ensure that all union resources are fairly allocated to all clubs and societies
- v) be responsible for the production of any official union magazine or newspaper
- vi) present relevant reports to the executive committee
- vii) carry out other duties as laid down by the executive committee and union parliament
- viii) be a member of union parliament and present relevant reports
- ix) act reasonably and prudently in all matters, and in the best interests of the union

## 5.6 The WELFARE OFFICER,

who shall be a member of the executive committee, shall:

- i) liaise with the college over the criteria and distribution of the access and hardship funds
- ii) in conjunction with the education officer meet with the college for the purposes of monitoring and review of the student charter, complaints, equal opportunities and disciplinary procedures
- iii) establish, and maintain, contact with and provide information from groups and organisations which work on welfare issues; maintain and order stocks of information as required
- iv) establish an enquiry service, and advertise its availability on each of the sites
- v) deal with, but not counsel, students who have welfare problems, respecting confidentiality at all times
- vi) when necessary, refer students to the college counsellors or other relevant organisations
- vii) attend any relevant training/briefing days for union welfare officers
- viii) liaise with the education officer on welfare strategy in the college
- ix) campaign on, and raise awareness of, welfare issues as agreed by the executive committee e.g. debt, safe sex, drug/alcohol abuse, etc; distribute general welfare information
- x) meet with the student support services section and, when necessary, college management to assure the quality of services provided by the college to students
- xi) consult student services regularly to find out what problems students are having in college and take account of these when campaign planning
- xii) have responsibility for representing students in disciplinary or academic appeals cases
- xiii) present relevant reports to the executive committee
- xiv) carry out other duties as laid down by the executive committee and union parliament
- xv) be a member of union parliament and present relevant reports
- xvi) act reasonably and prudently in all matters, and in the best interests of the union

## 5.7 The ENTERTAINMENTS OFFICER,

who shall be a member of the executive committee shall:

- i) organise and publicise a variety of entertainment and other social activities to reflect the interests of all sections of the student body
- ii) establish and maintain contact with relevant clubs, societies, companies and organisations to the advantage of students
- iii) establish and maintain contact with relevant officers at other colleges
- iv) establish and maintain contact with NUS Ents
- v) be responsible for the sale and distribution of tickets and the collection of monies for activities, under the direction of the trustee board
- vi) in conjunction with the finance officer and under the direction of the trustee board, ensure that all money from ticket sales is banked as soon as possible
- vii) meet with the centre officers to ensure that all social activities are well publicised to all students on all sites
- viii) consult with students at the beginning of the year and design an entertainments programme, in conjunction with the president and the finance officer, for the whole of the year on the basis of information received
- ix) meet with local businesses to secure reductions for students on leisure activities
- x) present relevant reports to the executive committee
- xi) carry out other duties as laid down by the executive committee and union parliament
- xii) be a member of union parliament and present relevant reports
- xiii) act reasonably and prudently in all matters, and in the best interests of the union

## 5.8 The CENTRE OFFICER,

who shall be a member of the executive committee, shall:

- i) in conjunction with the president, ensure the interests of the students in their centre are well represented across the college, in the centre and at union parliament
- ii) ensure that union activities are publicised on their site
- iii) ensure the provision of a union stall at enrolment
- iv) co-ordinate union activities in that centre
- v) promote elections for course reps and union officers to encourage high participation
- vi) represent students at the centre to management on issues that are unique to that centre
- vii) present relevant reports to the executive committee
- viii) carry out other duties as laid down by the executive committee and union parliament
- ix) be a member of union parliament and present relevant reports
- x) act reasonably and prudently in all matters, and in the best interests of the union

**Additional job descriptions applicable to either the executive committee or union parliament:**

**5.9 The MATURE STUDENTS' OFFICER,**

who shall be a member of the executive committee, shall:

- i) be a student over the age of 21 at the start of the election
- ii) be responsible for organising a mature students' group and encouraging mature students to participate within it
- iii) provide a perspective on the issues which affect mature students to the executive committee, and ensure that this is recognised in all of the union's work
- iv) establish and maintain contacts with mature students' groups in other unions throughout the country, NUS Mature Students' Committee and the Mature Students' Union (MSU)
- v) attend relevant conferences on behalf of the union
- vi) establish a number of projects relating to mature students' education, welfare and social needs at the beginning of the year, as agreed by the executive committee
- vii) liaise with the banks and other financial institutions about the money problems which mature students encounter and seek possible solutions
- viii) present relevant reports to the executive committee
- ix) carry out other duties as laid down by the executive committee and union parliament
- x) be a member of union parliament and present relevant reports
- xi) act reasonably and prudently in all matters, and in the best interests of the union

#### **5.10 The LESBIAN, GAY AND BISEXUAL OFFICER,**

who shall be a member of the executive committee, shall:

- i) ensure that lesbian, gay and bisexual (LGB) students' views and opinions are reflected throughout the whole of the union's work
- ii) provide an LGB perspective on all matters concerning the union and the college, and ensure there is a regular forum/group where LGB students can meet
- iii) organise social and educational LGB meetings and events
- iv) organise training events for LGB students in conjunction with the NUS LGB campaign
- v) establish and maintain contact with, and provide information from, groups and organisations which work on LGB issues
- vi) promote the positive involvement of LGB students in all areas of the union's activities
- vii) represent the views of LGB students to the union and the college
- viii) present relevant reports to the executive committee
- ix) carry out other duties as laid down by the executive committee and union parliament
- x) be a member of union parliament and present relevant reports
- xi) act reasonably and prudently in all matters, and in the best interests of the union

### 5.11 The BLACK STUDENTS' OFFICER,

who shall be a member of the executive committee, shall:

- i) ensure that black students' views and opinions are reflected throughout the whole of the union's work
- ii) provide a black students' perspective on all matters concerning the union and the college, and ensure there is a regular forum/group where black students can meet
- iii) raise the awareness of students of the issues that affect black students through meetings and events
- iv) co-ordinate activities designed to counter racism, ethnocentrism or discrimination
- v) establish and maintain contact with, and provide information from, groups and organisations which work on black and anti-racism issues
- vi) liaise with the NUS Black Students' campaign
- vii) promote the positive involvement of black students in all areas of the union's activities
- viii) monitor incidents of discrimination in the college and inform the union and the college of these incidents
- ix) seek to ensure that union and college publications and events do not contain discriminatory material and ensure the provision and depiction of a wide range of images
- x) present relevant reports to the executive committee
- xi) carry out other duties as laid down by the executive committee and union parliament
- xii) be a member of union parliament and present relevant reports
- xiii) act reasonably and prudently in all matters, and in the best interests of the union

### **5.12 The STUDENTS WITH DISABILITIES OFFICER,**

who shall be a member of the executive committee, shall:

- i) ensure that the views and opinions of students with disabilities are reflected throughout the whole of the union's work
- ii) provide a students with disabilities perspective on all matters concerning the union and the college, and ensure there is a regular forum/group where students with disabilities can meet
- iii) liaise with the NUS Students with Disabilities campaign and SKILL
- iv) establish and maintain contact with, and provide information from, groups and organisations which work on disability issues
- v) promote the positive involvement of students with disabilities in all areas of the union's activities
- vi) represent the views of students with disabilities to the union and the college
- vii) monitor the college's provision for students with disabilities, and bring failings in this provision to the attention of the union and the college
- viii) present relevant reports to the executive committee
- ix) carry out other duties as laid down by the executive committee and union parliament
- x) be a member of union parliament and present relevant reports
- xi) act reasonably and prudently in all matters, and in the best interests of the union

## Appendix one

### OPTING OUT

- 1.1 Every student shall be able to relinquish their right of membership of the union.
- 1.2 A student who opts out of the union shall not be able to participate in the democratic and decision-making function of the union. This includes not being able to stand for any officer or representative position, including club and society committee members, as contained in the union constitution.
- 1.3 A student who opts out of the union shall continue to have the right to attend union run events and participate in the activities of clubs and societies.
- 1.4 A student wishing to opt out must indicate this within six weeks of the start of their course in writing to the Clerk to the Corporation.
- 1.5 A student who has opted out who wishes to become a member of the union shall notify the clerk in writing. The clerk shall then inform the president. If the application falls within twenty college days of nominations opening for a union election, the student will not be eligible to take up the full privileges of membership until the nomination period has closed.

## Appendix two

### DISCIPLINARY PROCEDURE

- 2.1 Clubs, societies and members of the union shall be expected to abide by this constitution and its schedules at all times, as well as the union's equal opportunities policy.
- 2.2 The union's disciplinary policy has authority over any premises managed by the union, any union activities, including the activities of any union club or society, or any misconduct which takes place outside union premises but is connected with the union and is likely to affect the reputation of the union.
- 2.3 If a student or club or society is deemed to have breached the rules of the union their conduct shall be examined by a panel of three executive committee members known as the disciplinary committee.
- 2.4 The disciplinary committee shall be convened within seven college days of the alleged offence occurring. The student shall be given written notification of the time, date and place of the hearing, together with written notification of the alleged breach, at least three days before the hearing.
- 2.5 In cases involving the misuse of union facilities or resources or behaviour likely to cause potential danger or offence to students, staff or other persons, the student or club or society may be suspended from the use of particular union facilities or resources until the disciplinary committee has reached a decision.
- 2.6 No person shall sit on the union disciplinary or appeals committees if they are a witness, potential witness, the complainant or directly connected with the student or club or society being charged.
- 2.7 The person bringing the charge or his/her representative shall call witnesses to give evidence as appropriate. They shall ask questions of the witnesses. The student or his/her representative may also ask questions of the witnesses.
- 2.8 The student or his/her representative may call their own witnesses to give evidence and present any relevant documents to the panel. They may ask questions of the witnesses. The person bringing the charge or his/her representative may also ask questions of the witnesses.
- 2.9 The committee may ask questions of any witnesses, the person bringing the charge or their representative, the student or club or society or their representative.

- 2.10 The disciplinary committee shall then deliberate on the matter and decide on the appropriate action to be taken. The committee shall base its decision on evidence presented and examined in the presence of the person bringing the charge and the student, club or society being charged. Evidence of any earlier misconduct shall not be presented until after the decision has been reached on the facts of the case, but then may be admitted and considered in deciding on any punishment. The ultimate sanction shall be the suspension of union membership for a period of time.
- 2.11 The union disciplinary committee may refer any matter to the college disciplinary committee.
- 2.12 The disciplinary committee must inform the person of their right of appeal and that any appeal should be made in writing to the chair of union parliament within five college days.
- 2.13 If the student is unhappy they may appeal to an appeals committee made up of three students appointed by the union parliament. The student shall be notified in writing at least five college days in advance of the meeting.
- 2.14 The appeals committee shall hear the reason for the appeal and the rationale behind the original decision. They shall also hear any new evidence that has emerged since the disciplinary meeting. The matter shall be put to the vote and the decision shall be final.
- 2.15 The hearing shall normally take place in private. However the subjects of any charge may request that the hearing is held in public. A record shall be kept for use in any appeal. The decision of the disciplinary or appeals committee will be posted on a union notice board if requested by the subject of any charge.
- 2.16 The executive committee officers may be removed from office by:
- i) a two-thirds majority vote at a quorate meeting of union parliament
  - ii) a referendum of the members of the union
  - iii) a breach of the college disciplinary regulations on the grounds of gross misconduct resulting in exclusion from the college
- 2.17 Course representatives can be removed from office by:
- i) a two-thirds majority vote at a quorate meeting of union parliament
  - ii) a breach of the college disciplinary regulations on the grounds of gross misconduct resulting in exclusion from the college
- 2.18 The regulations for a ballot to remove a member of the executive from office shall be determined by the returning officer, within the limits of this constitution.

- 2.19 Any member of the union parliament or any other committee who has been absent from at least three successive ordinary meetings, without submitting apologies to the chair of the meeting, shall automatically be deemed to no longer hold office.
- 2.20 Any resignation must be in writing to the chair of union parliament. Resignations shall take effect immediately, and be reported to the union parliament.
- 2.21 in the case of any vacancy arising a by-election shall be held in accordance with Schedule One (Election Regulations) of this constitution.

## Appendix three

### STUDENTS' UNION CODE OF PRACTICE

This code of practice is approved by the corporation in accordance with the requirements of clause 22(3) of the Education Act 1994 which requires that the corporation shall take such steps as are reasonably practicable to secure that the union operates in a fair and democratic manner and is accountable for its finances. The code of practice should be read in conjunction with the constitution, schedules and appendices.

#### 3.1 Constitution

3.1.1 The union shall have a written constitution, approved by the corporation and reviewed by the corporation at intervals of not more than five years. Any amendments to the constitution shall be approved by the corporation.

#### 3.2 Elections

3.2.1 Appointment to major union offices shall be by election in a secret ballot in which all members of the union are entitled to vote, in accordance with clause 5 and Schedule One (Election Regulations) of the constitution.

3.2.2 The corporation shall agree the appointment of an independent returning officer to conduct the elections and shall satisfy itself that the elections to major union offices are fairly and properly conducted.

#### 3.3 Sabbatical Officers

3.3.1 No person shall hold sabbatical union office, or paid elected union office, for more than two years in total.

#### 3.4 Membership

3.4.1 All registered students of the college, over the age of 16, shall be members of the union unless they choose to relinquish their rights of membership in accordance with the opt-out regulations contained in Appendix 1 of the constitution. Students shall be informed annually by the college of the opting-out procedure and of the consequences of so doing. A student opting-out of the union shall not be unfairly disadvantaged with regard to the provision of services or otherwise, by reason of their having done so.

3.4.2 the consequences of opting out of membership shall be:

- i) a student may not participate in any of the democratic processes of the union
- ii) a student shall not hold office in any club and society of the union
- iii) a student will not be represented by the union

### **3.5 Finances**

3.5.1 The financial affairs of the union shall be properly conducted in accordance with clause 10 and Schedule Four (Financial Regulations) of the constitution and include appropriate arrangements for the approval of the union's budget and the monitoring of expenditure by the corporation.

3.5.2 The annual accounts of the union shall be made available to the corporation and to all students.

### **3.6 Allocation of resources to clubs, societies and groups**

3.6.1 The procedure for allocating resources to clubs, societies and groups shall be fair in accordance with clause 7 and Schedule Two (Clubs and Societies) of the constitution and shall be made available in writing to all students.

### **3.7 Affiliation to external organisations**

3.7.1 Any decision to affiliate to an external organisation shall be published, stating the name of the organisation and details of any subscription or similar fee paid or proposed to be paid, and of any donation made or proposed to be made to the organisation and any such notice shall be made available to all students, in accordance with clause 8 of the constitution.

3.7.2 The union shall, on an annual basis, publish a list of the external organisations to which the union is currently affiliated and details of subscriptions or similar fees paid or donations made to such organisations in the past year, which shall be made available to the corporation and to all students.

3.7.3 Union parliament shall approve annually the list of affiliations. At least 200 members of the union may, at intervals of not less than one year, by a signed requisition delivered to the president, call for a secret ballot of all members on the continuation of affiliation to a particular organisation in accordance with clause 8.4 of the constitution.

### **3.8 Freedom of speech**

3.8.1 The union and its members are bound to observe the college's code of practice in relation to freedom of speech as required by section 43 of the Education (No. 2) Act of 1986.

### **3.9 Complaints**

- 3.9.1 The following complaints procedure shall be made available to all students or groups of students who are dissatisfied in their dealings with the union or claim to be unfairly disadvantaged by reason of their having exercised their right to opt out of membership of the union.
- 3.9.2 Any complaint about the union shall be addressed to the president. In any circumstances where the complaint relates to the president, it shall be addressed to the finance officer.
- 3.9.3 The president shall make a written reply within ten college days.
- 3.9.4 If the complainant is not satisfied with the response they may appeal to the Clerk to the Corporation. The clerk shall respond to the complainant within ten college days.
- 3.9.5 If the complainant remains unsatisfied with the response provided by the Clerk to the Corporation, the college shall appoint an independent person to consider and resolve the complaint.
- 3.9.6 Members who complain will also be referred to the mechanisms in this constitution to remove officers and change the policy of the union.