

Coventry University Students' Union (CUSU)

Constitution February 2010

The CUSU Constitution is the governing document of the organisation. It has been approved by the membership and Coventry University Board of Governors. It is produced in the context of the Charities Act (2006) and the Education Act (1996) which requires some students' unions to be registered as independent charities and to be accountable and transparent to its members respectively.

This Constitution can be amended only by resolution of the ordinary membership and by approval of the Board of Trustees of Coventry University Students' Union in accordance with the regulations therein.

Constitution

1. Name

The name of the organisation shall be Coventry University Students' Union ('CUSU')

2. Purpose

The purpose of CUSU shall be to represent, promote and advance the educational, welfare, sporting, social and cultural interests of all students enrolled at Coventry University and directed by the students for the students of Coventry University.

3. Objects

The objects of CUSU shall be:

To represent the interests of students within the University, the local community and at a national level;

To encourage and enable the wide participation of all students in the representation of students and the delivery of CUSU services to students;

To ensure that CUSU maintains best practices in all services to students for the benefit of all students;

To actively promote equality of opportunity, access and good relations amongst its members, and employees, regardless of ethnic or national origin, colour, gender, sexuality, disability or illness, age, cultural, political and religious beliefs, or caring responsibilities.

4. Membership

There shall be the following classes of membership:

Ordinary Membership

This shall be open to all students who do not opt out of membership of CUSU and who are enrolled on any course at Coventry University, and to Sabbatical Officers of CUSU, and where appropriate to students on Coventry University courses at other organisations.

All Ordinary Members shall be entitled to propose, stand and vote in CUSU elections, participate and vote in CUSU Union General Meetings.

Associate Membership

This shall be open to all members of Coventry University and CUSU staff, past students of the University and to other persons agreed to by the Executive Committee who shall determine the membership fee.

All Associate Members may use the services of CUSU but shall not vote or stand in CUSU elections or meetings.

Associate membership may be revoked by Executive Committee in accordance with CUSU disciplinary procedures.

Honorary Membership

Shall be awarded to any persons considered appropriate by Executive Committee.

Shall be awarded to members of Executive Committee on the last day of office unless considered otherwise by Executive Committee.

All Honorary Members shall enjoy the rights of Associate Members without fee or charge.

Honorary membership may be revoked by Executive Committee.

5. Union General Meetings

The Union General Meeting (UGM) shall be the sovereign body of CUSU.

The Union General Meetings shall be convened by arrangements as detailed in appendix J.

The Annual Union General Meeting (AGM) shall approve CUSU accounts and budgets.

The quorum for a UGM shall be 100 Ordinary Members of CUSU.

6. Union Council

The membership and the Chair of the Union Council (UC) shall be in accordance with clause 10 hereof and election by the election regulations, Appendix D.

The quorum for UC shall be half the filled posts plus one.

The UC shall scrutinise, supervise and instruct Executive Committee.

The UC shall approve the CUSU Business plan

The UC shall receive reports from CUSU Standing Committees and the Executive Committee.

The UC shall determine policy of CUSU in matters not bound by existing UGM policy.

The UC shall recommend the appointment of CUSU non-ordinary member ('external') trustees to the Board of Trustees.

The UC shall have the power to call a UGM as it considers appropriate (in accordance with Appendix J).

The UC shall have the power to censure or dismiss officers of CUSU in accordance with clause 14, paragraph a hereof.

The UC shall elect its members onto Standing Committees in accordance with the membership of such committees in Appendix K.

7. Executive Committee

The Executive Committee (EC) membership and its election shall be in accordance with clause 12 hereof and the Elections Regulations of CUSU (Appendix D).

The quorum for the EC shall be half of filled posts plus one.

The EC shall direct the everyday affairs of CUSU within existing CUSU policy and shall implement CUSU policies.

The EC shall submit regular and formal reports and make recommendations to the Union Council and the CUSU Board of Trustees.

The EC may determine policy until it is ratified at the next Union Council or UGM meeting.

The EC shall determine the nominees for University Committees and the Board of Governors as requested.

The EC shall be empowered to employ staff and shall be responsible for determining staff terms and conditions in accordance with clause 19 hereof.

The EC shall meet at least every two weeks during term time.

The EC shall meet in closed session when considering matters of staff or the disciplinary matters of members and shall consist of only voting members and the General Manager (or his/her nominee).

Sabbatical Officers of the EC shall be elected under the terms and conditions of office specified in Appendix E.

8. The Board of Trustees of CUSU

There shall be a Board of Trustees ('the Board') of the registered charity 'Coventry University Students' Union' who shall have the responsibility for the good governance and management of CUSU.

The Board shall consist of 4 members external to the University and CUSU, one member of the University's Board of Governors and five elected sabbatical officers of the Executive Committee of CUSU.

The period of office of the trustees shall be as follows:

2 external members for two years; 2 external members for three years; the member of the Board of Governors for three years, and co-dependent on remaining a member of the Board of Governors in the period of office as a trustee; and the elected student officers for the period of their term of elected office only.

Trustees shall not normally serve more than two terms of office.

External trustees shall not be ordinary members of CUSU

The selection and election of trustees shall be as follows:

- (i) The elected student officers shall be elected under the normal election regulations of CUSU;
- (ii) One independent member from and determined by the Board of Governors;
- (iii) The external trustees shall be selected by the Executive sub committee, the Trustees Appointments Panel, which normally shall seek the approval of and the confirmation of external trustees from the Union Council.

The Board shall meet at least 4 (four) times per year.

The Board shall establish sub committees and working groups as it considers appropriate.

The Board shall submit accounts, budgets, business plans and other matters appropriate to the membership at the Annual and Union General Meetings as appropriate.

The Board of Trustees shall be Chaired by the President of CUSU who shall have the casting vote.

The quorum shall be half plus one of all existing trustees and there shall be no less than two external trustees and two elected student officers.

9. Executive Sub Committees

Executive Sub Committees shall operate in accordance with CUSU policies and shall be responsible to the Executive Committee.

The Executive Sub Committees shall be:

Equality and Diversity

Finance and General Purposes

Personnel, Training and Development

Trustees Appointment Panel

The powers of each sub committee shall be determined by its Terms of Reference (outlined in Appendix C).

Each sub committee shall review annually its terms of reference and make recommendations to Union Council on changes deemed appropriate.

Minutes and reports of all sub committees shall be approved by Executive Committee.

10. Standing Committees

- a) Standing Committees and other ad hoc Committees as Union Council may deem necessary, shall operate in accordance with CUSU Policy and shall be responsible and make termly reports to Union Council. Members of Standing Committees shall be elected in accordance with Appendix K
- b) The Standing Committees of CUSU shall be:
 - Communications
 - Education
 - Commercial Services
 - Volunteering
 - Welfare
- c) Each Standing Committee shall review annually its own Terms of Reference and make recommendations to Union Council on any changes deemed necessary

11. Faculty/School Committees

There shall be elected, in accordance with Appendix L, other CUSU Committees established as follows:

- (a) Faculty/Schools Committees for each of the University's Schools and Faculties which shall meet at least once per term;
- (b) Halls Committees for:
 - (i) Priory Hall, Quadrant Hall and the Pillar Box,
 - (ii) Singer Hall and University Owned houses,
 - (iii) Radford Road, Trinity Point, Apollo and Lynden,
 - (iv) Callice Court, Raglan House, Paradise and Sherbourne

and the Executive Committee shall have the power to establish new Halls Committees as considered necessary;

- (c) NUS Conference Committee;
- (d) Elections Committee.

The Terms of Reference and Membership of these Other Committees are as determined by Appendix L.

12. Elections

The Ordinary Membership of CUSU shall elect by secret ballot in accordance with the Election regulations, Appendix D:

(a) Executive Committee

President
Vice President Academic Affairs
Vice President Communications
Vice President Student Activities
Vice President Welfare
An Executive Officer for each School and Faculty of the University to be known as Faculty Chair or School Chair

(b) **Union Council** where secret ballot shall be in accordance with the CUSU Election Regulations:

Position	Method of Election
All Executive Committee members	Ex Officio
Postgraduate Students' Officer	secret ballot
International Students' Officer	secret ballot
Part Time Students' Officer	secret ballot
Disabled Students' Officer	secret ballot
LGBT+ Officer	secret ballot
Mature Students' Officer	secret ballot
Environmental and Ethical Officer	secret ballot
BME Officer	secret ballot
Women's Officer	secret ballot
Students with Dependents' Officer	secret ballot
5 Union Council Officers	secret ballot
Halls Councillors (14)	Elected from Halls Reps for each Hall
Faculty Board Councillors (20)	Elected as Faculty Board members by Course Reps
Sports Clubs Councillors (4)	Elected by all Sports Club Officials

Societies Councillors (4)	Elected by all Society Officials
Student Volunteer Councillors (2)	Elected from amongst Horizon volunteers
RAG Councillors (2)	Elected from amongst RAG Society
Source Radio Councillor (1)	Elected by Source Radio Society
Source Newspaper Councillor (1)	Elected by Source Newspaper contributors
CUTV Councillor (1)	Elected by CUTV Society
Multi-Faith Council Members (2)	Elected from and by the Multi-Faith Council

The terms of reference for Executive Committee members and directly elected Union Council members shall be as Appendix A and B respectively.

13. Referenda

- i. Referenda shall be held no more than twice per academic year, Union Council (or the Executive Committee in extraordinary circumstances) may resolve that a constitutional amendment, affiliation or matter of policy may be referred to the student body in a general referendum. A referendum may also be called by 5% of the ordinary membership signing a written request for a referendum on a specified issue, this shall be sent to the President.
- ii. All Ordinary members shall have the right to vote in a referendum. Referenda shall follow the regulations in Appendix D.
- iii. The Returning Officer of CUSU elections shall be the Returning Officer for Referenda
- iv. A Referendum must be put to the students in the form of a single simple statement with the option for students to vote in support or in opposition.
- v. CUSU will produce publicity outlining both sides of the debate and will appoint both an Executive Committee officer to support the motion and one to oppose it; there will be equal resources to conduct the campaign. The use of additional resources or by the resources of any external organisation, including the University, is prohibited.
- vi. Should a referendum receive a total turnout of 5% of the membership, or a turnout of more than 2.5% in support, then the result shall be binding and may overrule previous decisions by the Executive Committee, Union Council, or the AGM. Should this turnout not be achieved then it shall not be binding but shall be an indicative vote for information to the Executive Committee and Union Council

14. Dismissal and Caution of Elected Officers

- a) Officers of CUSU may be dismissed by a motion of 'no confidence' being passed by two thirds majority at Union Council or UGM or Referendum.
- b) Officers of CUSU may be cautioned through a motion of censure.
- c) A motion of no confidence or censure may be given for the following:
 - i. Misuse and abuse of CUSU resources
 - ii. Failing to comply with the Terms and Conditions for Sabbatical Officers
 - iii. Failure to attempt to implement Union policy
 - iv. Bringing CUSU into disrepute both internally and externally to CUSU
 - v. Any behaviour deemed inappropriate
- d) Any elected officer incurring three votes of censure during one term of office shall result in a full motion of 'no confidence' being put to Union Council.

- e) The resolution of no confidence shall allow the elected officer sufficient time to clear his/her office (i.e. one day) and receive four weeks pay in lieu of notice if appropriate.
- f) In the event of any elected officer being dismissed, the post shall remain vacant until filled by an ensuing by-election in accordance with Appendix D.

15. Accounts

The accounts shall be audited externally by a suitably qualified Auditor and submitted to the general membership at an Annual General Meeting (AGM) for approval. Copies shall be made available to the Board of Governors of Coventry University, and to the membership.

The financial affairs of CUSU shall be conducted in accordance with the Financial Regulations (Appendix H) and in accordance with the Financial Memorandum with Coventry University.

16. Sports Clubs and Societies

The Executive Committee shall approve sports clubs and societies which shall be known as 'recognised' by approval of a written constitution supported by not less than ten (10) ordinary members.

The membership of all sports clubs and societies shall be open to all ordinary and associate members of CUSU; there shall be at least three officers of each sports club and society who are elected from amongst the membership annually.

The Executive Committee may refuse or withdraw recognition of a sports club or society if it is considered that activities or purposes are not in accordance with CUSU purposes and policies.

The Vice President Student Activities may approve applications for recognition for a sports clubs and societies until ratification by a quorate Executive Committee.

Sports clubs and societies shall function within the regulations and procedures of CUSU, including the regulations for Sports Clubs and Societies and their Federations and the CUSU Financial Regulations (appendices M and H respectively).

17. Winding Up

In the event of CUSU ceasing to function, the disposal of all assets shall be recommended by the ordinary members at a UGM or Referendum to the Board of Trustees.

The liability to each member shall be limited to one pence.

18. Affiliations

- a) CUSU shall be affiliated to the National Union of Students. CUSU may also affiliate to any other organisation by resolution of Union Council or UGM, in accordance with CUSU's charitable status and financial regulations, subject to any overriding legislation
- b) CUSU shall publish notice of any such decision stating:
 - i) the name of the organisation, and
 - ii) details of any subscription or similar fee paid or proposed to be made, to the organisation

- c) The current list of affiliations shall be submitted for approval by members annually at the AGM

19. Staffing

- a) The General Manager shall be empowered, through the Executive Committee, to employ staff, who shall be responsible to the CUSU Executive through an established management structure
- b) All matters related to the responsibilities, conditions of employment, performance or conduct of individual members of staff shall be the responsibility of the Personnel, Training and Development Committee (in closed session) and shall not be discussed in any other Committee or Union Council, with reference to Appendix I
- c) The General Manager shall be responsible for resolving complaints against members of CUSU staff. Complaints against the General Manager shall be referred to the President
- d) CUSU staff may speak if requested but shall not exercise a vote in any CUSU meeting
- e) CUSU staff may provide advice on their areas of expertise, but shall not publicly express their personal views on policy decisions of CUSU

20. Amendments to the Constitution

- a) All amendments to the Constitution shall be recommended to the Board of Trustees by a two thirds majority of Union Council or a UGM or by a simple majority in a Referendum of all members in accordance with paragraph 13 above)
- b) Amendments to the Constitution shall be forwarded in the form of motions in accordance with the procedures outlined in paragraph 6 above and Appendix J
- c) All amendments to the Constitution shall be approved by the Board of Trustees
- d) Proposed amendments shall: (i) remove specified words, (ii) insert specified words, (iii) amend wording
- e) The Executive Committee shall have the right to re-number the Constitution for the purposes of clarity. These changes will be forwarded to the Board of Trustees for approval

21. Freedom of Speech

CUSU acknowledges the obligations to uphold freedom of speech within Section 43 of the Education (No. 2) Act 1986. To comply with its statutory obligations, it has embodied the code of practice laid down by the Board of Governors as Appendix N.

22. Standing Orders for All CUSU Meetings

- a) General
 - i. All Ordinary Members of CUSU may attend any Union Meeting unless specifically ordered from or excluded by the Chair of the meeting, and may participate in meetings subject to the provision of this Constitution;
 - ii. Associate Members may attend and participate in CUSU Meetings (with the approval of the meeting) but cannot vote;
 - iii. Non-Members of CUSU may only attend CUSU Meetings with the agreement of the Chair and shall not speak unless invited to do so by the Chair
 - iv. Appropriate alterations to Standing Orders shall be made for disabled members by the Chair
- b) Procedures and Organisation of CUSU Meetings

There shall be Standing Order regulations for the Chair and debate, procedural motions, points of order and information, procedural motions and voting for all CUSU meetings as Appendix J.

23. Complaints and Appeals Procedure

Members may use the complaints procedure outlined in Appendix G.

24. Disciplinary and Appeals Procedure

- 1) All Members of CUSU shall be expected to abide by CUSU policy, and the Constitution and its Appendices at all times
- 2) The Executive Committee may invoke these procedures as it sees fit, to ensure the good conduct of members on CUSU property or while representing CUSU and for Officers at all times
- 3) Members may appeal against the decision of the Disciplinary Committee
- 4) The procedures for both of these stages are outlined in Appendix F

25. Indemnity

Every officer, appointee or member of staff of CUSU shall be entitled to be indemnified out of the assets of CUSU against all losses or liabilities which they may sustain in or about the proper execution of their office. No officer, appointee or member of staff of CUSU shall be liable for any loss or damage or misfortune which may happen to or be incurred by CUSU in the execution of their duties, provided that the liability is not the consequence of any negligent act on their part

26. Terms of Reference, Bye Laws, Regulations, Procedures and Schedules

There shall be terms of reference and regulations of the CUSU Constitution which shall require the approval of Union Council and the Board of Trustees. These shall be as Appendices to the Constitution, and not part of the Governing document for the purposes of the Charities Act 2006:

- A. Terms of Reference for Executive Officers
- B. Terms of Reference for Union Council members
- C. Terms of Reference and Membership of Executive Sub Committees
- D. The Election Regulations
- E. Sabbatical Officers' Terms and Conditions of Service
- F. Disciplinary Procedures for Members of CUSU
- G. Procedure for Complaints against CUSU
- H. Financial Regulations, Schedules and Bye Laws
- N. Freedom of Speech

There shall be bye laws, terms of reference, regulations, procedures, and schedules of CUSU which shall normally only require the approval of Executive Committee for approval and amendment. These shall be:

- I. Staff Protocol
- J. Organisation of CUSU Meetings
- K. Terms of Reference and Membership of Standing Committees
- L. Terms of Reference and Membership of Other CUSU Committees
- M. Regulations for Sports and Societies

And other such bye laws, procedures and regulations as considered appropriate by Executive Committee, Union Council or the Board of Trustees.