

Permanent Standing Orders

Van Mildert College Junior Common Room

26th June 2020



Introduction

These are the Permanent Standing Orders of Van Mildert College Junior Common Room, approved on 26th June 2020.

This version was revised by the Steering Committee of 2017-18:

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Amended in October 2018 by the Executive Committee, Sheehan Quirke (JCR President) and Alastair Hargreaves-McManus.

Amended in June 2019 by the Alastair Hargreaves-McManus and Sheehan Quirke (JCR President).

Amended in June 2020 by the Executive Committee.

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1 Preface

- 1.1. The JCR is a students' union formed as a Charitable Incorporated Organisation.
- 1.2. The JCR voted to leave the Durham Student Organisation in February 2019 and was established as an independent charity in August 2020.
- 1.3. In these Standing Orders the following terms shall be understood with the following meanings:

Term	Definition
JCR	Junior Common Room of Van Mildert College
CIO	Van Mildert College Junior Common Room Charitable Incorporated Organisation
MCR	Middle Common Room of Van Mildert College
College	Van Mildert College
DSU	Durham Students' Union
Standing Orders	Collectively the Permanent Standing Orders, the Operational Standing Orders and Committees and Job Descriptions Standing Orders
Governing Document	The constitution of the CIO
Trustees	Trustees of the CIO
Student Trustees	Students elected as Trustees
Internal Trustees	Student and Sabbatical Officer Trustees
External Trustees	Trustees who are not Internal Trustees
Board of Trustees	Trustee board of the CIO
Officer	Any person who holds an official position in the JCR specified in the Standing Orders
Elected Officer	An Officer elected where the electorate was the whole JCR
Appointed Officer	An Officer appointed by interview to a position (that is not an ordinary committee member)
Ordinary committee member	A member of a committee who is not a member ex-officio
Executive Officer	An Officer who is a member of the Executive Committee
Sabbatical Officer	The President or FACSO
Ballot	An election or referendum
Examination Period	The Main Examination Period in May/June as defined by the University

2 Status of Standing Orders

- 2.1. The JCR must be operated in accordance with its Governing Document and its Standing Orders. Should there be a conflict between the Governing Document and the Standing Orders, the Governing Document will take precedence.
- 2.2. The JCR must be operated in accordance with the directions of the Board of Trustees. Should there be a conflict with the Standing Orders, the directions will take precedence.
- 2.3. Any documents, policies or decisions of the JCR must be subject to the Standing Orders.
- 2.4. Where a conflict exists between parts of the Standing Orders, the order of precedence is as follows:
 - (a) Permanent Standing Orders
 - (b) Operational Standing Orders
 - (c) Committees and Job Descriptions
 - (d) Appendices to the Standing Orders
- 2.5. The Committees and Job Descriptions part must only contain descriptions of JCR committees and roles.
 - 2.5.1. The part may specify terms of office.
 - 2.5.2. The part may not grant monetary benefits.
- 2.6. Unless explicitly stated otherwise in the Standing Orders, the Appendices to the Standing Orders are advisory only.
- 2.7. The JCR Chair must rule on matters of interpretation.
 - 2.7.1. Significant rulings should be documented and considered by Constitutional Committee.

3 Amendment of Standing Orders

- 3.1. This section sets out the procedure for amending the Standing Orders.
- 3.2. Any proposed amendment must be considered by the Executive Committee *and* Constitutional Committee.
 - 3.2.1. Consideration may include suggesting amendments or expressing disapproval.
- 3.3. Any proposed amendment must fulfil one of the following conditions:
 - (a) Be approved by the Executive Committee and Constitutional Committee;
 - (b) Be approved by the Executive Committee without the approval of Constitutional Committee after having sought the approval of Constitutional Committee in three different academic terms;
 - (c) Be proposed by the Board of Trustees; *or*
 - (d) Be supported by the signatures of at least 25% of JCR members.
- 3.4. Any proposed amendment must be approved by the Board of Trustees.
- 3.5. Proposal by a committee is taken to imply its consideration and approval.
- 3.6. Following fulfilment of the clauses 3.2., 3.3. and 3.4., a proposed amendment must be published to members and presented to a JCR Meeting for debate.
- 3.7. Finally, a proposed amendment must be approved by referendum in accordance with the procedure set out in the Operational Standing Orders.
 - 3.7.1. If the referendum fails to be quorate, then it may approve the amendment if it was supported by at least two-thirds of the votes cast.
 - 3.7.2. Proposed minor amendments to the Committees and Job Descriptions part only may instead be approved by an ordinary JCR motion at a quorate JCR meeting.
- 3.8. Changes to the Appendices to the Standing Orders that represent a change in a policy/procedure may only be made with approval by a JCR motion in accordance with the procedure set out in the Operational Standing Orders.
- 3.9. Changes to the Appendices to the Standing Orders that do not represent a change in policy/procedure, such as the addition of new Honorary Life Member or newly approved societies, may be made by the JCR President.
- 3.10. No amendment to Standing Orders may result in the invalidation of a JCR decision which was reached in accordance with the Standing Orders in effect at the time the decision was made unless explicitly stated.

4 Purpose of the JCR

4.1. The purpose of the JCR is:

- (a) to contribute to the education of its members;
- (b) to provide opportunities for participation in intellectual, cultural and social activities;
- (c) to support the welfare of its members;
- (d) to provide, in co-operation with the College, facilities, services and opportunities for recreation (including the maintenance of a Common Room);
- (e) to act as a channel of communication between its members and the College and other bodies of the University;
- (f) to represent its members in matters relating to the government and welfare of the College;
- (g) to provide opportunities for its members to develop leadership, organisational and other skills;
- (h) to be accountable and transparent to its members;
- (i) to use its resources fairly and effectively for the benefit of its members.

4.2. All JCR Officers are accountable to JCR members.

4.3. No member of the JCR may support any activities which could bring into disrepute the JCR, the College or the University.

4.4. The JCR is opposed to, and will take steps to combat, all forms of unfair discrimination on the grounds of age, appearance, caring responsibilities, caste, class, educational background or current educational status, gender, health status, marital or family status, nationality, political beliefs, religion, immigration status, race/ethnicity, sexuality, irrelevant criminal conviction, physical or mental ability or trade union activity.

5 Membership

- 5.1. The following people are eligible to be full members of the JCR:
 - (a) Undergraduate students of the University of Durham who are members of Van Mildert College.
 - (b) Postgraduate students who are members of the MCR.
 - (c) Sabbatical officers of the JCR.
 - (d) The sabbatical Bar Steward of the College bar.
 - (e) Any sabbatical officer of a student organisation recognised by the University who was within a year prior to their taking office a member of the JCR.
- 5.2. Eligible undergraduate students are assumed to be members of the JCR unless they opt out of membership.
- 5.3. Student members of the JCR are required to pay a levy for membership.
 - 5.3.1. Students who fail to pay their levy within their first term of study are considered to have opted out of membership.
- 5.4. There are also Honorary Life Members appointed by the awarding panel.
 - 5.4.1. Honorary Life Members are not permitted to be officers of the JCR.
- 5.5. Any member may opt out of JCR membership at any time by providing a signed statement to that effect to the JCR President.
 - 5.5.1. A member who opts out of membership does not have the right to receive a refund of their levy.
 - 5.5.2. Partial refunds of a member's levy may be given in exceptional circumstances at the discretion of the sabbatical officers.
- 5.6. A person who has opted out of JCR membership may opt in to JCR membership by providing a signed statement to that effect to the JCR President and paying the JCR levy if they have not previously done so.
- 5.7. A member may have their membership revoked by the Board of Trustees if they are found to have committed serious misconduct.
- 5.8. Only JCR members are entitled to vote on decisions of or to be an officer of the JCR (or any club or society affiliated to it).

6 Business

- 6.1. Decisions of the JCR must normally be made at a JCR meeting at which all members of the JCR are entitled to attend.
- 6.2. The JCR Chair must ensure that there are at least two ordinary meeting of the JCR per academic term.
- 6.3. All members are invited to attend meetings of the JCR and all have an equal right to vote and to speak on any matter. The Operational Standing Orders set out the procedures by which business is considered at JCR meetings.
- 6.4. A meeting of the JCR shall be considered quorate if 7% of the members are present.
- 6.5. If a JCR Meeting is not quorate, it must not make decisions (for example, vote on motions or elections) except in accordance with the following subclauses.
 - 6.5.1. Procedural motions take effect immediately and do not require the JCR Meeting to be quorate. A procedural motion must only relate to the conduct of the meeting.
 - 6.5.2. The Chair may allow decisions to be made by an inquorate meeting if they are uncontroversial, they do not permit the use of JCR funds and no member present objects.
 - 6.5.3. No decisions may be made in a JCR Meeting with fewer than 10 members present or fewer than 5 members who not Executive Officers present.
 - 6.5.4. Decisions made by an inquorate JCR Meeting may be voided by the Executive Committee or Constitutional Committee. This may only happen within 3 days of the decision taking effect.
- 6.6. Decisions of a JCR Meeting (excluding procedural motions) do not take effect until minutes of the meeting are published.
- 6.7. Unless otherwise stipulated by the Standing Orders, decisions must be made by simple majority vote.
- 6.8. All policy passed by the JCR must be renewed annually in a JCR meeting and must be incorporated into Appendix I of the Standing Orders.
- 6.9. In the event of a referendum failing to be quorate, the decision shall be invalid unless a provision in the Standing Orders states otherwise.

Executive Committee

- 6.10. The JCR has an Executive Committee which is collectively responsible to the JCR for:
- (a) Administering the JCR during the periods between JCR Meetings. This will include making decisions on behalf of the JCR on routine or non-contentious matters.
 - (b) Making decisions for which the deadline does not allow consideration at a JCR meeting.
 - (c) Representing the JCR to the College and wider University community.
 - (d) Ensuring the proper conduct of JCR Officers and committees.
 - (e) Ensuring that the JCR is maintained in a sound financial position and that appropriate financial records are being maintained.
 - (f) Managing the business of the JCR meeting.
- 6.11. The Executive Committee consists of the following members:
- (a) JCR President
 - (b) JCR Formals and Experiences Officer
 - (c) JCR Senior Welfare Officer
 - (d) JCR Financial and Commercial Services Officer (FACSO)
 - (e) JCR Communications Officer
 - (f) JCR Events Officer
 - (g) JCR Senior Freshers' Representative
 - (h) JCR Sports and Societies Officer
 - (i) JCR Outreach and Fundraising Officer
 - (j) JCR Chair
 - (k) JCR International Officer
 - (l) Sabbatical Bar Steward
- 6.12. The Sabbatical Bar Steward is a non-voting member of the Executive Committee.
- 6.13. The Executive Committee must submit reports on its actions to JCR meetings as appropriate.
- 6.14. Executive Officers are expected to attend all JCR meetings.

Internal Trustees

- 6.15. The President and FACSO are trustees of the CIO.
- 6.16. The JCR elects 2 student trustees for the CIO.
- 6.17. The student trustees must not be Executive Officers.

Miscellaneous provisions

- 6.18. The JCR may delegate responsibilities to committees and officers as set out in the Standing Orders.
- 6.19. Without prejudice to any indemnity to which any Executive Officer may otherwise be entitled, every Executive member or other officer of the student body shall be indemnified, out of the assets of the student body, against any liability incurred by them in defending any proceedings, whether civil or criminal, in which judgment is given in their favour or in which they are acquitted, or in connection with any application in which relief is granted to them by the court from liability for negligence, default, breach of duty, or breach of trust in relation to the affairs of the students.
- 6.20. The JCR must not censor the speech, writing or other works of its members unless they are grossly offensive, misleading disclosing confidential information, defamatory, illegal, or otherwise likely to result in legal action being against the JCR, except where this is a disclosure of information showing that wrongdoing has been committed, or where the speech is commercial in nature.
- 6.21. Constitutional Committee must have sufficient independence from the Executive Committee to effectively carry out its scrutiny roles.

7 Elections and Referenda

- 7.1. All JCR ballots must be conducted as secret ballots.
- 7.2. All JCR ballots with more than two options must be conducted using the Single Transferable Vote (STV) system.
- 7.3. The quorum for a ballot is 5% of the electorate.
- 7.4. Adequate notice must be given to JCR members at each stage of the ballot process.
- 7.5. Every ballot must have a Senior Returning Officer, Junior Returning Officer and a Scrutineer ("**election officials**") who are responsible for ensuring that procedures are carried out correctly.
 - 7.5.1. A candidate must not act as an election official for the same election.
 - 7.5.2. No person may hold two or more election official roles for the same ballot.
- 7.6. The election officials must act impartially and transparently.
- 7.7. The Scrutineer must observe the election to ensure it is conducted fairly and in accordance with the Standing Orders.
- 7.8. The voting period for a ballot must be not shorter than 24 hours.
- 7.9. At the end of the voting period, the Returning Officers must promptly announce the results of the ballot.
- 7.10. A person must not cause a change to the results of a ballot by any action other than the casting of a single lawful vote.
 - 7.10.1. Consequently:
 - (a) A member must not vote more than once in the same ballot.
 - (b) The results of a ballot must not be altered by any JCR Officer or Committee.
- 7.11. A member must not reveal how another member has voted.
- 7.12. To maintain the secrecy of the ballot, a member must not prove to any person how they have voted.
- 7.13. Members must not engage in unfair election practices.
 - 7.13.1. Practices considered unfair include:
 - (a) Unduly influencing a member to vote or not vote in a certain way;
 - (b) Making false statements about a candidate;

(c) Treating or bribery.

- 7.14. If an election official has reasonable suspicion that the Standing Orders have been contravened regarding a ballot, then they must refer the matter to Constitutional Committee.
- 7.15. A ballot may be declared invalid if either the Returning Officers or Constitutional Committee conclude that the Standing Orders have been contravened regarding a ballot and that it is in the interests of democracy to rerun the ballot.
- 7.16. If a ballot is declared invalid, then—
- (a) The result is void.
 - (b) Constitutional Committee must decide whether the whole ballot process must be restarted or whether only the voting itself must be rerun.
 - (c) The Returning Officers must act in accordance with the decision made by Constitutional Committee within a reasonable timeframe.
- 7.17. Executive Officers must act impartially towards candidates during elections.
- 7.17.1. They must not offer support or assistance to any candidate without offering the same to all other candidates in the same election.
- 7.18. In all elections “Re-open Nominations” (RON) must be included as an option.

8 Appointment and Removal of JCR Officers

- 8.1. All officers must be appointed in a fair and transparent process.
- 8.2. All Executive Officers must be elected with the exception of the Sabbatical Bar Steward.
- 8.3. A member can only hold one Executive Officer position at a time but can be re-elected to the same position or elected to a different position for a term of office after the end of their current term.
- 8.4. Members of JCR Committees hold office until the end of the academic year in which they are appointed, unless otherwise stated in the Standing Orders.
- 8.5. Any non-sabbatical Officer of the JCR may stand down from their role by writing to the President.
 - 8.5.1. The President must report this to the JCR as soon as appropriate.
- 8.6. Should an Officer be considered to have fallen short of fulfilment of the duties assigned to them, the JCR may pass a formal warning motion against that Officer.
- 8.7. Should an Officer continue to fall short of fulfilment of the duties assigned to them following a formal warning, or if the actions of an officer are considered to be serious misconduct, a motion of no confidence must be debated at a JCR meeting and then put to a referendum.
 - 8.7.1. If a motion of no confidence is agreed, the Officer will immediately cease to hold their office.
 - 8.7.2. The Executive Committee may suspend the Officer from carrying out their duties until the referendum has been voted on.
 - 8.7.3. This is the only way an elected officer may be removed without their consent.
- 8.8. Any vacancy which arises must be filled at the earliest opportunity in the manner normal for that post.
- 8.9. The following special conditions apply to Sabbatical Officers of the JCR:
 - 8.9.1. Candidates for Sabbatical Officer positions must be in the final year of their degree or be an incumbent Sabbatical Officer.
 - 8.9.2. A member may only hold Sabbatical Office for up to two years in total, in accordance with the Education Act 1994 section 22.
 - 8.9.3. Sabbatical Officers may resign from their post in accordance with their contract of employment.

- 8.9.4. If a Sabbatical Officer is accused of misconduct, this must be reported to the Board of Trustees.
- 8.9.5. Where there is an extraordinary vacancy for a Sabbatical Officer position, a student may be elected to the position for the remainder of the term of office.
- 8.10. External Trustees may also be subject to motions of no confidence.
- 8.11. Trustees and Sabbatical Officers have right of appeal against removal in accordance with the Governing Document.

9 JCR Finances

- 9.1. The trustees are responsible to the JCR for ensuring that the JCR remains in a sound financial position.
- 9.2. The FACSO is responsible for the financial transactions of the JCR and must advise the President and the Executive Committee on financial matters.
- 9.3. The FACSO is responsible for the preparation of the JCR budget and accounts and for liaising with the University on these as required.
- 9.4. Other officers or members of Treasury Committee may be delegated specific financial responsibilities overseen by the FACSO.
- 9.5. The Treasury Committee has the power to intervene in the running of a JCR Committee or Society account if they are making a financial loss or if there is reasonable suspicion of misuse of funds.
- 9.6. The Financial Auditing Committee must have access to all financial documents of the JCR.

10 Resolution of Issues

- 10.1. Members of the JCR should attempt to resolve issues by informal discussion before following the formal procedures for resolution of issues.

Appealing a decision of the JCR

- 10.2. If a member of the JCR wishes to appeal against a decision of the JCR (or one of its committees or officers) they may do so by writing to the Chair to request the decision be reviewed by the Executive Committee.
- 10.3. If a member is unhappy with the outcome of a review, they may appeal to the Board of Trustees.

Alleged misconduct by a JCR member

- 10.4. If a JCR Officer reasonably believes that a member has committed misconduct while participating in JCR activities or otherwise of interest to the JCR, then they must report this to the President or the Chair.
- 10.5. The President and Chair must record and respond to reports of misconduct appropriately.
- 10.6. Any matter which may represent a criminal act must be reported by the President or Chair to the Head of College and the Board of Trustees.
- 10.7. Members must not unreasonably obstruct investigations of alleged misconduct.
- 10.8. Where the JCR President or JCR Chair determines that a breach of the JCR Standing Orders or policy has occurred, they must implement an appropriate remedy (that complies with the Standing Orders), consulting with Constitutional Committee and, where appropriate, Executive Committee and/or Board of Trustees.