

**UNIVERSITY OF GLASGOW
STUDENTS' REPRESENTATIVE COUNCIL**

SUMMARY OF REVISED CONSTITUTION

Why a new constitution?

The previous SRC constitution had been subject to considerable piecemeal change over many years. This resulted in legal ambiguity, uncertainty and bureaucracy. Importantly, the constitution was out of step with statutory requirements introduced by the Charities and Trustees Investment (Scotland) Act 2005, the Education Act 1994, Glasgow University's Code of Practice, equal opportunities law, and principles of good governance and best practice.

Methodology

Council appointed Govan Law Centre (GLC) to undertake a comprehensive review of the SRC's governance structures. GLC carried out two detailed consultative meetings with the former and current Executive and other stakeholders (13 May and 29 July 2005). These meetings identified key strengths and weaknesses, and provided the basis for reform. GLC has sought to bring the constitution up-to-date and comply with all relevant statutory requirements. In addition, an overarching principle of drafting was to create a constitution that was simple, clear and as workable as possible.

Structure

The previous constitution used technical terminology and was difficult to navigate. The revised constitution employs a short 'main body' constitution which sets out the nuts and bolts of the organisation. It uses simple language. By reading the main body any student can quickly discover how the organisation works, and/or where to find more detail. Important rules and principles are set out in accompanying schedules, which are referred to in the main body.

Operational or procedural matters which will likely change on a regular basis (e.g. the type of facilities provided to clubs, societies or support groups; the number or types of sub-committees etc.) are regulated by Council or Executive standing order. This provides flexibility. By avoiding the need to amend key rules and principles, and making it harder to do so, organisational stability is enhanced.

Constitution - key features

- **Definitions, para 2:** sets out the meaning of common terms used throughout the constitution, schedules and any standing orders that may be made from time to time by the Council or Executive.
- **Objectives, para 3:** Updated and revised to comply with the new two part charity test introduced by the Charities and Trustees Investment (Scotland) Act 2005. Note, we await approval from the Office of the Scottish Charity Regulator (OSCR); this draft clause is presently with the OSCR for comment.

- **Compliance with Education Act 1994, paras 4-6:** The Education Act 1994 imposes a number of legal requirements on student associations and universities. These paragraphs, and the revised draft as a whole, complies with these. In particular, the SRC must permit opt out of membership, and operate an organisational complaints procedure. It must also have regard to the University's Code of Practice, as issued under the 1994 Act.
- **Council, Executive and Offices, paras 7-10:** These paragraphs make provision for a Council of not more than 37 members, an Executive of not more than 12 Council members, Offices of President, Depute and Vice-Presidents, and Permanent Secretary. This represents a larger more inclusive Executive, and a more manageable size of Council.
- **Powers & finance, paras 11-13:** Respective roles are expressly set out: the Permanent Secretary undertakes day-to-day management on behalf of the Executive; the Executive implement Council policy on a day-to-day basis. To do so, the Executive (on behalf of the Council and through the Permanent Secretary) has operational financial power and responsibility. Various checks and balances, as required by the University, are provided for.
- **Meetings & affiliations, paras 14-15:** The Council will meet at least six times per annum. The President will chair Council, unless he or she declines, in which case another member of the Executive will be appointed. Minutes will be kept by the Permanent Secretary, who will also keep a record of all affiliations to external organisations.
- **Schedules & standing orders, para 16:** Council may amend Schedules or make standing orders on a 2/3rd vote of those present; provided that at least fourteen days notice has been given; and excepting that in the case of an amendment to a Schedule this must subsequently be approved by the University. Unsuccessful changes cannot be introduced until three months has elapsed. The Executive may make its own standing orders in relation to its constitutional functions.
- **Amendment & review of the Constitution, paras 17-18:** Council may amend the Constitution provided at least four weeks notice has first been given and on a 2/3rd vote of those present; providing that at least 2/3rd of Council is present and the amendment is subsequently approved by the University. Unsuccessful changes cannot be introduced until six months has elapsed.

Schedules - key features

- **Schedule 1 - Membership:** All students are automatically members of the SRC. Students can opt out once per academic session, and the Permanent Secretary will record same. Membership entitles students to vote and stand for election. Where students opt out they can still use SRC facilities and services.

- **Schedule 2 – Elections:** There are 31 elected positions on Council – 5 in the Sabbatical constituency, 8 in the Academic constituency, 9 in the Welfare and Equal Opportunities and 9 in the General student constituency (of which 2 must be postgraduate and 2 first year students). All members have one vote. A candidate can stand for one position at one election, and for a position with which they can self-identify. Members can only vote and nominate candidates in academic constituencies to which they belong. Votes are cast online. There is also provision for 6 ex officio members of Council. The Executive Committee comprises of the Sabbatical constituency, together with 2 members elected from the Academic, Welfare & Equal Opportunities and General Student constituencies; with a further member elected from non-Executive members of Council (12 positions on the Executive in total).
- **Schedule 3 – Code of Conduct:** All members are subject to a basic Code of conduct, but Council members are also subject to additional standards. A student who believes the behaviour of a member or Council member has breached the Code of conduct can lodge a complaint. Complaints are sifted by the Permanent Secretary in terms of relevance and admissibility. Competent complaints are investigated by an independent Reporter who reports to an independent Standards Committee. This is a more simplified version of the system used by the Public Standards Commissioner for Scotland. There is a right of appeal to the University. A range of sanctions is provided for.
- **Schedule 4 – Services and Finance:** This schedule sets out the range of services provided to students by the SRC and makes provision for the financing of same. Provision is made for the appointment of solicitors, and chartered accountants who will report to Council on their formal audit of SRC finances.
- **Schedule 5 – Clubs & Societies:** This Schedule regulates the affiliation and awarding of grants to clubs and societies by the Executive.
- **Schedule 6 – Student Support Groups:** This Schedule creates a sub-committee of the Executive (the 'Student Support Group Committee') to regulate the affiliation and awarding of grants to student support groups.
- **Schedule 7 – Regulation of Meetings:** The quorum for meetings is one third of the actual membership of the committee, Executive, or Council, Fractions are rounded down.