

## **Coleg Morgannwg Student Parliament Constitution**

This constitution shall take effect from 1/8/2008 and invalidates all former constitutions of this union.

This constitution shall be subject to review by the student 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 Coleg Morgannwg Students’ Parliament 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’ Parliament. It has been developed from a model constitution agreed between NUS ( National Union of Students) and AOC (Association of Colleges) and adapted to fit the specific organisation and needs at Coleg Morgannwg.

It provides a framework for the operation of the students’ parliament by:

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

The constitution is made up of two sections:

### **Section 1 – The Articles**

This section defines the aims and objectives of the parliament 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.

# CONTENTS

## Section 1: The Articles

<b>Heading</b>	<b>Paragraph</b>
Name and Status	1.0
Aims and Objectives	2.0
Membership of the Parliament	3.0
Parliament	4.0
Executive Committee	5.0
Trustee Board	6.0
Clubs and Societies	7.0
Affiliation to External Organisations	8.0
Complaints Procedure	9.0
Union Finance	10.0
Minutes	11.0
Amending the Constitution	12.0
Indemnity	13.0
Referendum	14.0
Code of Conduct	15.0
Interpretation	16.0

# CONTENTS

## Section 2: The Schedules

- One**            **Election Regulations**
- Two**            **Meeting Regulations**
- Three**          **Finance Regulations**

## **1.0 Name and Status**

- 1.1 There shall be a students' union in the name of Coleg Morgannwg Student Parliament (for the rest of the document the organisation will be referred to as 'the Parliament'). 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 parliament shall practice the above aims and objectives independent of any political party or religious organisation.

## **3.0 Membership of the Parliament**

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

## **4.0 Parliament Executive and Campus Parliaments**

- 4.1 The college parliament executive 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 management team of the college.
- 4.2 Each major campus shall have a local parliament which may discuss issues specific to that campus.
- 4.3 The membership of college parliament executive shall be 3 representatives elected by each campus parliament.

- 4.4 The function of parliament executive shall be to:
- i) set the policy of the parliament.
  - ii) amend the constitution and schedules as appropriate, subject to the approval of the corporation.
  - iii) instruct and hold accountable any executive officers 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) approve reports from committees, working parties and the executive committee members.
  - vi) approve financial reports from the executive officers.
  - vii) elect one of its number to sit on the College Corporation.
- 4.5 The first meeting of parliament executive shall be held as early as possible in the academic year.
- 4.6 All parliament meetings shall be conducted according to Schedule Three (Meeting Regulations) of this constitution.
- 4.7 The executive committee shall run the parliament 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 parliament executive and by referendum.
- 4.8 The executive committee may include the following major union offices, elected by a secret ballot of duly elected executive members:
- i) the president
  - ii) the vice president
- 4.9 Other offices, if deemed required, will be filled by executive members appointed by a resolution of the executive. e.g.
- the union secretary
  - the finance officer
  - the equal opportunities officer
  - the welfare officer
  - student governing body representative (elected March each year)
  - the entertainment's officer
- 4.10 The executive committee officers (excepting the student governing body representative) shall be elected in the first annual meeting of the academic year of the executive.
- 4.12 The role of the executive officers shall be to:
- i) carry out the decisions made by executive.
  - ii) act as a channel of communication between members of the union, the college management, the corporation and other organisations.
  - iii) establish working groups, where relevant, and to receive any reports from working groups.
  - v) liaise with and offer relevant support to any forum for students under the age of 16.
- 4.13 Executive committee meetings shall only take place if there is at least 25% of serving executive committee members present throughout the meeting.
- 4.14 Any member of the executive committee who fails to attend three consecutive meetings of the executive committee without giving apologies, and does not provide satisfactory reasons acceptable to the executive committee, shall be considered to have resigned.

## **5.0 Trustee Board**

- 5.1 The trustee board of the union shall be responsible for the financial affairs of the parliament and shall ensure that any money is spent in accordance with the charitable objects of the parliament.
- 5.2 The trustee board of the parliament 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 can be observers at any meetings of the trustee board.
- 5.3 The role of the trustee board shall be to:
- i) ensure that the union finances operate efficiently and effectively
  - ii) devise the budget, which will be subject to the approval of the parliament executive, and to ensure that financial reports are made to each parliament executive meeting
  - iii) prepare the parliament'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 parliament budget, annual report and any other information required under current legislation to the corporation for approval.
- 5.4 Trustee board meetings shall be called by the finance officer and shall meet at least once a term (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.
- 5.5 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.
- 5.6 Any member of the trustee board who fails to attend three consecutive meetings without giving apologies, and does not provide satisfactory reasons acceptable to the executive committee, shall be deemed to have resigned.

## **6.0 Clubs and Societies**

- 6.1 Clubs and societies may be recognised by the parliament executive.

## **7.0 Affiliations to External Organisations**

- 7.1 Any proposal to affiliate to an external organisation shall be approved by parliament executive.
- 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 parliament's annual report which shall be made available to all members of the parliament 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 200 members of the union must be presented to the executive. 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 officer, the executive committee or any member of union 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 parliament 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.

9.2 The parliament, will process all finances through college financial systems and accounts. The parliament will not hold accounts apart from this.

9.3 The College will provide a member of staff to act as liaison officer for financial matters. This person and their nominees will be the authorised signatory for expenditure

9.4 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 parliament executive.

9.5 The financial year of the parliament shall run from 1<sup>st</sup> August to 31<sup>st</sup> July.

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

9.7 The parliament executive may allocate budget to Campus parliaments for them to manage in relation to needs relating to their particular campus.

## **10.0 Minutes**

10.1 At all meetings of the parliament, 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.

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 parliament shall be considered open to all members of the parliament. However, the members of the meeting may vote to hold a specific meeting or an item of a meeting as a closed session. Only elected officers may speak at meetings members may only observe.

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

## **11.0 Amendments**

11.1 The parliament executive 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 of the executive.

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 officer and person approved to make decisions of behalf of the parliament 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 parliament 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 Referendum**

- 13.1 A referendum, in which all members will be allowed to vote, shall be held on any issue, if the college union executive decides by a two thirds majority to call a referendum. The executive 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.
- 13.2 The returning officer shall be responsible for deciding the wording of the question on the referendum ballot paper.
- 13.3 The referendum shall be supervised by the returning officer. Polling stations shall be open for 3 college days.
- 13.4 The arrangements for postal voting shall be the same as those for an election, as in Schedule One (Election Regulations) of this constitution.
- 13.5 The result of a referendum will take priority over any existing parliament policy on the same issue.

### **14.0 Interpretation**

- 14.1 In the event of a challenge to the interpretation of any part of this constitution, the ruling of the College Principal shall be sought.
- 14.2 In the event of a challenge to the Principal's ruling, following legal advice, the decision shall be taken to the College Corporation.
- 14.3 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 parliament. It also outlines the procedure to follow if a vacancy occurs in any position.

#### **1.1 Returning Officer**

- i) The returning officer, will be the College Learner Services Officer or other member of staff nominated by the College Principal. 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 the election of the campus parliament representatives and the executive committee takes place before the end of October each year. Once elected the members of the committee shall take office immediately.

#### **1.3 Standing for election**

- i) All members of the parliament are eligible to stand for the position of course representative
- ii) Course tutors will hold elections to determine class representatives for the campus parliament.
- iii) Only members of the parliament registered at a specific campus shall be eligible to stand for a position on the campus parliament.
- iv) Only members of the Campus parliament are eligible to stand for Parliament Executive representative.

#### **1.4 Publicity for the election**

- i) The returning officer shall ensure students are made aware of elections through course tutors and campus welfare staff.

#### **1.5 Campaigning**

- i) Candidates may commence campaigning at the close of nominations.
- ii) There shall be no campaigning within the same room as any ballot box.

#### **1.6 Voting procedures**

- i) The returning officer shall ensure that all members of the parliament have access to vote no matter their place or time of study.
- ii) 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.
- iii) A postal vote shall be granted to any full member of the union who is unable to exercise their right to vote in person.

## **1.7 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.

## **1.8 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

### 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. The Learner Services Officer or one of their nominees will attend meetings to advise the parliament on the operation of the parliament.

#### 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 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 chairperson before the meeting. Proposals for amendments to the constitution and schedules must be submitted 10 days before the start of the meeting.
- ii) All debates shall require the signatures of at least two full union parliament members. These shall be known as the proposer and the seconder(s).

### **3.6 Who runs the meeting?**

- i) The chairperson shall be responsible for the agenda and publicising the meeting.
- ii) The union president or College Learner Services Officer 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 three

### FINANCE REGULATIONS

#### 4.1 Bank Accounts

- i) It is normal practice for union funds to be held and processed through college systems with those authorised to release funds as below.
- ii) If there should 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 union liaison officer
  - the Learner Services Officer
- ii) Cheques shall be signed by either the president or the finance officer, **and** either the student services manager or the student union liaison officer.
- 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 £500 shall be approved by the trustee board.
- 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 £500 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 £100 must be approved by the executive 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 £1000 unless authority is given by union parliament and College corporation.
- 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 £1000 shall be signed by either the president or the finance officer **and** either the Learner Services Officer or the Deputy Principal
- 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 executive 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 £1000 unless authority is given by union parliament and college corporation.
- 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 £1000 shall be signed by either the president or the finance officer **and** either the student services manager or the College Accountant.
- 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**

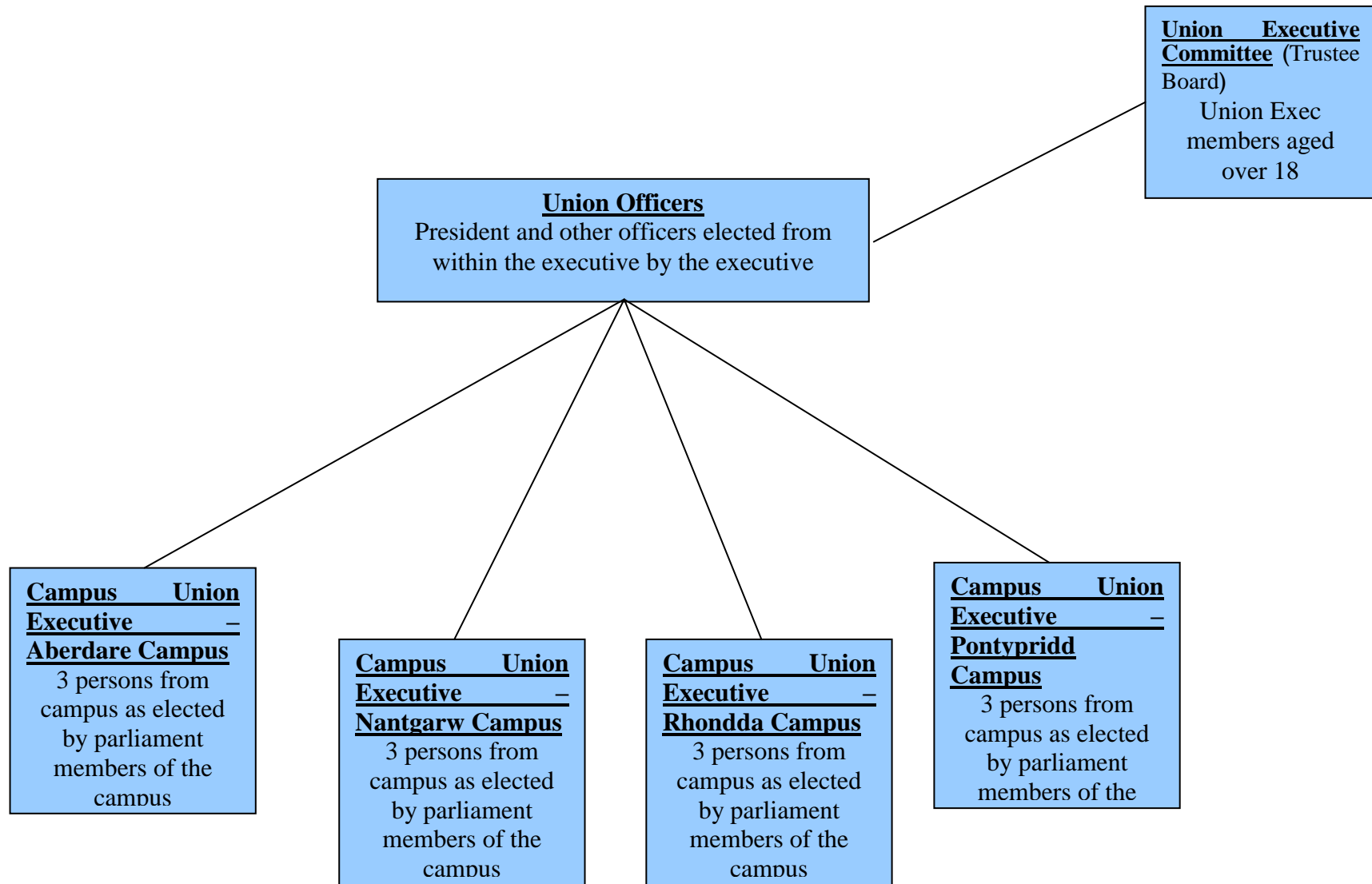
- i) The petty cash limit shall be £30.00. The finance officer, under the direction of the trustee board, shall ensure that petty cash stays at or below this limit and that a record is kept of all advances and expenditure.

#### **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.

# COLEG MORGANNWG STUDENT UNION OFFICERS STRUCTURE



# COLEG MORGANNWG STUDENT UNION STRUCTURE

