



LONDON metropolitan university
students' union

CONSTITUTION

MAR 2008

**APPROVED BY STUDENT COUNCIL
MAR 2008**

**RATIFIED BY BOARD OF GOVERNORS
MAR 2008**

London Metropolitan University Students' Union

Mission Statement:

We dedicate ourselves to surpass the vision and expectations of our members, whilst remaining devoted to providing outstanding representation, and supporting student development, activities and services.

Strap line:

Putting students first

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1 Union

1.a Interpretation

The following words and phrases shall have the following meanings when they appear in this Constitution:

"University" shall mean London Metropolitan University.

"Union" shall mean London Metropolitan University Students' Union being the representative body for students provided for in Article 67 of the University's Articles of Association.

"The Executive" means the Executive Committee as defined in paragraph 4 (a) of this Constitution.

"The President" shall mean the President of London Metropolitan University Students' Union.

"The Student Council" means the Student Council of London Metropolitan University Students' Union.

"Chair" means the Chair of the Student Council of London Metropolitan University Students' Union.

"Trustees" means the Trustees of London Metropolitan University Students' Union.

"The Board of Governors" means the Board of Governors of London Metropolitan University.

"Regulations" means Regulations approved by the Student Council and the Board of Governors.

1.b Aims and Objects

- (i) The Union will actively promote social, sporting, recreational, cultural, political and educational life among members and promote their general welfare without discrimination in partnership with the University, where this is appropriate, to promote social, recreational, cultural and educational activities for members and to promote their general welfare.
- (ii) To represent the students of the University in matters affecting their interest and to act as a means of communication between the students and the University.
- (iii) To encourage members to take an interest in the community by organising projects, events and lawful affiliations.

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The aims and objectives outlined within this section are to be pursued independent of any party political or religious body.

1.c Membership

- (i) All students registered on and pursuing a full-time or part-time course of study within the University shall become Full Members of the Union.
- (ii) Any student pursuing a full-time or part-time course of the University may opt out of Union membership but will not be allowed to vote or stand in elections, attend Student Council meetings or take any role within the Students' Union, but will be allowed access to all facilities and services of the Union and (if requested by such person) Associate Membership of the Students' Union.
- (iii) Members of the full-time and part-time teaching and non-teaching staff shall be entitled to Associate Membership. Associate members may not vote in elections or referenda or be present at any official meetings of the Union.
- (iv) Other members may be admitted on an honorary basis as Associate members by decision of the Student Council.
- (v) All Members of the Union shall be entitled to the use of Union services, premises etc., and subject to the terms of any University or Union Regulations.
- (vi) Full Time Officers shall be Full Members of the Union during their term of office.
- (vii) A member of the Union may be suspended from membership or expelled in accordance with the Union's Disciplinary Regulations.

2 Structure of the Union

2.a The Union shall have the following elected Officers, whom shall serve terms as defined in this Constitution:-

Full Time Officers:-

- President
- Vice-President (Education/Representation) - North Campus
- Vice-President (Education/Representation) - City Campus
- Participation and Development
- Communications & Campaigns

Part Time Officers:-

- Diversity & Equality Officer

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- Welfare Officer
- International Students Officer
- Postgraduate Students Officer
- Part-Time Students Officer

2.b Duties and Responsibilities

General

- (i) Officers shall conduct their duties in accordance with the Code of Practice as set out in Appendix 2 and any Union Regulations on working hours and conduct in force from time to time.
- (ii) The number of Officer posts to be filled by election each year shall be reviewed from time to time by Board of Governors as advised by the Student Council.
- (iii) No elected Officer may serve for more than two terms of elected office in total, whether consecutive or not and whether in more than one post.
- (iv) Officers will be subject to the supervision and direction of the Student Council and shall conduct their duties in accordance with regulations approved by the Union through its Student Council, and permitted by the regulations, which are in force in the University, set by the Board of Governors.
- (v) All Officers are required to provide a detailed written brief for incoming post-holders one month prior to leaving office.
- (vi) Part Time Officers may be remunerated at the same hourly rate as Sabbatical Officers up to a maximum of 10 hours per week. The precise allocation to each and any Part Time Officer will be a decision for the Executive Committee
- (vii) Part Time Officers will be required to submit timesheets, which will be used to confirm hours worked.
- (viii) All Officers shall have a job description confirmed by the Student Council and only amended or revised by the Student Council as advised by the Executive Committee. These will be confirmed at the first meeting of the Council in each Academic Year.
- (ix) One of the Full Time Officers shall be nominated to serve as the member of the University Governing Body as provided for in Article 5 a) iv) of the University's Articles of Association. The Student Council shall approve that nomination.
- (x) The President shall be the nominee to serve on the University Governing Body, until such approval or election of Student Council which must take place no later than 15th November of each year.

Removal from Office

- (xi) Any Officer may be removed from their post by a vote at a quorate Student Council meeting conducted in accordance with the Standing Orders of the Student Council (Appendix 1).

3 Student Council

- (i) The Student Council shall be the governing body of the Students' Union, with also being the policy-making body of the Union. It shall be able to direct the activities of the Executive Committee via policy passed at Student Council.
- (ii) The Student Council may approve Regulations for the operation of the Union, as advised by the Executive Committee. The Board of Governors must approve such Regulations prior to them coming into effect.
- (iii) All full members of the Student Council shall be entitled to speak and vote on all matters.
- (iv) Members elected to serve on the Student Council shall cease to hold office:-
- Upon receipt of written notice of resignation by the Chair of the Student Council; or
 - Upon a resolution of the Student Council passed by a simple majority where the member misses two consecutive (or three in total) Student Council meetings without legitimate reasons notified in writing in advance to the Secretary or Chair of the Council; or
 - Is directly or indirectly interested in any contract with the University or Students' Union and fails to declare the nature of his interest and the Student Council passes a resolution that by such a failure he should cease to be a member of the Student Council; or
 - Absents himself from attendance at meetings of the Student Council continuously for a period of twelve months or four consecutive meetings, whichever period is shorter without special leave of absence from the Council, and the Council passes a resolution that he has by reason of such absence vacated office; or
 - Is unable or unfit to discharge the functions of a member of Council, and the Council passes a resolution that he is, by reason of being unable or unfit to discharge the functions of a member of Council, removed from office; or
 - Is given notice in writing of his removal by resolution of the Council

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provided that not less than three-quarters of the Council so resolve;
or

- Upon the passing of a motion of 'no confidence' as defined in Student Council Standing Orders.
- (v) There shall be the following officers of the Student Council:-
- The **Chair**, who shall be elected by and from the Council members, other than the Executive Committee, at the first meeting of the Council in the academic year. The Chair will serve until the expiry of the Academic year.
 - The **Vice-Chair**, who shall be elected by and from the Council members, other than the Executive Committee, at the first meeting of the Council in the academic year. The Vice-Chair will serve until the expiry of the Academic year and in the absence of the Chair .
 - The **Secretary**, who shall be Students' Union Liaison & Quality Coordinator or equivalent of the Union. The Secretary shall be responsible for arrangements for the preparation of minutes of every meeting of the Council and the University Secretary shall approve such arrangements.
 - The **President** of the Students' Union will chair the first Student Council meeting of the Academic year and will chair meetings in the absence of the Chair or the Vice-Chair. The President shall chair the meeting until the election of the Chair or Vice-Chair.
- (vi) The Student Council shall consist of 46 elected representatives as follows:-
- (a) 10 Executive Committee Officers (10)
 - (b) Up to 6 Independent Student Council Members - 3 North and 3 City Campus (6)
 - (i) Up to 13 Affiliated Clubs and Society Representatives (13)
 - (c) Up to 13 Student Academic Representatives (StAR's) (13)
 - (d) Up to 4 Co-Opted Representatives (4)

The election of all representatives shall be conducted in accordance with the Council Standing Orders.

1. The election of independent student council members shall take place at the same time as the election of executive committee members.
2. The Student Academic Representatives shall be elected from each department and it's Student Academic Representatives (StAR's), with there being at least one representative for each department and the remainder to be elected from all other

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StAR's.

3. The elections of clubs and societies representatives shall take place in a meeting of all affiliated clubs and societies.
 4. The election of co-opted representatives shall take as required by the Student Council to facilitate the varying student population and shall be full members of the Union as required in this Constitution.
 5. These elections should take place at the beginning of each academic year before the first Student Council meeting.
- (vii) The quorum for Student Council meetings shall be 24 Student Council members including 6 Students' Union Trustees.

The meeting must be quorate at all times.

In the absence of there being unfulfilled roles at the first meeting of the Student Council, the quoracy may be amended by the Chair or Vice-Chair of the Student Council with prior notification given to the University Secretary, whom shall approve such arrangements. The quoracy shall be amended to 50% of the total council members plus 1 elected council member.

In the event of there being no elected Executive Committee at the commencement of the Academic year, informal meetings of the Council may be convened by the University. The meeting to consist of the remaining constituencies and the quoracy arrangements to be as above.

- (viii) The Council shall approve all nominees of the Union to serve on any and all University Committees or outside bodies.
- (ix) The Council may constitute Scrutiny Committees in line with that approved by the Executive Committee to oversee or review the work of individual Officers, or the implementation of Council policies.
- (x) The trustees of the Students' Union of London Metropolitan University shall be:
- i. The President of the Students' Union
 - ii. The Chair of the Student Council
 - iii. The 6 Independent Student Council Members
 - iv. The Students' Union Liaison and Quality Coordinator or equivalent
- (xi) In the absence of any of the above constituents, the Student Council shall make arrangements for the election of the role of trustee from within the composition of the Council. Executive Officers shall not be

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permitted to stand for such election. In the absence of the President of the Students' Union, the Executive Officers shall elect a nominee to fill the position from within the Executive Committee.

- (xii) The trustees shall have the right to overrule decisions which have been made by the Student Council, if the majority of the trustees believe that any ruling by the Council goes against the guiding principle of this constitution and may go against the rules and regulations of the University, this to include any by laws which are in place in this country.

4 Students' Union Committees

4.a Executive Committee

- (i) The Executive Committee shall be responsible for the day-to-day running of the Union in accordance with the Constitution, Regulations and policies determined by the Student Council. It shall also be responsible for co-coordinating the Union's activities. All elected Officers shall be members of the Executive Committee.
- (ii) The quorum of the Executive Committee shall be 6 Officers, at least 3 of whom shall be Full Time Officers. Responsibility for the day-to-day supervision of the finances of the Union shall also be vested in the Executive Committee. The Executive Committee shall prepare terms of reference and standing orders for the conduct of meetings of the Executive Committee and these shall be submitted annually to the first meeting of the Student Council for approval.

4.b Attendance at Executive Meetings

- (i) Any Officer who does not attend three consecutive Executive Committee Meetings will cease to be an Officer after the conclusion of the third meeting unless the Student Council determines otherwise following a report of the matter to the following Student Council meeting.
- (ii) A report of the attendance of Executive Committee meetings shall be given to each Student Council, whereby the Council shall have the authority to determine if the number of meetings attended is adequate to fulfill the role of the Officer.

5 Elections - Full Time Posts

5.a Eligibility for Full Time posts

Any Full member of the Union shall be eligible to serve as a Full Time Officer provided that s/he shall be prepared to comply with the provisions of this Constitution and s/he must have attended the University as a student for at least two successive semesters and successfully completed one of these immediately prior to the date for nominations.

5.b Part Time Posts

Any Full Member shall be eligible to serve as a Part Time Officer provided that s/he shall be prepared to comply with the provisions of this Constitution. S/he must have attended the University as a student for at least one semester immediately prior to the date for nominations and continue to be a student during their tenure of office. Candidates must be continuing students who will not have completed their course of study before taking office.

5.c Special Conditions

In addition special conditions shall apply to the following posts:-

- Vice-Presidents: to be enrolled through the City and North Campuses respectively.
- International Students Officer: must be an International Student. Home/EU students are not eligible.
- Postgraduate Students Officer: must be a Postgraduate Student.
- Part-Time Students Officer: must be a Part-Time Student.

5.d Conduct of Elections

(i) Timing

Elections shall be held before the end of the spring term to elect the Union officers for the following academic year. The timetable for elections and all other arrangements shall be the responsibility of the Returning Officer. The election of NUS delegates shall take place as specified in this Constitution.

(ii) Returning Officer

The University Secretary shall appoint the Returning Officer. The Returning Officer's decision on all matters relating to the conduct of elections shall be final.

(iii) Method of Election

Elections shall be conducted by Single Transferable Vote (STV). All elections for Full and Part-Time Officer posts, and those of Independent Student Council Members shall be conducted by electronic ballot and the services of an independent balloting company experienced in the conduct of such ballots shall be engaged by the Returning Officer, the costs of which shall be borne by the University.

(iv) Election Regulations

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Regulations governing the conduct of elections including rules for candidates shall be prepared and maintained by the Returning Officer and issued to all candidates.

NUS Delegates

- (xii) A Cross-Campus ballot of delegates for the Annual Conference of the National Union of Students (NUS) shall take place, in accordance with NUS' constitution, at least 2 months prior to the date of Conference. This shall take place before the 1st of February of each year.

(xiii) **Nominations**

All nominations for posts shall be submitted to the Returning Officer, before the prescribed closing date set, by a proposer and forty seconders who all shall be Full Members of the Union.

(xiv) **Tenure of Office**

All Officers shall take up office on 1 July following their election and shall hold office until 15 July the following year.

(xv) **By-Elections**

By-elections shall be held in the event of the following:-

- "Re-open Nominations" (RON) is successful in any election (see paragraph (viii)); and
- A postholder elected in the annual election resigns before taking up post.

The Returning Officer shall make arrangements for a by-election to be held.

In any other circumstances a vacancy arising shall remain vacant pending the next scheduled annual election.

(xvi) **Re-open Nominations (RON)**

In any election voters shall be given the option of voting to re-open nominations. All candidates, including unopposed candidates, shall therefore run against "Re-open Nominations" (RON).

(xvii) **Percentage Of Voters**

In any University wide election for Council members and officers, the % of members voting must be not less than 5% of the total ballot papers issued. In the event that the % vote is less than 5% the University will

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not be bound to recognise the Union or to fund it. Recognition and funding shall be at the discretion of the University through approval by its Board of Governors and confirmed or otherwise at each Board meeting during the year.

6 Affiliated Societies and Clubs

6.a Each Society shall conform to the policies and regulations of the Union and of the University. The Student Council shall be notified at the beginning of each Council meeting the names of all Affiliated Societies and Clubs.

6.b Eligibility

Any group of members shall be able to combine to form a society or club, provided that: -

- It has a written Constitution approved by the Executive Committee and the University. Such constitution shall be consistent with the model Constitution attached as Appendix 3 and Union and University policies;
- It has at least three democratically elected officers;
- It has at least twenty members who are Full Members of the Union and who have paid the required subscription. The subscription fee shall be defined by the Student Council at the last meeting of the academic year, and may be amended as is agreed.
- It prepares and maintains proper accounts available for inspection by the President of the Union on behalf of the Student Council or the University at any time; and
- It complies with financial regulations as approved by the University and as may be amended from time to time.

7 Union Funds

7.a The Union shall be allocated funds from the University on the basis that such funds are used only in accordance with the objects of the Union, the Education Act 1994 and any other statutory requirements or conditions that the University may from time to time impose. The financial records of the Union shall be subject to scrutiny by the University's internal audit service and shall be prepared by the Student Council in collaboration with the Executive Committee and approved by the trustees and presented to the University.

7.b The specific terms governing the provision of funds by the University are set out in the Financial Memorandum agreed between the University and the Students' Union, effective from 1 July 2008, and as may be amended by the University from time to time in consultation with the Executive Officers whom shall act on behalf of the Student Council.

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7.c Vesting of Property and Trustees

- (i) All property whatsoever of the Union shall be vested in the Trustees of the Union, as outlined in the Student Council guidelines in Section 3 of this Constitution and the Students' Union Liaison & Quality Coordinator or equivalent who shall be the trustees of the Union. In the event of there being no Trustees of the Union for any period, the University Secretary and the Director of Student Services or equivalent shall act as trustees until such time as the trustees are duly elected and the trustees are appointed into their positions.
- (ii) The trustees are responsible for ensuring that the union's assets are used in accordance with this Constitution and Union policy, as well as within the University financial regulations and current legislation.
- (iii) No person who is under 18 may serve as a trustee of the Union.
- (iv) Any trustee, who fails to attend two consecutive Student Council meetings without giving apologies to the Chair and does not provide satisfactory reasons acceptable to the Student Council, shall be deemed to have resigned from the post of trustee.

7.d Employment

No Full Time Officer shall undertake paid employment from the Union in any capacity other than in respect of their elected post.

8 Other

8.a Amendments

Amendments may be made to the provisions of this Constitution by resolution of a two-thirds majority of the members of the Student Council in accordance with the provision of the Standing Orders for the Council (Appendix 1). Such amendments shall not take effect until approved by the Board of Governors.

8.b No amendment to this Constitution shall be proposed as 'emergency business' at any Student Council meeting.

8.c The Board of Governors may make amendments to this Constitution if required, after consultation with the Student Council. If an amendment is required, it shall be effected by resolution of the Board and such amendments shall take immediate effect.

8.d Affiliations

The Student Council will publish notice of Students' Union affiliations to external organisations, including cost of affiliation, annually to all students following approval. A referendum of the Union membership on any current or proposed affiliation, will be called by the Student Council within four weeks on

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receipt of a petition bearing not less than 500 signatures of Full Members. The petition should state the motion on affiliation on each sheet. The Returning Officer will conduct the referendum, the costs of which will be met by the Union.

9 Interpretation

The Trustees of the Union shall have power to interpret the Constitution or to decide upon any matter not covered by the Constitution upon the advice of the Student Council and the Executive Committee. Any ruling by the Trustees shall remain final until the matter is resolved under Section 8 (a) of this Constitution. The Trustees, via the President shall consult with the Executive Committee before making such a ruling. The President, on behalf of the Trustees, shall normally be expected to consult with the University Secretary before making such a ruling.

10 Dissolution

The Union shall be wound up or dissolved following:-

- A ballot of all members and provided that a majority of all members eligible to vote have expressed support for dissolution;
- The Union becoming insolvent;
- The amendment of Article 67 of the University's Articles of Association.

On dissolution all assets remaining after satisfaction of all debts and liabilities shall be vested in the University for the benefit of students of the University, subject to any statutory requirements in force.

11 Indemnity

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 trustee 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.

Appendix 1: Rules and Standing Orders – Student Council

1. Election of Council Representatives

There shall be 3 elected members from the North and City Campuses respectively. These shall be elected by an annual ballot at the same times as the Full Time and Part Time Officers are elected. These elected members shall also be the trustees of the Students' Union as defined in this Constitution.

There shall be up to 13 representatives from affiliated societies and clubs. The President shall convene a meeting in the autumn term of elected representatives (one per society) at which representatives to the Council shall be elected for that academic year.

There shall be up to 13 Student Academic Representatives (StAR's). The President shall convene a meeting in the autumn term of elected representatives (StARs) at which representatives to the Council shall be elected for that academic year.

There shall be a provision for up to 4 co-opted representatives. This election shall be undertaken by the President to facilitate the varying student population, and may be made up of any of the above constituents. All co-opted representatives shall be full members of the Union as required in this Constitution. The Executive Committee shall nominate the co-opted members.

2. Conduct of Meetings

- (a) The Secretary of the Council shall give notice of the time, date and place of all Council Meetings, to be circulated to all Council Members and to be posted on all University sites at least ten days before the meeting.
- (b) Notice of emergency meetings of Council must be circulated and posted at least forty-eight hours before the meeting.
- (c) The Chair will call an emergency meeting of the Council upon receipt of a written request from fifty per cent of the total Council Members other than the Executive Committee members.
- (d) There shall normally be two Council Meetings during semester A and two during semester B.
- (e) All persons present at the Council must be members of the Council. The University shall have the right to have one observer present throughout Council meetings.

2.a Agenda

The agenda for a Council Meeting shall be drawn up in accordance with the

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following:-

- (i) Opening remarks – Chair (including apologies)
- (ii) Elections
- (iii) Minutes of the last meeting
- (iv) Matters arising from the minutes
- (v) Executive Report

- (vi) Executive Motions
- (vii) Ordinary Member Motions
- (viii) Emergency Motions
- (ix) Guest Speakers (who may not be present at the meeting prior to their being called to speak)
- (x) Any other business – exceptionally and by leave of the Chair

The Chair will circulate the agenda, executive report, executive motions and ordinary member motions to all members of the Council, at least forty-eight hours in advance of the meeting.

2.b Executive Report

The Executive Committee shall present a written report prepared by the President to every Council Meeting which shall outline past work performed by each member and indicate which areas of work they have been responsible for.

The report shall:-

- (a) List the contents of all directions from the previous Council Meetings, which have been delegated to named Executive Officers.
- (b) Indicate whether all or part of the directions has been fulfilled.
- (c) List all outstanding actions.

The Executive Committee shall move its report and then the Chair shall invite questions and discussions.

The following motions may be moved on the report:-

- (a) Adoption of the report
- (b) Reference back of the report or specified parts
- (c) The instruction that an unfulfilled direction be fulfilled
- (d) The censure of a named member or members of the whole Executive Committee.
- (e) The removal of responsibility for a specific area of work from a named member of the Executive Committee.

Any elected member of the Council may present a report if they so desire, or if requested to do so by the Council. This shall be in accordance with the above regulations.

2.c Motions

There shall be four categories of motions to Council Meetings:-

- Executive Motions
- Ordinary Motions
- Emergency Motions
- Motions of “no confidence”

All motions except Executive Motions shall be proposed and seconded by elected Council Members. Executive Motions shall be proposed and seconded by members of the Executive Committee.

- (i) Any Full Member of the Union who is not a member of the Council wishing to submit a motion must petition the Council and such a motion must be submitted to the Chair eight working days in advance and be accompanied by 100 signatures of Full Members of the Union.
- (ii) The Chair may invite one petitioner to propose the motion at the Council Meeting.
- (iii) All motions except Emergency Motions must be submitted at least 10 working days before the meeting. The text of such motions shall be circulated to all Council Members and available to all Union members at least 8 working days before the meeting, at all sites.
- (iv) Amendments to motions must be submitted to the Chair, proposed and seconded by a Member of Council, in writing, at least 4 working days before the meeting. Any Full Member of the Union may also submit amendments in writing at least 4 working days before the meeting. 100 signatures of Full Members of the Union shall accompany such an amendment.
- (v) The Chair may rule an amendment out of order if:-
 - It is not relevant to the original motion;
 - It is a variation of a previously defeated amendment;
 - If it is a negation of the motion.

An Emergency Motion may be submitted, only if its contents deal with matters, which have arisen since the closing date for the submission of motions, and its content cannot await the next Council meeting. The Chair alone shall decide on whether an Emergency Motion shall be considered.

Emergency Motions must be submitted in writing at least 48 hours before the meeting.

2.d Discussion of Motions

- (i) The member proposing the motion shall make a speech in favour to be

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followed by the Chair inviting a speech against. Each of these speeches shall be no longer than five minutes. There shall then be a second round of speeches for and against, each not to exceed five minutes and then the motion shall be open for discussion, at the discretion of the Chair. The proposer may make a summation immediately before the vote is taken.

- (ii) After a motion has been proposed, amendments, if any, must be dealt with and they should be proposed and seconded in the same way as motions.
- (iii) Any amendment may be incorporated immediately with the consent of the proposer and seconder of the original motion.
- (iv) Once an amendment is before a meeting, it must be dealt with before dealing with 'the Substantive' as follows:-
 - If an amendment is carried, the motion as amended becomes the substantive motion;
 - Only one amendment shall be before the meeting at any one time;
 - Once an amendment has been passed the proposer of the original motion shall have the right to pass the summation speech for the substantive to the proposer of the amendment;
 - No amendment may be moved after the summation speech has either begun or finished.

All motions shall be passed by simple majority of the members present in favour except for motions proposing "no confidence" which shall require a two-thirds majority, and constitutional amendments which shall require two-thirds majority. Voting shall be by means of a secret ballot conducted at the meeting by the Secretary in accordance with paragraph (j) below.

Any motion or amendment proposed and seconded can only be withdrawn by a simple majority of Council. A motion withdrawn by the proposer is still open to the seconder and another Council Member to propose, providing this immediately follows the withdrawal.

Should there be no discussions when a motion or amendment has been proposed, the Chair shall:-

- (i) Formally ask if there is any opposition or questions
- (ii) Advise the Council that if there is no opposition, the motion or amendment will be carried
- (iii) In the event of there still being no opposition declare the motion or amendment carried.

A motion which is defeated or a motion or amendment which is substantially the same as a defeated motion shall not be considered again at the same Council Meeting

2.e Motion of “no confidence” in Executive Committee members

Motions of “no confidence” must name the individual or individuals who are the subject of the motion and the reason or reasons why the motion is proposed. The motion will then be discussed as above and move to a vote at the discretion of the Chair.

If a motion of “no confidence” is passed the person named shall cease to hold office immediately and s/he shall be paid up until the end of the day the motion is passed.

Motions of “no confidence” shall not be allowed as Emergency Motions.

2.f Point of Order

A point of order may be raised at any time, except during a speech or during a vote, unless relating to that vote. Point of orders have precedence over all other business, and have the following descending order of priority:-

- A request for a quorum count;
- A request for a ruling or interpretation from the Chair;
- A request for a re-vote;
- Other points of order relating to the procedure of the meeting.

A point of order only requires one Council Member to make it.

2.g Procedural Motions

Procedural Motions are next in precedence to points of order. Their descending order of priority is as follows:-

- That this meeting has no confidence in the Chair;
- That the Chair’s ruling be overturned;
- That the meeting be adjourned;
- That the meeting be closed;
- That the question be now put;
- That the question be not put;
- That the question be adjourned to later in the same meeting or to a later meeting;
- That the question be referred to another body or person;
- That the question be voted on as a whole;
- That the question be voted on in parts.

All procedural motions shall require the support of at least fifteen Council Members before being discussed. They shall be voted upon after at least one speech in favour and one against and shall require a simple majority to be passed.

For a motion of “no confidence” in the Chair, the President shall take the chair

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for the duration of the Council consideration of that motion. If the motion is passed the Chair shall immediately revert to being an ordinary Council Member and the Council shall elect a new Chair.

2.h Points of Information

Points of Information may be raised while a member is speaking, except when the Chair is making her/his opening remarks or when a member is summing up. They shall consist of information offered or a question asked of a member, providing the member accepts the point. They shall contain no point of argument.

2.i The Chair

- (i) Until such time as the Members of Council have elected the Chair, the Chair shall be taken to be the President.
- (ii) The President shall Chair the Council until the appointment of a Chair.
- (iii) The Chair shall have the general power to direct the proceeding of the meeting and his/her ruling on any point shall be final, subject only to standing orders.
- (iv) The Chair may address the meeting to explain or administer standing orders or to answer questions.
- (v) The Chair shall not participate in debates, he/she shall vacate the chair to the President for the whole of any business that he/she wishes to speak upon.
- (vi) The Chair shall ensure that the meeting is in order, that remarks are relevant to the questions under debate and that no racist, sexist, homophobic, intimidatory, threatening, harassing or defamatory remarks are made, either generally or by one member concerning another.
- (vii) Members shall, when speaking, always address themselves by name to the Chair.
- (viii) The Chair shall decide the right of priority in speaking. If more than one member wishes to speak at the same time priority shall go to whoever "catches the eye" of the Chair first.
- (ix) Whenever the Chair speaks, any member speaking or offering to speak must desist. If the Chair calls a member to order, the member speaking shall cease to do so and stand down. No other person shall speak to the meeting until the Chair gives permission for the debate to continue.
- (x) Any member refusing to comply when called to order by the Chair shall

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be expelled from the meeting and not allowed to return. The Council may by a majority vote also require that a member so suspended from one meeting be suspended for a further two meetings.

2.j Voting

All elected Council Members shall have one vote, except the Chair, who shall only have the casting vote when the Council is equally divided.

Only those able to prove membership of Council shall vote.

Voting shall be by secret ballot at the meeting. The Secretary will be responsible for the conduct of such votes. Council members will be issued with individual voting forms on which their vote shall be recorded. The Secretary shall provide to the Chair the results of each vote.

2.k Policy Lapse

At the beginning of the first Council Meeting of the academic year, the President shall notify the meeting of all Union policies that have been in existence for three years or more or that was last ratified three years earlier.

The text of these policies shall be circulated to all Council Members indicating when they shall lapse.

Any objections to the policy lapse should be raised under 'Any Other Business'.

The Chair shall invite a speech moving each objection and a speech against and the meeting shall then move to a vote, where a simple majority shall retain policy.

If no objections are raised, that policy shall lapse immediately.

2.l Attendance

All Council Members must attend any meetings at which their attendance is required by this constitution and its regulations. In the event of a Council Member absenting him/herself without apology on any two meetings they will be deemed by Council to have resigned, unless a reason is given in writing that is acceptable to a simple majority of Council Members.

2.m Referenda

The Council may by resolution refer to the membership for decision any policy matter. Up to three such referenda may take place each academic year to be undertaken in accordance with the provisions for elections in para 5 of the Constitution. The cost of such referenda will be met by the Union. Any Constitutional amendment proposed by the Union shall be the subject of such

a referendum.

Appendix 2: Code of Conduct – Executive Committee

1. General

Officers shall hold office for the period specified in the Constitution. During their term of office, Officers are required to perform their duties to a satisfactory level of performance and within the terms of this Code of Conduct and the Constitution.

2. Payment

Officers will be paid monthly in arrears by direct bank transfer. No Full Time Officer shall undertake any other paid employment during their term of office. Full Time Officers are required to sign an undertaking confirming that they are not, nor intend to undertake other employment during their term of office. Any breach of this regulation shall be reported to the Student Council and the University Secretary either or both of who may take disciplinary action and suspend Full Time Officer payment.

3. Leave

3.1. Full Time Officers shall be entitled to a total of 20 days leave plus days on which the University is closed during their period of office. At least one week shall be taken in the Christmas and Easter recesses respectively.

3.2. Leave shall not be taken in the two-week period immediately prior to handover to the incoming Full Time Officers or during the first semester.

3.3. The Students' Union Liaison and Quality Coordinator or equivalent will maintain arrangements for leave and records of leave taken. Unauthorised absences will be reported to the Student Council and the University. In the event of unauthorised absence, appropriate deduction of pay will be made. There shall be no payment in lieu of untaken leave.

3.4. Sickness absence will be subject to the attached reporting procedure.

4. Hours of Work

Full Time Officers shall work at least 35 hours per week. Although it is recognised that there will need to be flexibility in working patterns of officers i.e. the need to work outside normal office hours, they will normally be in the workplace between 9.30am and 5.30pm Monday to Friday and cover during those hours must be maintained. In the absence of officers members of staff will not carry out officer duties.

5. Expenses

All travel expenses shall be the subject of written claims with necessary evidence i.e. receipts and prior approval for the expenditure confirmed by the Executive Committee.

6. Assets

- (a) An Officer for any reason shall remove no Union assets from the premises without the prior written permission from the University.
- (b) An Officer shall use no Union assets for any private purpose or any purpose not approved by Student Council.

7. Resignations

Officers wishing to resign their post must give one-month notice in writing to the President or in the case of the President to the Executive Committee and the Student Council.

8. Commercial Services/Students' Union Protocol

All members of the Students' Union must adhere to the protocol that governs the operation of all commercial services and the Students' Union Offices.

9. Adherence to Regulations

All Full Time Officers shall be subject to sickness and grievance procedures as attached to this code and as amended from time to time. The Executive shall be responsible for operating such Regulations, which shall be subject to the approval of the University together with any amendments thereto.

Declaration

I declare that I shall not undertake any other paid employment during my Full Time term of office.

I agree to adhere to this Code of Conduct.

Signed

Date

Position

Appendix 2 (a): Grievance Procedures for Officers

The Students' Union is committed to ensuring that grievances will be dealt with fairly and as quickly as possible.

1. APPLICATION

- 1.1. This procedure is applicable to all Students' Union Executive Committee members.
- 1.2. The grievance procedure set out below applies only to grievances raised by individual members of the Executive against the Students' Union in respect of their elected office, including grievances against another Executive member acting on behalf of the Students' Union in relation to the aggrieved party. This encompasses allegations of acts of discrimination by Executive members acting on behalf of the Union, which contravene legislation or Union policy on race, sex and equality of opportunity generally. If Executive members have a grievance relating to their position they have the right to express it and may take up the grievance personally or be accompanied and/or represented at any stage of the procedure by a person or their choice from within the Union.
- 1.3. The Procedure does not apply and cannot be used in:
 - 1.3.1. Collective disputes;
 - 1.3.2. Disputes between Sabbatical Officers in their private capacities;
 - 1.3.3. University disciplinary matters;
 - 1.3.4. Dismissal from elected office;
 - 1.3.5. Contractual matters concerning the administration of the Union.
- 1.4. These provisions may be modified in circumstances where both parties agree. While every effort will be made to deal with grievances within the timescales specified, some cases may need a substantial amount of time to investigate fully. All timescales specified have been carefully considered and represent the period considered practicable for necessary action to be taken.
- 1.5. While the procedure is being applied, the working arrangements that applied before the grievance should normally be maintained.
- 1.6. In seeking a resolution to a grievance, the Union will consider all the relevant options that are available and, where it is satisfied that a grievance has just cause, will endeavor to resolve the matter quickly. However, under no circumstances will the Association enter into discussions that seek to obtain financial recompense as a means of resolving a grievance.
- 1.7. A grievance may not be raised if the matter is itself the subject of disciplinary proceedings.

2.

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2.1. Stage 1.

- 2.1.1. Where an Executive member has a grievance s/he should first of all endeavor to resolve the matter by a direct but informal approach to the individual concerned.

2.2. Stage 2.

- 2.2.1. If the Executive member remains dissatisfied, s/he may put their grievance in writing within ten working days of notification of the outcome of Stage 1 to the University Secretary (or his/her nominated representative). Two members of the Student Council (composed of one Executive member and one Councillor and nominated by the Chair of the Council) will then consider it, which have not had any prior involvement in the case (The Grievance Panel). The Panel will attempt to resolve the issue in consultation with the parties concerned and will be advised at all stages by the University Secretary (or his/her nominated representative).
- 2.2.2. The University Secretary (or representative) will convene and be present at a meeting of the Grievance Panel, who will hear and seek to resolve the grievance.
- 2.2.3. The University Secretary shall communicate the Panel's findings in writing to all parties involved within 3 working days of having met. Their decision shall be final and the grievance shall not then be subject to any further action within the Students' Union.
- 2.2.4. **Notice of Hearing.** The time and venue for the hearing and the relevant witness or other statements must be sent to the University Secretary at least 10 working days before the hearing. Either party may introduce no new grounds at Stage 2.
- 2.2.5. **Representation.** The person complained of may be represented or accompanied by a person of their choice who must be either a member of the Executive Committee or a student of the University.
- 2.2.6. **Witnesses.** Witnesses may be called by the Panel at its discretion but will not remain at the hearing after giving evidence.
- 2.2.7. **Order of Procedure**
 - (a) The aggrieved Executive member (or his/her representative) shall outline the grievance in the presence of the individual concerned and will present evidence and call such witnesses as they may wish.
 - (b) The individual named in the grievance shall then have the opportunity to ask questions of the Executive member and any witnesses called.

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- (c) The Panel may ask questions of the Executive member and the witnesses.
- (d) The individual named shall give a response to the grievance in the presence of the aggrieved Executive member and the representative, and shall have the opportunity to present evidence and call such witnesses as they may wish.
- (e) The aggrieved Executive member (or the representative) shall have the opportunity to ask questions of the named individual/representative and witnesses.
- (f) The Panel may ask questions of the named individual and witnesses.
- (g) Both sides shall have an opportunity to sum up their case if they so wish, with the aggrieved Executive member speaking last.
- (h) The parties to the grievance shall withdraw.
- (i) The Panel shall deliberate in private, accompanied only by the University Secretary or his/her representative, recalling the parties to clear points of uncertainty on information already given. If recall is necessary, both parties shall return notwithstanding only one is concerned with the point-giving rise to doubt.
- (j) The panel may announce their decision to the parties personally, but in any case will communicate it in writing via the University Secretary within 3 working days of the hearing.
- (k) The Panel may come to one of the following conclusions:-
 - (i) That the grievance is inappropriate within the grievance procedure or is frivolous, mischievous or otherwise should be dismissed.
 - (ii) That the issue may be resolved amicably, in which case the Chair of the Panel shall initiate appropriate conciliation
 - (iii) That the complaint be upheld and the matter reported to the Student Council or, if appropriate, the University, e.g. a possible breach of the Student Code of Discipline.

Appendix 2 (b): Sickness Absence Reporting Procedure for Sabbatical Appointments

The following notes outline the procedures you are required to follow when you are unable to attend the University to undertake your duties as a member of the Students' Union Executive Committee.

1. Notification

1.1. In the event of an unforeseen absence, you are required to notify the Students' Union Liaison and Quality Coordinator by telephone. You are expected to make contact by 10am on your first day of absence. If your absence is likely to cause operational difficulties, e.g. if you are due to attend a meeting, you must call as early as possible. It is not normally acceptable for someone to telephone on your behalf unless you are hospitalised, or there is an emergency, or you do not have a telephone and are too ill to leave your home.

It is not acceptable for you to leave a message with the University/Union switchboard.

1.2. When calling you are required to give the following information:-

- (i) The reason for your absence;
- (ii) If you are absent through illness:
 - The date on which you first became ill;
 - The nature of your illness;
 - When you expect to return to your duties as a Sabbatical Officer.

1.3. If you are unable to return to the University after 3 days' absence, you are required to inform the Union by the fourth day.

1.4. Any absence of more than seven consecutive days (including Saturday and Sundays) must be notified to the Union by no later than the eighth day. Thereafter, notification is to be given at weekly intervals, or at longer periods if so determined by a doctor's medical certificate.

2. Certification

2.1. If illness last for more than seven days (including Saturday and Sunday), it will be necessary to obtain a medical certificate by no later than the eighth consecutive day of sickness. This must be forwarded to the Union immediately.

2.2. If absence through illness lasts longer than the period specified on a first certificate, further medical certificates must be obtained to cover the duration of the sickness absence. All certificates must be forwarded to the Union without delay.

Failure to follow the above notification and certification procedures, or

knowingly giving false information about your absence, will result in loss of the Sabbatical pay and/or disciplinary action.

3. Special Leave Policy

Compassionate Leave

Up to three days with pay in any officers term will be granted in the case of serious illness of a person from the list below which gives rise to serious domestic difficulties such that a doctor considers that the individual should not be alone and the presence of the member of staff is therefore required:

- spouse/partner
- parent,
- child
- sibling
- grandparent
- grandchild of a person standing in loco parentis to the officer (*a legal term for someone who is not the biological parent of a child but who acts like a parent to the child*) or to whom the officer stands in that relation.
- in the case of a member of staff having no spouse, parent or child, serious illness of a person whom the officer maintains or with whom the officer shares the home.

Requests for leave of this nature should be made to the SU Liaison and Quality Co-ordinator or equivalent as soon as possible who shall keep suitable records.

Bereavement

Up to three days with pay will be granted in the event of an officer's

- spouse/partner
- parent
- child
- sibling

A person whom the officer maintained or with whom the officer shared the home, in the case of a member of staff having no spouse, parent or child. Up to one day with pay will also be granted for the member of staff to attend the funeral. Where the funeral takes place at a distance of more than a half day's journey from London, up to three days with pay will be granted for attendance at the funeral.

Up to one day with pay will be granted in the event of the death of a officers:

- grandparent
- grandchild of a person standing in loco parentis to the member of staff or to whom the member of staff stands in that relation.

Up to one day with pay will also be granted for the member of staff to attend the funeral. Where the funeral takes place at a distance of more than a half day's journey from London, up to three days with pay will be granted for attendance at

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the funeral.

Up to one day will be granted for a member of staff to attend the funeral of a:

- person standing in loco parentis to the member of staff or to whom the member of
- staff stands in that relation
- parent-in-law
- son-in-law
- daughter-in-law
- relative (if resident with the member of staff at the time of death) or of whom the
- member of staff is next of kin, and also funerals attended in a representative capacity.

Where the funeral takes place at a distance of more than a half day's journey from London, up to three days with pay will be granted for attendance at the funeral.

In the case of serious illness, death or funeral of a close personal friend who either lives with an officer or a close relative of a relative mentioned in the compassionate of bereavement leave sections, an officer will be entitled to up to three days leave with pay during their term of office.

Officers will be entitled to use annual leave and if required un-paid leave in addition to the above paid leave arrangements if circumstances require this. Officers should liaise with the SU Liaison and Quality Co-coordinator or equivalent to arrange this.

The SU Liaison and Quality Co-coordinator or equivalent will keep all records of paid and unpaid leave.

4. Review If Absence Record

- a) The Executive Committee will undertake a formal review of absences in any consecutive three-month period which involve:-
 - a.1. Three periods of self-certificated absence;
 - a.2. Three periods of medically certificated absences (i.e. exceeding 7 days' sickness each time)
 - a.3. A combination of any of the above forms of absence on at least three occasions;
 - a.4. Unacceptable patterns of sickness absence, for example regular Monday or Friday sickness.
- b) A report of Executive Committee (Full Time Officer) absences will be presented termly to the Student Council for information.

5. Appeals

Appeals regarding decisions made over paid and unpaid leave can be forwarded to the University Secretary.

Appendix 3: Draft Constitution for Societies

1. NAME

The name of the Society shall be

2. OBJECTS

The objects of the Society shall be to:-

[Insert aims and objects of Society. These must not conflict with the objects of the Students' Union as specified in the Aims and Objects in the Students' Union constitution.]

3. OFFICERS

There shall be ... (at least 3) Officers of the Society, who will be Full Members of the Students' Union, the President, Secretary and the Treasurer and they shall be democratically elected by means of ... [Insert method of election, e.g. voting by show of hands at a General Meeting of the Society.]

The duties of the Officers shall be to:-

[Insert duties]

The duties of the President shall be:

- (i) To ensure the safety and security of all equipment and other assets provided for the Society and to account for such at the end of each year.

The duties of the Secretary shall be:

- (i) To ensure that the provisions of this Constitution are followed and that no action contrary to its term or the objects of the Union is taken by the Society.

The duties of the Treasurer shall be:

- (i) To prepare a budget (termly) to be presented to the first meeting of the Society and then to be presented, amended if necessary, to the Union and the University for reference.
- (ii) To keep proper accounts of all expenditure and income which shall be open to inspection by individual Society members, the Union and the University at any time.
- (iii) Book activities, authorise expenditure and keep records thereof.

4. MEETINGS

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There shall be ... [Insert number – at least one] General Meetings of the Society in each Academic Year. [Each Society must hold at least one adequately advertised Annual General Meeting per Academic Year, the details of which should be inserted below]

5. AUTHORITY

The supreme body of the Society shall be the General Meeting.

6. MEMBERSHIP

Membership shall only be open to any Full Member of the Students' Union and Associate Members.

7. AMENDMENTS TO THE CONSTITUTION

This constitution may only be amended by resolution of a ... [insert majority, two-thirds majority, or whatever is required] of Members voting at a General Meeting of the Society. Such an amendment shall require to be ratified by the Union Student Council and notified to the University.

[Other sections may be added as desired.]

Appendix 4: Students' Union Complaints Procedure

The following notes outline the procedures you are required to follow if you wish to make a complaint about the Students' Union and its Officers.

Preamble

The Education Act, 1994, requires that each university should take such steps as are reasonably practicable to ensure that its students' union acts in a fair and democratic manner and that, *inter alia*, all students should have reasonable access to university-provided facilities and services.

The complaints procedure set out below relates to the London Metropolitan University Students' Union.

- 1 The complaints procedure set out in the following paragraphs relates specifically to interactions between students and the Students' Union, in accordance with the Education Act, 1994.
- 2 All complaints will be considered promptly and in accordance with the principles of natural justice. Parties considering complaints will bring their best endeavours to seek an equitable and effective resolution at the earliest stage possible.
- 3 Information concerning complaints and their outcomes shall be reported at least annually to the Student Council.
- 4 Complaints may be considered on one or more of the following grounds:
 - a. That a student is dissatisfied in his or her dealings with the Students' Union;
 - b. That a student is being unfairly disadvantaged by reason of his/her having exercised the right not to be a member of the Students' Union.

Procedure

- 5 Complaints shall be considered under the following procedure:
 - a. Complaints should be submitted in writing to the President of the Students' Union in the first instance, setting out the specific grounds of complaint.
 - b. The President will investigate the complaint, consulting as necessary with others.
 - c. If necessary the President may request to meet the complainant, as part of the investigation.
 - d. The President will respond to the complainant in writing, setting out his or her conclusions and where appropriate, any recommendations or proposals to remedy the situation, within ten working days.

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- e. If it is not possible to investigate the complaint in full within the time frame stated above, an interim response should be made to the complainant explaining the situation and the likely date by which a full response will be made.
- f. Where the complaint is against the President, a Vice President shall investigate the complaint.

Appeals

- 6 In the event that the complainant considers that the conclusions are incorrect or that the proposed remedies are inappropriate or ineffective, the complainant shall have the right of appeal and shall do so in writing to the Secretary of the Student Council, within twenty working days upon receipt of the letter informing the complainant of the outcome.
- 7 The Secretary of the Student Council, who shall act as Secretary to the Appeals Panel, will convene an Appeals Panel comprising:
 - a. The Chair of the Student Council, as Chair of the Appeals Panel;
 - b. Two Student Council members, not being members of the Executive Committee, nominated by the Chair of the Student Council.
- 8 The Appeal Panel shall meet within a reasonable period of time to consider the complaint.
- 9 The Secretary shall write to inform the complainant of the date of the meeting at least 10 working days in advance.
- 10 Should the complainant wish to reschedule the meeting, the complainant shall write to the Secretary to the Appeals Panel, stating the reasons. The meeting may be rescheduled on one occasion.
- 11 Upon receipt of the request, the Secretary shall consult with the complainant and the panel members for an appropriate date to reschedule.
- 12 At the meeting, the Chair shall ask the complainant to outline the complaint.
- 13 The Chair shall summarise the complaint and any evidence provided.
- 14 The panel members may question the complainant to explain any issues for clarity.
- 15 The Appeals Panel shall then go into closed session to consider the complaint fully.
- 16 The Chair of the Appeals Panel will respond to the complainant in writing, setting out the conclusions of the Appeals Panel and, where appropriate, any proposals or recommendations to remedy the situation.

Independent Review

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- 17 In the event that the complainant considers that the conclusions are incorrect or that the proposed remedies are inappropriate or ineffective, the complainant may refer the complaint to the University Secretary , in writing, setting out the specific grounds of the complaint.
- 18 The University Secretary shall identify and appoint an independent person from outside the University to consider the complaint. The decision of this person shall be final and binding on The Union
- 19 The Union will confirm to the University Secretary that it has implemented the decision (s) of the Independent person within 10 days of such decision(s) being received by the Union.