

**West Nottinghamshire College**

**Students’ Union Constitution**

**Academic Year 2021/22**

*This constitution shall take effect from August 2021 and invalidates all former constitutions of this Union.*

*This constitution shall be subject to review by West Nottinghamshire College Corporation Board at least every 3 years, in accordance with the*

*Education Act 1994.*

**Students’ Union Mission statement**

**To enrich** **the student experience within the college and local community by providing memorable events, activities and support to all our students through listening to their views and opinions.**

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 Board recognises West Nottinghamshire College Students’ Union as a democratically-run organisation, committed to serving and representing the students of the college. The Corporation Board will ensure that the activities of the union do not contravene the college’s Equal Opportunities policy and not bring the college into disrepute.

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

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

* defining what the union can or cannot do;
* defining members’ voluntary roles, if willing, and how this can aid/act on behalf of students;
* outlining how students can air their concerns;
* defining the election process and how students can run for roles on the Students’ Union Executive Committee.

The constitution is made up of 3 sections:

Section 1 – The Articles

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

Section 2 – The Schedules

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

Section 3 – The Appendices

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

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**SECTION 1: THE ARTICLES**

**Heading Paragraph**

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**1.0 Name and status**

1.1 There shall be a students’ union in the name of ‘West Nottinghamshire College Students’ Union’ (for the rest of the document the organisation will be referred to as ‘the union’). The union is an unincorporated association with exempt charitable status.

**2.0 Aims and objectives**

2.1 To advance the education of its members and students of the college as a whole through enrichment such as events, trips, clubs, societies, fundraising and equality and diversity.

2.2 To represent the interests of students and act as a channel of communication in dealing with the college and other bodies.

2.3 To promote and protect the welfare of students.

2.4 To promote an open and democratic structure and to continually improve services to all students while enhancing the reputation of the institution.

2.5 These aims and objectives shall be practiced without discrimination on the grounds of age, sex, gender reassignment, race, religion, creed, sexual orientation, disability or medical condition, except that action may be taken to promote equality of opportunity.

2.6 The union shall practice the above aims and objectives independent of any political party or religious organisation.

2.7 The union will support in offering a wide range of opportunities to students to enhance their student experience.

**3.0 Membership of the Union**

3.1 All students who are registered at the college **over the age of 16** will have the opportunity to be members of the union by standing for election or applying for a position on the Executive Committee.

3.2 Students under the age of 16 will not be granted a TOTUM (NUS discount) card or a card bearing the NUS logo.

3.3 All students shall be entitled to use the facilities of the union and take part in its educational, social, sporting, cultural and fundraising activities. Students shall be allowed to speak and vote at union meetings, to nominate, to stand and to vote in union elections and to hold office in clubs and societies.

**4.0 Executive Committee**

4.1 Each year students shall have the opportunity to elect to the roles of Site President. These shall be voluntary roles and will lead the Executive Committee of the union overall. The Executive Committee of the union shall be voluntary positions, elected if more than one candidate applies for the roles, providing support in making decisions for the Students’ Union, dictated by the constitution and overseen by the union Site Presidents.

4.2 The Executive Committee shall be made up of the following major union champions, elected by a secret ballot that is open to all students:

1) President – Derby Road;

2)Vice-President – Derby Road;

3) President – Station Park;

4) Vice-President – Station Park;

5) President – Oddicroft Lane;

6) Vice-President – Oddicroft Lane;

7) President – Chesterfield Road;

8) Vice-President – Chesterfield Road.

4.3 The posts for the Executive Committee shall be elected in October of each year.

4.4 The role of the Students’ Union Executive Committee shall be to:

1. Put forward proposals for campaigns and activities to student forums, as appropriate.
2. Act as a channel of communication between members of the union, the college management, the Corporation Board and other organisations;
3. Be responsible for the direction of the union through the implementation and development of the union operational plan;
4. Support in cross-college events and activity promotion including clubs and societies;
5. Fulfil specific responsibilities as laid down in Schedule 2 (Job Descriptions) of this constitution.
6. Represent the Students’ Union across the college, ensuring that all sites have equal opportunities;

4.5 Executive Committee meetings shall be called by the Site Presidents and shall meet at least on a half-termly basis. Further meetings may be called by a written request of a majority of committee members to the President. Each Site President shall act as the Chair, on a rotating basis. On matters requiring a vote, the Chair may only vote in the event of a tie.

4.6 Executive Committee meetings shall only take place if there is at least 50% of serving Executive Committee members present throughout the meeting. In the case of the number falling below 50% attendance, the meeting will be deemed inquorate and be re-arranged**.**

4.7 Any member of the Executive Committee who fails to attend three consecutive meetings without accepted apologies to the President acting as Chair, or does not provide satisfactory reasons acceptable to the Executive Committee, shall be considered to have resigned. This will go through procedure and code of practice.

**5.0 Clubs and societies**

5.1 Clubs and societies may be recognised by the Executive Committee provided they do not breach the union’s aims and objectives.

5.2 Executive Committee members will be expected to support, host or attend the Students’ Union clubs and societies. Members will also be expected to encourage new ideas for clubs and societies.

**6.0 Affiliations to external organisations**

6.1 Any proposal to affiliate to an external organisation made by the union shall be approved by the Executive Committee.

6.2 The college and members of the union shall be informed of all new affiliations to external organisations. The notice shall include the name of the organisation being affiliated to and the affiliation or subscription fee to be paid. The college reserves the right to vet affiliations on the grounds of equality of opportunity and/or safeguarding.

**7.0 Complaints procedure**

7.1 Complaints about an individual member or the Executive Committee shall be dealt with under the complaints procedure contained in Appendix 2 (Code of Practice) of this constitution. This forms a part of the college process.

**8.0 Union finance**

8.1 The union shall receive a block grant from the college to enable it to effectively pursue its aims and objectives. This annual allocation of funding shall be decided by the Corporation Board in line with standard budget-setting processes.

8.2 The union, acting through the Executive Committee, shall be empowered, in pursuit of its aims and objectives, to do such things as are necessary for the prudent conduct of its financial affairs. In exercising these rights the Executive Committee shall be subject to compliance with college financial regulations.

8.3 The Executive Committee shall supervise all union finances and ensure that proper financial records are maintained, under the direction of the Communications Manager.

8.4 The Executive Committee shall be responsible for ensuring that the annual budget, amendments to the budget, financial statements and all other short-term financial reports and financial proposals are discussed and approved by them and the Communications Manager.

8.5 The Students’ Union continue to pursue ways to increase income by selling the TOTUM (formerly NUS Extra) discount card to students.

**9.0 Minutes**

9.1 At all meetings of the union, minutes shall be taken which shall be circulated and any necessary corrections made at the next appropriate meeting. Confirmed minutes shall be filed and made available to all students.

9.2 A copy of the constitution (including any amendments) and any plans for the union’s activities (including the budget) shall be made available electronically to all students if requested.

9.3 The regulations for the organisation of union meetings shall be contained in Schedule 2 (Meeting Regulations) of this constitution.

**10.0 Code of conduct**

10.1 The Executive Committee shall draw up a code of conduct at the beginning of the academic year which shall be approved and amended from time to time

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

10.3 The code of conduct may include restrictions up to and including the unlimited suspension of any or all of the rights of union membership.

**11.0 Interpretation**

11.1 In the event of a challenge to the interpretation of any part of this constitution, the ruling of the Site Presidents shall be sought under the guidance of the Communications Manager.

11.2 In the event of a challenge to the Site Presidents’ ruling, the decision shall be taken to the Vice-Principal: Communications, Engagement and Student Experience**.** The ruling of the college shall be final.

**SECTION 2: THE SCHEDULES**

**Title Schedule**

Election regulations Schedule 1

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**SCHEDULE 1: ELECTION REGULATIONS**

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

**1.1 Returning officer**

a) The returning officer is the Communications Manager and will be identified to candidates prior to the elections. The returning officer shall be responsible for the good conduct and administration of all union elections and shall have the sole interpretation of the election regulations. The returning officer may appoint assistants to support them in their duties.

**1.2 When elections should happen**

a) The returning officer shall ensure that election of the Site Presidents takes place before the end of October each year. Runners-up (i.e. those securing the second-highest number of votes) shall be offered the role of Vice-Presidents. These shall make-up the Executive Committee. Once elected the members of the Executive Committee shall take office from no later than November 1st of that year and shall serve for not more than 12 months.

b) The dates of elections for Executive Committee members, a copy of the election timetable and a copy of the election regulations shall be posted on the union notice boards at least 10 college days before the elections.

**1.3 Standing for election**

1. The college will go out to election for roles within the executive which will comprise as a minimum of President – Derby Road, President – Station Park, President – Oddicroft Lane, and President – Chesterfield Road subject to sufficient applications for these roles. There will be at least four other officers to serve as Vice-President on each site, which will be offered to the runners-up in the Site President elections, subject to sufficient applications. Executive Committee members may choose to add roles by agreement and to meet need.
2. Nomination forms will be available from the returning officer and shall be available from college receptions, college libraries and the Students’ Union office, 10 college days before the election. The nomination form shall contain a copy of the description of the role of Site President. It shall also contain information on the facilities the union will make available to each candidate.
3. Students may stand for election upon completion of a nomination form signed by the candidate and at least one proposer and one seconder.
4. Nomination forms must reach the returning officer or a person appointed by him/her no later than 12pm on the announced day, prior to the commencement of campaigning the following week.

**1.4 Publicity about the election**

1. The returning officer shall produce a list of candidates (together with the proposer and one seconder) which shall be displayed on the union notice boards within 48 hours of the close of nominations.
2. Candidates will produce a manifesto and a poster to a specification to be determined by the returning officer, which must be handed in with the completed nomination form.
3. On receipt of a valid nomination form the returning officer or a person appointed by him/her shall provide the candidate with election guidance notes.
4. The guidance notes shall be determined by the returning officer.

**1.5 Campaigning**

Candidates may commence campaigning at the commencement of ‘campaign week’; the dates and times of which will be communicated to them in advance.

a) Candidates cannot use any communication materials or methods that are not sanctioned by the election guidance notes.

b) A set allowance allocated by the returning officer will be granted for printing costs within college. All materials will be checked prior to information being cascaded. The returning officer reserves the right to remove a nominee if materials produced are offensive.

c) There shall be no campaigning within the same room as any ballot box.

d) The returning officer shall publicise the location and arrangements of voting stations, together with a list of candidates and manifestos, five college days before voting. These will be available on noticeboards and via social media and the student portal.

**1.6 Voting procedures**

1. The returning officer shall ensure that all students have access to vote no matter their place or time of study.

b) All students shall be able to vote for the position of Site President at their campus of study, as outlined in 1.3.

c) A voting paper will be made available to each voter, which shall bear the union stamp. Votes will be cast in sealed ballot boxes. Voting papers shall bear the name of each candidate and the office being contested.

d) 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 First Past the Post system as set by the Electoral Reform Society.

e) If there is only one candidate for one position, election will not take place as they will automatically take up the post.

**1.7 Counting and declaring votes**

a) The returning officer will be assisted in the count by a number of individuals appointed by them.

b) Once the votes have been counted they should be kept for a period of six months in case of appeals against the result.

c) Results of the elections shall be declared by the returning officer when the count for each post has been completed and any complaint has been resolved to the satisfaction of the returning officer.

d) A list of successful candidates will normally be posted at each site within one college day of the declaration of results.

e) In the event of a complaint being received by the returning officer the results shall be suspended until the complaint has been resolved.

f) The returning officer should send a copy of the result to the college principal, and the college Corporation Board.

**1.8 Complaints**

1. 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 candidate or their nominee.

b) Any complaint against the conduct or administration of the election should be received by the returning officer before the start of the count. Complaints must be written, recorded, signed and dated.

c) 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.

d) 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 Vice-Principal: Communications, Engagement and Student Experience, in accordance with the complaints procedure, contained within the Code of Practice (Appendix 2) of this constitution.

**1.9 Vacancies for positions on the executive committee**

a) 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 10 college days after confirmation of the vacancy arising. All other election regulations apply.

**SCHEDULE 2: JOB DESCRIPTIONS**

* 1. **Site President**

Who shall be a member and chair (on a rotating basis) of the Students’ Union Executive Committee.

1. Raise awareness of all major activities, development and communications that take place within the Students’ Union and across college.
2. Develop, with the Executive Committee, a rolling plan of events and activities and promote these to students across all college campuses.
3. Be jointly-responsible for preparing an operational plan for the year ahead.
4. Organise and Chair the Students’ Union Executive Committee on a rotating basis.
5. Attend and participate in any other meetings as requested.
6. To make it a priority to be highly-visible at their site on a regular basis to promote the Students’ Union, plus its events and activities.
7. Actively promote and run relevant campaigns supported by the Students’ Union Executive Committee.
8. Actively encourage students to volunteer at the college open evenings.
9. Meet with the senior college management to discuss student feedback.
10. Be responsible for preparing an end-of-year report for the Corporation Board regarding all activities.
11. Give presentations such as Students’ Union inductions and tutorials.
12. Be able to plan and manage your time effectively and efficiently.
13. Interact with students and staff at all levels.
14. Help run clubs and societies across college.
15. Bring in new ideas supported by the Students’ Union Executive Committee.

p) Actively promote and sell the TOTUM (formerly NUS Extra) discount cards.

q) Create and develop ways in which the Students’ Union’s reputation and understanding can be increased within the college and the wider community.

**2.2 Other Responsibilities**

1. To uphold and promote college policies and procedures, promoting those specifically applicable to this area of work, including British Values, the Prevent agenda, Equality and Diversity policies and procedures, Healthy College ethos and attend training as requested.
2. To apply the college’s own safeguarding policy and practices and attend training as requested.
3. To be conversant with and participate in activities and developments at college, regional and national level which are relevant to the post.
4. To present and promote an appropriate public image in representing the college.
5. To undertake any other duties as may reasonably be required commensurate with the post.

**2.3 Site Vice-President**

Who shall be a member of the Executive Committee; and shall:

1. Work with and support the Students’ Union Site President on their campus.
2. In conjunction with the Site President, be responsible for dealing with students’ concerns and general feedback.
3. Maintain contact with student representatives over the year and forward their views and concerns to the correct college stream, including the Site President;
4. Attend various meetings and committees in the Site President’s absence.
5. Chair the Students’ Union Executive Committee in the Site President’s absence.
6. Work with the Students’ Union Executive Committee in planning events and activities such as fundraising.
7. Act reasonably and prudently in all matters and in the best interests of the union.
8. Support the Students’ Union in hosting clubs and societies.

**SECTION 3: THE APPENDICES**

**Title Appendix**

Union and college procedures 1

Students’ Union code of practice 2

**APPENDIX 1: UNION AND COLLEGE PROCEDURES**

1.1 Members of the union shall be expected to abide by this constitution at all times.

1.2 The college’s policies and procedures, including Disciplinary Policy and Equality and Diversity Policy, have authority over any union activities or misconduct which is likely to affect the reputation of the college.

**APPENDIX 2: STUDENTS’ UNION CODE OF PRACTICE**

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

**2.1 Constitution**

2.1.1 The union shall have a written constitution approved by the Corporation Board and reviewed by the Students’ Union Executive Committee and then approved by the Corporation Board at intervals of not more than three years. Any amendments to the constitution shall be approved by the Corporation Board.

**2.2 Elections**

2.2.1 Appointment to major union offices shall be by election in a secret ballot in which all students are entitled to vote, in accordance with clause 5 and Schedule 1: Election Regulations.

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

**2.3 Freedom of speech**

2.3.1 The union and its members are bound to observe the College’s Code of Practice in relation to Freedom of Speech as required by section 43 of the Education (No 2) Act of 1986.

**2.4 Complaints**

2.4.1 The following complaints procedure shall be made available to all students or groups of students who are dissatisfied in their dealings with the union.

2.4.2 Any complaint about the union shall be addressed to the Communications Manager.

2.4.3 The Communications Manager shall make a written reply within 10 college days.

2.4.4 If the complainant is not satisfied with the response they may appeal to the Vice-Principal: Communications, Engagement and Student Experience who shall respond to the complainant within 10 college days.

2.4.5 If the complainant remains unsatisfied with the response provided by the Vice-Principal, the college shall appoint an independent person to consider and resolve the complaint.

2.4.6 Members who complain will also be referred to the mechanisms in this constitution to remove officers and change the policy of the union.