

Liverpool John Moores University Students' Union Constitution

Endorsed by LJMU Board of Governors on 21 November 2016

Name change agreed by LJMU Board of Governors on 27 November 2017

Chapter 1: About Liverpool John Moores University Students' Union

1a Our name and aims

1 Throughout the rest of this document, Liverpool John Moores University Students' Union will be referred to as 'JMSU'.

2 Our aims are to advance the education of students at Liverpool John Moores University (LJMU) by:

- Representing, supporting and advising students at LJMU and promoting their interests and welfare
- Being the recognised representative channel between students and LJMU, and any other external bodies
- Providing social, cultural, sporting and recreational activities and forums for discussions and debate for students' personal development.

3 We want progress for our members in:

- Student activities - involving students in clubs and societies, events that promote their interests, services that meet their needs and a democracy that inspires change all year
- Academic quality - making sure there is a strong and active learner voice, responsive University systems and improved rights for all students
- Community engagement – keeping students actively involved in their local area, providing them with safe, secure and affordable accommodation, and making sure they are in touch with Liverpool City Council and the local community.

Chapter 2: Membership

2a Types of members

1 There will be the following types of membership:

- Full Members –
 - (i) students enrolled at LJMU;
 - (ii) JMSU Sabbatical Officers;
 - (iii) former students who have completed their course of study but remain in their term of office as a student trustee, up to the maximum of their two year term.
- Strategic Members – Community Trustees, the Chief Executive and JMSU staff as decided by the Chief Executive
- Life Members – former Full Members who continue to support our aims
- Associate Members – other supporters of our aims. This may depend on a fee set by our Trustees
- Honorary Life Members – awarded through an active member conversation process and confirmed by the trustee board, to those who made a contribution that impressed our Full Members

2b Student 'opt-out'

1 Students can opt out and end their union membership by writing to the Chief Executive within 14 days of the start of each enrolment period and details of how to do this will be published on the organisation's website.

2 Each semester the Chief Executive will send the Registrar and Deputy Chief Executive a list of all students who have opted out.

Chapter 3: How we are run

3a Officers

1 There will be four Sabbatical Officers each year:

- President – the main Officer responsible for our strategies, public profile and communication with University leaders and outside organisations. The President will be a member of the University's Board of Governors and Campaigner-in-Chief for all our aims. They will be the Delegation Leader at, and have automatic right to attend, the National Union of Students (NUS) National Conference
- Vice President (Activities) – responsible for delivering our vision for student activities in collaboration with our active member conversation's process
- Vice President (Academic Quality) – responsible for delivering our vision for academic quality in collaboration with our active member conversation's process
- Vice President (Community Engagement) – responsible for delivering our vision for community engagement in collaboration with our active member conversation's process.

2 Officers are the leading political representatives of our organisation.

3 Officers are responsible for:

- promoting our policies
- carrying out their democratic responsibilities, going out and talking to students, campaigning for positive change, encouraging and celebrating diversity.

4 Each Vice President will support JMSU's academic representation work by representing students at University meetings relating to particular Faculties or campuses, as allocated across the group, after discussion, by the Vice President Academic Quality.

5 Each Officer will take a lead role in representing one of the following demographics of student: part-time students; mature students; post-graduate students and commuter students. Allocation of groups will be decided by agreement between the Officers; the final decision being with the President.

6 Officers will be responsible for ensuring that representation and delivery of services planned, following allocation of responsibilities under 3a(5), takes account of student segment groups as defined in JMSU research.

7 Officers should work with the Chief Executive to achieve their aims and objectives. Officers should meet regularly, as a team, with the Chief Executive to make sure that JMSU and any campaigns are running smoothly, in line with guidance set by the Trustees.

8 The Vice President Activities is responsible for ensuring funding provided to student groups is allocated in a fair and transparent way and decisions published so as to be accessible to all members.

9 In addition to the President, the trustee board will through a voting process, select one other Officer to take a second position as a member of the University's Board of Governors.

10 Officers will begin their term of office on the first Monday in July following their election and end it 54 weeks later. Officers cannot hold another office or be an employee of JMSU during their term. Officers will not hold a sabbatical position for more than two years.

3b JMSU Scrutiny Panel

- 1** Each semester, Officers will present a report in person, on progress against their annual objectives, to the JMSU Scrutiny Panel. The Panel will provide support, assist with problem solving and note achievements.
- 2** Following each meeting, the Scrutiny Panel will produce a report, noting progress and achievements on Officers' objectives and the report will be published in a location accessible to all members.
- 3** Meetings of the Scrutiny Panel may be recorded and video published in a location accessible to all members.
- 4** Membership of the Panel for each meeting will be decided by the trustee board and will include at least:
 - A Student Trustee who will Chair the Panel
 - A Community Trustee who will be Vice Chair of the Panel □ A representative from LJMU.

3c Trustees

- 1** The Trustees are:
 - The President and Vice-Presidents
 - Four student trustees, at least two of whom will be women, selected for two years.
 - Three community stakeholders, at least one of whom will be women, selected as community trustees for three years and required to stand for re-selection after this period.
- 2** Candidates for community trustee positions available for selection in any year will be decided on by a Recruitment Panel.
- 3** Candidates for student trustee positions available for selection in any year will be decided on by a recruitment panel consisting of one sabbatical officer, one student trustee and one community trustee. If it is not possible for the panel to consist of one trustee from each section then at least two must be represented.
- 4** The primary recruitment exercise for student trustee positions available for selection will be undertaken so that they start their period in office on the first Monday in July. Recruitment may at the trustee board's discretion be undertaken at other points in the year to fill any positions that may become vacant.
- 5** Trustees are fully responsible for all activities.
- 6** Trustees will provide an Annual Report and Plan to the Annual General Meeting which will show their aims for that year.
- 7** Trustees will together be responsible for:
 - Making sure they keep in line with governing documents, charity law, company law and any other relevant laws or regulations
 - Making sure all activities and use of resources are in line with our aims, as set out in this Constitution
 - Developing a strategic plan, deciding on policies, setting targets and measuring performance levels
 - Protecting our good name and values
 - Making sure we are run effectively and efficiently
 - Protecting and managing our property and making sure our money is properly invested
 - Reviewing, at least every three years, how decisions are made and how we are governed
 - Meeting as a group every three months, with at least half of all members present.
- 8** The Chair of the Board of Trustees will be the President.
- 9** The Vice Chair will be elected by the board of Trustees from the Community Trustees.
- 10** The Chair and Vice Chair will be responsible, on behalf of the Board of Trustees, for:
 - Appointing the Chief Executive and monitoring their performance

- Making sure all communications with the University Board of Governors are in line with the Code of Practice.

11 Should the Chair and Vice Chair for any reason be unavailable to undertake their responsibilities then the trustee board may elect another board member to take either of these positions for as long a period as is considered necessary and this will be notified to students and LJMU Board of Governors.

12 Decisions made at Trustee Board meetings will be decided by a majority of votes. If there is an equality of votes, the Chair of the meeting will be entitled to a casting vote in addition to any other vote they have already made.

13 No Trustee may be employed by or receive any other financial benefit from JMSU. This shall not prevent any payment in good faith by JMSU of reasonable and proper remuneration to any Sabbatical Officer for any goods or services supplied to the Union on the instructions of the Trustees or of any Student Trustee employed as student staff.

3d Subcommittees

1 The Trustee Board may at any time:

- (i) establish any Committee for any period of time that it considers necessary;
- (ii) delegate to that Committee, any or all of the following: decision-making powers, executive functions, advisory powers or recommendatory functions.
- (iii) decide the way in which membership and quorum of that Committee shall be decided.

2 Every Committee shall appoint a secretary who will be responsible for ensuring that minutes of every meeting of that Committee are produced and provided to the Trustee Board

3e Decisions without a meeting

1 The trustees may make a unanimous decision outside of scheduled meetings, by indicating to each other by any means, including electronic, that they share a common view on a matter.

2 A decision made under 3d (1) will be as valid and effectual as if it had been passed at a meeting of trustees, provided that:

- (i) approval from each trustee must be received by one person, nominated in advance for this purpose and that person may be one of the trustees;
- (ii) following receipt of responses from all of the trustees, the nominated person communicates to all of the trustees, by any means, whether the resolution has been approved under 3c(1);
- (iii) the nominated person prepares a minute of the decision and this is included in the minutes of the next scheduled board meeting.

3 The date of a decision made under 3d(1) will be the date the communication of the decision is sent by the nominated person to all trustees.

3f Disqualification, Removal and Resignation

1 Trustees are disqualified from the position when:

- (i) In the case of a community trustee, they have served on the board for a total of six years
- (ii) In the case of a student trustee, they have served on the board for a total of two years
- (iii) In the case of a student trustee, they cease their course of study for a reason other than completion

2 Trustees may hold a position on the board through qualifying under the requirements of only one section at any point in time; those being Sabbatical Officer, Student Trustee or Community Trustee. If a trustee meets the requirements to hold a position under more than one section then they will only be considered to be a trustee under the first section in the order:

- (i) Sabbatical Officer
- (ii) Student Trustee
- (iii) Community Trustee

- 3 Once a trustee's term in office under one section according to 3e(2) has ended then they will not automatically become a trustee under another section, unless a separate selection process has taken place.
- 4 All resignations will be made in writing to the President who will inform the Chief Executive and the Board of Trustees as soon as possible, or at their next meeting.
- 5 No Sabbatical Officer can resign as a Trustee and keep their position as a Sabbatical Officer.
- 6 The trustee board may set further rules to govern removal or disqualification of trustees in other circumstances.

3g Changing the Constitution

- 1 Any change to the Constitution can be proposed by:
 - An individual Trustee
 - An Active Member Conversation process or Annual General Meeting.
- 2 The Board of Trustees will consider any changes to the Constitution but changes must be supported by at least one member from each of the three trustee groups before being passed, and sent to the LJMU Board of Governors for final endorsement.
- 3 Full members can also suggest changes to the Constitution by referendum, as described in Chapter 7 of this constitution.
- 4 No amendment proposed to this constitution will be able to change section 1a(2) (our charitable aims) or section 3c(14) (financial benefit) without the written agreement of the Charity Commission.

3h Audit

- 1 Our Audited Accounts will be available at the Annual General Meeting.
- 2 The Board of Trustees will propose Auditors for the coming year to the Annual General Meeting.

3i Protection against loss

- 1 All Trustees, appointees or members of our staff will be protected by our assets against all losses or liability, damage or misfortune which they may suffer as part of their role. This is unless they have been negligent. This clause will only apply to those people who follow our rules and procedures.

3j Declaration of interest

- 1 All Trustees, appointees, students or members of staff should:
 - Make sure they mention any conflict of interest to the Chief Executive and complete a written declaration, as appropriate
 - Avoid making decisions that benefit them
 - Not make decisions that benefit them financially or personally, as all decisions should be made in the best interests of the membership.

Chapter 4: Active Member Conversation

4a About Active Member Conversation

- 1 JMSU will periodically question its members on its policy positions and priorities. The process by which this is done will be referred to as active member conversation, although other titles may be used operationally if it is considered this will generate engagement from members.
- 2 Active member conversation activity will be carried out at various points throughout the year, with steps being taken to achieve good engagement from a wide-range of members.
- 3 Active member conversation activity will be chaired by a student trustee, who will be responsible for deciding on points for discussion or decision and facilitating discussion between members. The specific student trustee taking this role may vary at any points during the year; as agreed by the student trustees, or if agreement cannot be reached then the trustee board.
- 4 Active member conversation process will be open to all Full Members of JMSU who can make comments, put forward ideas and suggest items for discussion.

Chapter 5: Affiliations

5a Affiliations Process

- 1 Any affiliations of proposed links to outside organisations should be:
 - proposed by any Full Member, the Board of Trustees or through the active member conversation process.
 - considered by the Board of Trustees, or the Chair, Vice Chair or Vice President Activities, on their behalf, to identify whether the proposal supports our aims.
 - advertised in a location accessible to members for at least two weeks, with instructions as to how members may challenge or oppose the proposed affiliation.
- 2 Receipt of a proposal to reject an affiliation will lead to an online vote which will run for one week and will require a simple majority to approve or reject the affiliation. Those in favour and those opposing the affiliation will be given the opportunity to state their respective arguments.

Chapter 6: Annual General Meeting (AGM)

6a AGM Arrangements

- 1 JMSU will hold an AGM once in each calendar year, or should this not be possible in any particular year, then not more than 15 months after the previous AGM.
- 2 The AGM will be held at a time and place that the trustees think will allow the maximum number of members to attend. The AGM may be held simultaneously at a number of venues with a video, audio or other real-time link between venues.
- 3 At least 14 clear days' notice must be given of an AGM. Notice must be given in a location, online or otherwise, that is accessible to all members, encourages members to attend and details must be given of the day, time and venue. Details must be given of the agenda items that will be discussed at the meeting, presentations that will be given and proposals that will be presented for voting.
- 4 As a minimum, the AGM will:
 - (i) receive a report from the trustee board and the audited accounts;
 - (ii) consider JMSU's affiliations to other organisations;
 - (iii) hear from the JMSU President
 - (iv) allow members to raise any issues with the trustee board.
- 5 Decisions made at the AGM will be decided by a majority of votes of those present at the time of voting. If there is an equality of votes, the chair of the trustee board, or chair of the AGM in their absence, will be entitled to a casting vote in addition to any other vote they have already made.

- 6 Any decisions brought to the AGM which remain outstanding following the meeting will be published online or otherwise for at least 7 days following the meeting so as to be available to all full members and comments invited and recorded. The Trustee Board may then make decisions on these matters as required; but in doing so must take account of comments received from full members.

Chapter 7: Campaigning and Liberation Support

7a Support to groups

- 1 JMSU will develop and support liberation campaigning activity for:
- Women students;
 - Disabled students;
 - LGBT+ students;
 - Black, Asian and Minority-Ethnic students.
- 2 Where one or more student societies are established with the intention of representing the interests of group listed in 7a(1), those societies will annually be given the option of being considered as the first point of contact and primary focus for campaign development work.
- 3 JMSU will offer training on liberation to its volunteers.

7b Support to Events

- 1 JMSU will allocate resources to promote annual nationally recognised celebratory or awareness raising events that are relevant to the groups listed in 7a(1).
- 2 JMSU will take steps to enable students to decide how allocated funding should be spent on events identified under 7b(1) and will support the co-ordination of projects so that students can contribute through giving both small and larger amounts of their time.

7c NUS Sections Conferences

- 1 Societies recognised by JMSU as representing the interests of groups listed in 7a(1) and 3a(5) will be invited to hold elections to select the JMSU delegates to the appropriate NUS conferences. Delegates selected must meet the NUS conditions for attending.
- 2 Any JMSU delegate to an NUS conference that is not selected under 7c(1) by a date specified by JMSU may be elected through other means as decided by the President.

Chapter 8: Elections

8a About the elections

- 1 Elections to Sabbatical Officer and NUS Delegate positions are open to all Full Members.
- 2 Full members should nominate themselves to become a candidate in the elections. Any Full Member who has been banned from holding public office or a position of trust in a charity will not be able to be nominated to a Sabbatical Officer position.
- 3 All elections should be carried out under the Electoral Reform Society rules for the Single Transferable Vote.
- 4 Each candidate will produce a manifesto that includes the candidate's full name, the position they are running for and a photograph.

- 5 Nomination lists and election timetables will be promoted fairly to those who are eligible to vote.
- 6 The voting records from all elections will be held for at least two years.
- 7 An NUS nominee will be Returning Officer for elections.
- 8 A member of JMSU paid staff, nominated by the Chief Executive, will be Deputy Returning Officer.

8b The Elections Committee

- 1 An Elections Committee must be organised in time for an election. The Committee may have up to 6 members, including:
 - students who are not standing for election
 - a Student Trustee, provided that individual is not standing for election.
- 2 Meetings will be attended by:
 - the Returning Officer, should they choose to attend
 - the Deputy Returning Officer
- 3 Meetings are convened and organised by the Deputy Returning Officer who reports to the Committee and will also keep records.
- 4 The Committee is chaired by the Student Trustee member, or if there is no such member, or they are absent for a particular meeting, a student member.
- 5 The Elections Committee will be responsible for oversight of the elections timetable and communications plan.
- 6 The Elections Committee will be advised of any complaints received during the course of the election and the decisions made by the Deputy Returning Officer or Returning Officer.
- 7 At least one representative of the Committee will be invited to attend the vote count and declaration of results.
- 8 Following an election, the Committee will advise the Returning Officer on its views on whether the election followed requirements of the constitution and the election rules and on handling of complaints. These views will be taken into account in production of the Returning Officer's report.

8c Sabbatical Officer elections

- 1 Sabbatical Officer elections should be completed by the time of NUS National Conference and the ballot should remain open over at least five days.

8d NUS National Conference Delegate Elections

- 1 National Union of Students National Conference Delegate elections will remain open for at least one day.
- 2 The President may choose individuals to fill or decide a process for allocating any remaining or empty Delegate positions, not filled by election.

8e Conduct of elected members

- 1 Our elected members must keep in line with and promote our policies. They should act as a good ambassador at all times.

Chapter 9: Referendum

9a Referendum Process

- 1** All Full Members have the right to vote in any referendum carried out by a cross- campus vote, which will be open for at least three days.
- 2** All questions must suggest action that is in line with our aims and this will be agreed by the Chief Executive and Chair of the Board of Trustees. The question must be answerable by a 'yes' or 'no' vote or be a choice between two different options.
- 3** A referendum can be called by 100 full members or by a resolution of the Board of Trustees.
- 4** The referendum must take place within four weeks of being called.
- 5** The Chief Executive should promote the referendum question, the voting details and the referendum timescale.
- 6** The Chief Executive will start the first meeting of each campaign team and provide each campaign team with a budget of at least £50.
- 7** The result of the referendum will be widely published.
- 8** No similar questions can be asked within the next twelve months.

Chapter 10: Policy

10a The Policy File

- 1** The President and Chief Executive should combine the policy resolutions of all referendums, trustee board meetings including AGMs, and policy statements resulting from active member conversations. This will be known as our Policy File.
- 2** Our Policy File will be made available to all Officers, the NUS Delegation Leader and all NUS Delegates who should keep in line with our policy at all times.

10b Equality, Diversity and Inclusion

- 1** We will work in line with our Equality, Diversity and Inclusion Policy, which will be approved by the Board of Trustees every two years.

10c Complaints

- 1** There will be a Complaints Policy, approved by our Board of Trustees every two years and published on the JMSU website, which allows for due process when looking into complaints about us, including the conduct of our Officers, Trustees and societies and how they are funded.
- 2** Complaints should be dealt with quickly and fairly and where a complaint is upheld there should be an effective way of resolving the problem.

10d No platform for racists and fascists

- 1** As set out in the National Union of Students No Platform Policy, we do not have any place for, nor will we give any of our resources to, non-members and organisations who hold racist or fascist views. All membership (except Full Membership) may be withheld from members of racist or fascist organisations.

Chapter 11: Dissolution

11a Dissolution

1 JMSU will be dissolved (ended) if:

- LJMU no longer exists
- The Board of Trustees decides to close JMSU and stop operating.

2 If any assets remain after JMSU has been wound up or dissolved, and all debts and liabilities have been satisfied, they will not be paid to or distributed among any of our members. Instead, they will be given or transferred to some other charitable institution with similar aims as JMSU. The institution which will benefit will be chosen by our members or our Trustees at or before the time of winding up or dissolution.