

OXFORD BROOKES STUDENTS' UNION



oxford brookes
STUDENTS'
UNION

CONSTITUTION

Passed by AGM on: 11.10.07
Approved by Board of Governors on: 22.11.07



Preface

This Constitution lays out the main reason for having a Union and the values which are most important to it. Every action carried out in the name of the Union should be aimed towards that purpose and should include this set of values.

This Constitution is not intended to include absolute instructions for every situation that the Union officers and staff might face.

It is intended to be a relatively simple document that can be understood by any of the members. It is designed to be a working document that guides the work of the Union.

A Constitution is “a fundamental set of principles by which an organisation is governed”¹.

¹According to the Oxford English Dictionary

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Chapter 1 – Who and what we are.

- 1.1 Oxford Brookes Students' Union is a union of students who come together for mutual support. The purpose of this Union is to represent students within the University and the wider community and to provide services which would be of benefit to students.
- In the rest of this document Oxford Brookes Students' Union will be referred to as "the Union".
- 1.2 This is the governing document of the Union and replaces all earlier versions of the Constitution.
- 1.3 In all of its dealings the Union will be professional. It will be accountable to its members. It will be democratic and forward thinking and will seek to add value in all of its transactions. These values will be at the heart of the organisation.
- 1.4 All students enrolled on a course at the University will be full members of the Union unless they have decided to relinquish their membership.

All Sabbatical Officers of the Union will also be full members.

Members are entitled to:

- Vote in Union elections
- Nominate, be nominated and stand for election to Union office.
- Propose and second motions for, attend, speak, vote and take part in meetings of members.
- Join and take part in the activities of any recognised society of the Union except that Sabbatical Officers may not hold office or stand for election within a society during their sabbatical term of office.

Some elected positions are restricted to certain members of the Union (e.g. Women's Officer).

- 1.5 Access to Union facilities and membership of societies will be available to the following (though they may not vote or hold office):
- members of staff of the Union or the University;
- attendees at conferences and short courses within the University;
- members of other Students' Unions (on production of a current NUS card);
- former students and former members of Union or University staff (on payment of a fee to be decided by the Executive Committee).

For the avoidance of doubt University staff who undertake individual modules or short courses are not full members.

1.6 **Honorary Life Membership**

All Executive Officers who serve a full term of office will receive Honorary Life Membership of the Union except that:

In the event of concerns about the actions of a particular officer, the Union Council may decide that Honorary Life Membership will not be given to that officer.

Honorary Life membership can be granted by resolution of a meeting of members.

Honorary Life members may use Union facilities and may join societies but may not vote or hold office.

1.7 Membership of the Union may be revoked by the Union Council for a breach of the Constitution, or if the members of the Union Council believe that any actions of a member bring the Union into disrepute.

Chapter 2 – How we organise ourselves

Section 1 - Meetings of Members

- 2.1 A meeting of all members will be called in the 1st semester of each year to discuss political issues of the day; to monitor the effectiveness of the Union and its officers; to discuss the annual report and make decisions about the Union's budget.
- The Union will give members 4 weeks' notice of the date and time of this meeting. The Union will publish details of everything to be discussed at least 5 working days before the meeting.
- 2.2 Additional meetings of all members may be called by the Board of Trustees or the Executive Committee.
- A meeting must be called if 50 or more full members sign a written request for an additional meeting.
- Once 50 or more members request that such a meeting be called, it must be held within 3 weeks.
- For meetings called in addition to those scheduled at the start of the year, an agenda must be published no less than 24 hours before the meeting, listing all of the business of the meeting.
- 2.3 The Chair may invite non-members to attend and speak to meetings but they may not take part in any other way.
- 2.4 Decisions taken by a meeting of members will only be binding if 150 or more full members are present.

Section 2 – Board of Trustees

- 2.5 A Board of Trustees will be appointed. The Trustees will have legal responsibility to manage all assets for the benefit of the Union. The Trustees will be the final decision makers of the Union. The Board will consist of the President and 4 Vice Presidents of the Union and 4 additional Trustees who are not members of the Union.
- The 4 additional Trustees will be appointed by the Union Council and will normally serve a 4 year term of office. 1 of these additional Trustees will be replaced each year. These additional Trustees may be appointed for a 2nd term of office but for no further terms of office.
- 2.6 The Board of Trustees will meet no less than 4 times a year. They will be responsible for the good governance of the Union. They will also be responsible for ensuring compliance with all relevant legislation and with the policies determined by the membership.
- The Trustees will appoint someone to chair their meetings from

among their members. In the event of a tied vote the Chair will decide the issue.

Section 3 – the Union Council

- 2.7 A Union Council will be elected from the membership. The members of the Council will be as follows:
- The Independent Chair
 - All members of the Executive Committee
 - An Environmental Officer
 - A Sports Liaison Officer
 - A Halls Rep
 - 1 school Rep from each School
 - 2 representatives of postgraduate students on taught courses.
 - 2 representatives of postgraduate students on research-based courses.
 - 5 representatives of students studying primarily at Wheatley Campus.
 - 5 representatives of students studying primarily at Harcourt Hill Campus.
 - 5 representatives of students studying primarily at Gipsy Lane Campus.
 - 5 representatives of students studying primarily at Headington Hill Campus (including Marston Road).
 - 5 representatives of the general student body.
 - 1 representative of students on placement.
- Representatives of students studying primarily at 1 campus must themselves study primarily at that campus.
- Representatives of postgraduate students on taught courses must be enrolled on postgraduate taught courses.
- Representatives of students on research courses must be enrolled on research courses.
- 2.8 Union Council will meet at least 6 times a year.
- 2.9 The Independent Chair will be responsible for running meetings of the Union Council. Any ruling of the Independent Chair will be final.
- 2.10 The Union Council will be responsible for determining policy and holding the Executive Committee accountable.
- 2.11 Should a conflict arise between policies agreed by the Union Council and policies agreed by a meeting of members, then the policy agreed by the meeting of members will be the one adopted by the Union.

- 2.12 The Union Council may appoint Scrutiny Panels to interview members of the Executive committee, Union staff and others to scrutinise aspects of the work of the Officers of the Union.
- The Independent Chair may also appoint a Scrutiny Panel to scrutinise any aspect of the work of the Officers of the Union.
- Any complaints about Officers of the Union will be examined by a Scrutiny Panel. Scrutiny Panels will report their findings and any recommendations to the Union Council.
- The Union Council will consider any recommendations at the meeting immediately following the conclusion of the Scrutiny Panel and will make a final decision about any action to be taken.
- Scrutiny Panel members must all be members of Union Council.
- 2.13 Decisions of the Union Council will only be binding if more than $\frac{2}{3}$ ^{rds} of the elected members are present.

Section 4 – The Executive Committee

- 2.14 An Executive Committee will be elected by the membership consisting of the President, 4 Vice Presidents, Mature Students' Officer, Women's officer, Ethnic Minorities' Officer, International Students' Officer, Disabled Students' Officer and Lesbian, Gay, Bisexual and Transgender (LGBT) Officer.
- The President and 4 Vice Presidents will receive a salary from the Union.
- Students standing for the office of Mature Students' Officer, Women's Officer, Disabled Students' Officer, International Students' Officer and LGBT Officer must come from those students. Only students from among those groups may vote for that office.
- 2.15 The Executive Committee will be elected annually, for a term of office of 1 year, by a secret ballot open to all members.
- The election will be by single transferable vote and will be held over not less than 2 days and not more than 5 days.
- The election will be held in Semester 2 of each year and those elected will take office on the 1st Monday of July of the year.
- All candidates must be full members of the Union.

Section 5 – Other Representatives

- 2.16 A member will be elected annually to chair meetings of the members and Union Council. They will be known as the Independent Chair. This member will not be able to vote in any meeting unless the vote for and against any proposal is equal. If the vote is equal the Independent Chair will have a vote which will

decide the issue.

- 2.17 The Union will make arrangements to elect or appoint members who will represent the interests of students within the University.
- 2.18 The Executive Committee will establish a Representatives' Council to inform the work of the Union about academic issues affecting students. This Council will meet at least twice each semester.

Section 6 – Halls Committees

- 2.19 The students living in each Hall of Residence will elect a Hall President and a Vice President for that Hall.
- These may then recruit members of a Hall Committee from among students living in that Hall of Residence to support the students in that Hall of Residence and to inform the work of the Union.

Section 7 - Societies

- 2.20 Members may form societies.
- 2.21 The Societies Executive will be elected from within and by existing committee members to propose rules, guidelines and codes of conduct for societies and to inform the work of the Union. Any proposal to regulate the organisation or activity of societies must be agreed by the Union Council before they are binding.
- 2.22 The Union will operate its licensed premises under the relevant licensing legislation. A set of social club rules will be held in the Union. These rules will be available for all members to read. Changes to these rules must be agreed by the Board of Trustees of the Union. Any changes must remain within the licensing legislation

Section 8 - General

- 2.23 All meetings will be open to all members unless the meeting is discussing items which are confidential, as described in the Openness Policy. The Chair of the meeting will decide whether an item to be discussed should not be open to all members because of issues of confidentiality.
- 2.24 Trustees, members of the Executive Committee, Councillors and other representatives of the Union will report to the members on their achievements and activities.

Chapter 3 – Our Policies

A Policy is a statement of principle or action to direct the decisions of the Union.

- 3.1 The Union will keep a record of policies which have been agreed by the members. This will be available for all members to read.
- 3.2 The Executive Committee or the Union Council may decide that a vote of all members should be held to decide on an issue.
- 3.3 If 1500 or more members ask in writing for a vote of all members, it must be held within 21 days of the request being received by the President or a Vice-President of the Union.
- 3.4 If a vote of all members is held, the majority view will be binding on the Union if 1500 or more members cast their vote. If less than 1500 members cast their vote then the votes will not be counted. If this happens the Union Council will consider the issue and make a decision.
- 3.5 All policies agreed by members will last for 3 years. After 3 years policies must be reviewed and the members must vote on them again, either in Union Council, in members' meetings or in a vote of all members.
- 3.6 The Union must maintain policies on the following issues:
 - Equal Opportunities (or Diversity)
 - Harassment and Bullying
 - Openness

Chapter 4 – Our elections

- 4.1 All elections and by-elections held to elect officers or representatives of the Union will be managed by an Elections Supervisor appointed by the Union Council.
- The Elections Supervisor may not be a member of, or employed by, the Union.
- The Elections Supervisor may appoint assistants in whatever capacity (s)he thinks appropriate and delegate any aspect of authority to them.
- The Elections Supervisor may not delegate any power or responsibility to any Trustee member or the Executive Committee.
- All candidates in these elections and by-elections must be full members of the Union.
- 4.2 The representatives of specific campuses on Union Council will be elected by the students primarily studying at that campus. All representatives must study primarily in the campus they represent. The Executive will issue such rules, guidance or codes of conduct as they decide are appropriate.
- 4.3 Hall Presidents and Vice Presidents will be elected by the students living in that Hall of Residence. Hall Presidents and Vice Presidents must live in the Halls they represent. The Executive will issue such rules, guidance or codes of conduct as they decide are appropriate.
- 4.4 If any elected officer leaves office for any reason before their term of office ends, the Executive Committee will decide whether it is practical to hold a by-election to fill the post.
- 4.5 At all elections members will be offered the opportunity to vote that none of the candidates are elected.
- 4.6 The Union Council will decide whether to call an election at a later date if any of the following circumstances arise:
- If the Elections Supervisor calls an election and there are no candidates.
 - If all of the candidates withdraw before the vote.
 - If the members decide that none of the candidates are elected.

Chapter 5 – What we expect of our representatives

- 5.1 The Union Council may appoint members to represent the Union on committees of the University and other bodies.
- 5.2 Members appointed as representatives must abide by the policies of the Union and by decisions of the Executive Committee and Union Council.
- 5.3 The Union expects members who are elected as representatives to attend the meetings of the body they are elected to and to report back to the members on their activities and on the actions of the bodies they are elected to.
- 5.4 Trustees, members of the Executive Committee and members of Union Council who do not attend 2 consecutive meetings of the Trustee Board, Executive Committee or Union Council respectively will be automatically referred to a Scrutiny Panel.
Except that Trustees, members of the Executive Committee and members of Union Council whose absence was notified in advance will not be referred to a Scrutiny Panel.
- 5.5 Members who no longer want to represent the Union may resign at any time. Resignations must be in writing.
- 5.6 The Union Council may appoint a replacement for any member who resigns or is removed, at the 1st meeting after the member resigns or is removed.

Delegates to NUS conference

- 5.7 Each year the members will elect delegates to the Annual Conference of the National Union of Students.
- 5.8 Delegates must vote to support the policies of the Union.
- 5.9 The President will be the delegation leader. In the absence of the President, all delegates will meet before the start of conference and elect one of their members to be the delegation leader.
- 5.10 Delegates must be present on the floor of Conference for policy votes. The delegation leader will report any absences they regard as unreasonable to a Scrutiny Panel. This panel will have the authority to rescind the delegate's expenses. They also have the authority to recommend to the Union Council that the member be barred from representing the Union at future conferences.

- 5.11 The delegates will take a copy of the current policies with them to conference. If there is any dispute about the interpretation of a policy the delegation will decide by a vote among themselves. If the vote among the delegates is tied, the delegation will abstain.
- 5.12 The delegates will present a written report to the members. If they do not, Union Council may withdraw their expenses.
- 5.13 Should there be any complaint about any delegate to conference, a Scrutiny Panel will examine the complaint and make a recommendation to Union Council. Any action against a delegate may include the withdrawal of expenses.

Chapter 6 – How we make changes to the Constitution

The Trustees, Executive Committee or Union Council may decide that the Constitution will be reviewed.

Any changes recommended by a review must be agreed by a meeting of members.

There will be no more than 3 years between reviews.

No part of the Union may agree a rule which conflicts with part of this Constitution. If any rule appears to conflict with part of the Constitution, it must be re-written to abide by the Constitution.

Until such time as the legislation governing this Union changes, amendments to the Constitution only come into effect if they are approved by the Board of Governors of the University.

If there is any change to the legislation which means that the Board of Governors no longer has this responsibility, this section (6.5) of the Constitution will automatically be deleted.