



**TITLE:** Standing order amendments; Constitutional Committee (internal)

**DATE:** 2021-10-27

**AUTHOR:** Dominic Laurens (JCR Chair)

## Overhaul of Constitutional Committee

### 1. Purpose

To improve the ability of Constitutional Committee to review and amend the Constitution, with the aim of improving the ability to improve the operation of the JCR. It is proposed that this will be achieved by changing the committee management.

Moreover, the committee has suffered from poor uptake in previous years. It is hoped a change of name to Governance Committee will improve the uptake.

### 2. Proposed amendments

#### 2.1. The Head of Constitutional Committee

It is proposed that the JCR Chair becomes the Head of Constitutional Committee; in response to this, the Deputy Chair will become Assistant Head of Constitutional Committee.

##### *A. Amendment to the Committees and Job Descriptions, clause 4.51.*

4.51. The membership of Constitutional Committee must be as follows:

- (a) The Head of Constitutional Committee (~~the Deputy Chair~~) (the JCR Chair)
- (b) The Assistant Head of Constitutional Committee (the Deputy Chair)
- (c) The President
- (d) The FACSO
- (e) The Senior Welfare Officer
- (f) The Student Trustees
- (g) Several ordinary committee members.

4.51.1. The ordinary committee members must not be Executive Officers.

4.51.2. The Deputy Chair assumes the role of Head of Constitutional Committee if the JCR Chair is no longer able to fulfil the role.

##### *B. Amendment to the Committees and Job Descriptions, clause 1.31.*

1.31. The responsibilities of the Chair include:

- (a) To chair all JCR meetings, where possible;
- (b) To make rulings on interpretation of the Standing Orders as necessary;
- (c) To ensure the fair running of the JCR including elections, interviews, committees, clubs and societies;
- (d) To convene and chair meetings of the Executive Committee;
- (e) To fulfil the role of Head of Constitutional Committee;
- (f) To ensure that the functions of Constitutional Committee are carried out;
- (g) To represent Constitutional Committee.

Executive Committee  
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***C. Amendment to the Committee and Job Descriptions, clause 3.1.***

3.1. The responsibilities of the Deputy Chair include:

- (a) To deputise for the JCR Chair in interviews and meetings, where necessary;
- (b) To assist the JCR Chair in their role, as necessary;
- (c) To take the minutes or ensure that minutes are taken for Treasury Committee and Financial Auditing Committee meetings;
- ~~(d) To head Constitutional Committee;~~
- (d) To fulfil the role of Assistant Head of Constitutional Committee;**
- (e) To ensure that the functions of Constitutional Committee are carried out;
- (f) To represent Constitutional Committee and report to the JCR as necessary.

This change has the potential to affect the ability of the committee to fulfil 4.50. (a) of the Committees and Job Descriptions; “To scrutinise the decisions of the JCR Chair”. Therefore, a procedure to allow this scrutiny should be added to the Operational Standing Orders. Additionally, this change satisfies 6.21. of the Permanent Standing Orders; “Constitutional Committee must have sufficient independence from the Executive Committee to effectively carry out its scrutiny roles.”.

***D. Amendment to the Operational Standing Orders, clause 8.***

8.1. Constitutional Committee must meet formally at the start of every term.

8.2. Constitutional Committee may exclude any of its members from a meeting or part of a meeting if reasonably necessary to successfully fulfil its scrutiny functions.

8.3. For Constitutional Committee, the following special conditions apply to the quorum:

8.3.1. The quorum only counts non-Executive Officer members.

8.3.2. The committee is considered to be inquorate if non-Executive Officer members do not outnumber the voting Executive Officer members.

8.3.3. For the fulfilment of this requirement, an Executive Officer member may exclude themselves from votes while remaining present at a meeting.

8.4. Constitutional Committee meetings must be chaired by one of the non-Executive Officer members on a rotating basis.

8.5. Voting in Constitutional Committee meetings must be anonymous.

8.6. Constitutional Committee can require the attendance of any Officer at a meeting if this is reasonably necessary for the fulfilment of its functions.

**8.7. Procedure to allow Constitutional Committee to fulfil its scrutinising roles:**

**8.7.1. Any member of Constitutional Committee can call a meeting;**

**8.7.2. The Assistant Head of Constitutional Committee (Deputy Chair) should report any instances of misconduct to both the Constitutional Committee and Executive Committee.**

# Executive Committee

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### 2.2. Operational amendments

#### *A. Amendments to Committees and Job Descriptions, clause 4.50.*

4.50. The functions of Constitutional Committee are:

- (a) To scrutinise the decisions of the JCR Chair **and Executive Committee;**
- (b) To decide an election timetable at the start of each term;
- (c) To aid the JCR Chair in the running of elections;
- (d) To scrutinise the running of elections and referenda;
- (e) To scrutinise the activities of the whole JCR to ensure that they comply with the Standing Orders.
- (f) To be responsible for reviewing the Standing Orders and reporting on any problems, difficulties or inconsistencies;
- (g) To draw up proposals to amend the Standing Orders for the benefit of the JCR;
- (h) To approve any proposed amendments to the Standing Orders;
- (i) To review motions submitted by JCR members and examine how they will change the Standing Orders or how the Standing Orders would need to be changed to accomplish the aims of the motion;
- ~~(j) To print a copy of the Standing Orders at the end of every term;~~
- (j) To obtain and publish **(including the creation of a printed copy)** the minutes of JCR meetings and meetings of Executive Committee, Treasury Committee and Constitutional Committee;
- (k) To promote a culture of transparency and accountability in the JCR.

#### *B. Amendments to Committee and Job Descriptions, clause 2.1.*

2.1. The responsibilities of the Student Trustees include:

- (a) To be trustees of the CIO;
- (b) To represent the views of student members to the Board of Trustees;
- (c) To ensure student members are kept informed about the Board of Trustees;
- (d) To fulfil the role of ordinary members on Constitutional Committee.**

### 2.3. Name change

It is proposed **Constitutional Committee is renamed Governance Committee.**

As such all reference to Constitutional Committee (in the Permanent Standing Orders, Operational Standing Orders, Committees and Job Descriptions, Appendices A through L, this document, and any other JCR material) will be altered to Governance Committee.

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## Appendices

### I. Procedure to amend the 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.

### II. Requirements for Constitutional Committee Quorum

- 8.3. For Constitutional Committee, the following special conditions apply to the quorum:
  - 8.3.1. The quorum only counts non-Executive Officer members.
  - 8.3.2. The committee is considered to be inquorate if non-Executive Officer members do not outnumber the voting Executive Officer members.
  - 8.3.3. For the fulfilment of this requirement, an Executive Officer member may exclude themselves from votes while remaining present at a meeting.