

**The Richard Huish College Student Union Constitution**

This constitution shall take effect from 14<sup>th</sup> July 2014 and invalidates all former constitutions of this Union.

This constitution shall be subject to review by Union Parliament and 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 Richard Huish College Student Union as a democratically run organisation, committed to serving and representing the students of Richard Huish 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 student union.

It provides a framework for the operation of student union by:

- a) Defining what the union can or cannot do
- b) Indicating how the Executive can act on behalf of union members
- c) Outlining how members can air their concerns

**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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## **1.0 Name and Status**

1.1 There shall be a students' union by name of Richard Huish College Student Union (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 and encourage student activities.

2.5 These aims and objectives 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 One of this constitution.

3.2 The Student Liaison Officer, if in post, 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 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 September where the first Chair will be elected. The Chair will change on a monthly rotation basis.

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 Chair.

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 six elected representatives by a secret ballot from the following educational areas:

- 5 representatives will be taken somewhere from the College's student cohort
- In addition, 1 representative will be taken from the College's BTEC students, who may also be studying A-Level courses.
- In addition, 1 representative will be taken from one of the remaining educational areas: apprenticeships, higher education and other courses, who cannot be studying either A-Level or BTEC courses.

This make up is designed to, as much as possible, correlate with the make up of the educational parameters of the College and is, as such, designed to be a fully representative body.

5.3 The executive committee representatives shall be elected after the Easter vacation period each year according to the regulations contained in Schedule One (Election Regulations) of this constitution. They will serve as members of the executive committee for one academic 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

5.5 Executive committee meetings shall be called by the chair or SLO and shall meet at least once every ten college days. The chair may only vote in the event of a tie. The SLO will chair the meetings for the first month of the academic year.

5.6 The Appointment of the Chair will be on a monthly rotational basis. All members of the Executive Committee are expected to serve as Chair during the 12 month period of office.

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 Chair, and does not provide satisfactory reasons acceptable to the executive committee, shall be considered to have resigned.

5.8 Members of the Executive Committee are not allocated specific job titles or roles. They are expected to work as a team to fulfil the objectives of the Union as highlighted in Section 2.0. Members of the Executive Committee are expected to be creative in their approach in delivering these goals.

## **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.

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 may be called by any member of the Trustee Meeting with reasons considered to be appropriate to call a meeting and shall meet at least once every College term. Further meetings may be called by a written request of a majority of committee members to the Student Union Executive Committee.

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 chair, and does not provide satisfactory reasons acceptable to the executive committee, shall be deemed to have resigned.

## **7.0 Affiliations to External Organisations**

7.1 Any proposal to affiliate to an external organisation shall be approved by union parliament.

7.2 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.

7.3 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.

7.4 In the event of an objection to a current affiliation to any particular external organisation, a petition signed by at least 20 per cent of members of the union must be presented to the Chair. 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.

## **8.0 Complaints Procedure**

8.1 Complaints about an individual representative, 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.

## **9.0 Union Finance**

9.1 The union shall receive appropriate funds from the Principal at the start of the Student Council's term. college to enable it to effectively pursue its aims and objectives.

9.2 The trustee board shall supervise all union finances and ensure that proper books of accounts are maintained and that these books shall be audited annually by a person qualified to undertake audited accounting.

9.3 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.

9.4 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.

9.5 The financial year of the union shall run from 1st August to 31st July.

9.6 The organisation of the union's finances and systems of control shall be contained in Schedule Four (Finance Regulations) of this constitution.

## **10.0 Meeting Actions**

10.1 At all meetings of the union executive committee, meeting actions shall be recorded by the SLO, which shall be circulated prior to each meeting. Where possible, meeting actions should be made available to all students.

10.2 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.

10.3 All meetings of the executive committee 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.

10.4 The regulations for the organisation of union meetings shall be contained in Schedule Three (Meeting Regulations) of this constitution.

## **11.0 Amendments**

11.1 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.

11.2 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.

11.3 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.

## **12.0 Indemnity**

12.1 Every executive representative 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 representative, 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.

## **13.0 Code of Conduct**

13.1 The executive committee shall draw up a code of conduct which shall be approved and amended from time to time by union parliament.

13.2 All members of the union shall be required to adhere to this code, particularly when on College premises, or attending events organised by the College.

## **14.0 Interpretation**

14.1 In the event of a challenge to the interpretation of any part of this constitution, the ruling of the Principal and SLO shall be sought.

## 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 will be one of the roles allocated to the Student Liaison Officer or other member of staff with responsibility for the Union.

#### 1.2 When elections should happen

i) The returning officer shall ensure that election of the executive committee takes place after the Easter vacation period each year. Once elected the members of the committee shall take office from July 1st 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 7 college days before the elections.

#### 1.3 Standing for election

(i) There will be 7 representatives on the Executive Committee, which represent different educational areas.

(ii) Students can demonstrate an interest in becoming an Executive Committee member by attending a meeting with all others interested, as arranged by the Student Liaison Officer, or other relevant member of staff.

(iii) Students interested in a position must also obtain a seconder to their nomination. This can be done informally via an email to the returning officer.

#### 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. It will also be posted online.

(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.

#### 1.5 The Campaign

- (i) Candidates may commence campaigning at the close of nominations.
  - (ii) Candidates are expected to produce a short video film of themselves outlining who they are, who they represent and which issues are important to them.
  - (iii) There shall be no campaigning within the same room as any ballot box.
- The returning officer shall publicise the location and arrangements of the voting stations, together with a list of candidates and manifestos, three 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).
- iii) Every member of the College will be entitled to vote, and voting will take place online.
- iv) Voting shall be by secret ballot online.

#### 1.7 Counting and declaring votes

- i) Counting will take place online.
- ii) Once the votes have been counted they should be kept for a period of six months in case of appeals against the result.
- iii) Results of the elections shall be declared by the returning officer when the count for each position has been completed and any complaint has been resolved to the satisfaction of the returning officer.
- iv) 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.

## Schedule two

### FINANCE REGULATIONS

#### 4.1 Bank Accounts

- (i) Internal accounts will be managed by the Student Liaison Officer

4.2 The collection of all money due to the union shall be the responsibility of the Student Liaison 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 shall be approved by a member of the Senior Management Team.

#### 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 must be signed by the Principal

#### 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 Director of Finance, 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 under any circumstances.

#### 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) Members of the Executive Committee will consider how much of the budget is to be spent on events.
- iii) Records of all expenditure for events shall be kept. The executive committee shall advise the trustee board when the limits laid down in the budget set are likely to be exceeded.

#### 4.9 Expenses to union members

- i) Any member of the executive committee may receive expenses for costs incurred whilst on union business.
- iii) Expenses must be authorised by a member of the Senior Management Team.

#### 4.10 Petty cash

- i) The petty cash limit shall be £75.00.

#### 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.

## 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 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 Chair. 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.

## **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.

### 2.1 Constitution

2.1.1 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.

### 2.2 Membership

2.2.1 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.

2.2.2 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

### 3.3 Finances

3.3.1 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.

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

#### 3.4 Affiliation to external organisations

3.4.1 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.

3.4.2 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.

#### 3.5 Freedom of speech

3.5.1 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.