



Constitution of

New College Lanarkshire Students' Association



**NEW
COLLEGE
LANARKSHIRE**

Bringing Education Closer

Introduction.

We, New College Lanarkshire Students' Association, are a Students' Association within the meaning of the Education Act 1994. We act as a voice for our members and are devoted to their educational interests and welfare. New College Lanarkshire provides us with funds to help us meet our objectives as set out below.

1. Objectives (aims)

We aim to advance the education of students at New College Lanarkshire for the public benefit by:

- (a) Promoting the interests and welfare of students at New College Lanarkshire during their course of study and representing, supporting and advising students;
- (b) Being the recognised representative channel between students and New College Lanarkshire and any other organisation outside New College Lanarkshire; and
- (c) Work with the college to provide social, cultural, sporting and recreational activities and forums for discussions and debate for the personal development of our students.

2. Powers

So that we can carry out our objectives, we have the power to:

- (a) Provide and promote activities, services and facilities for our members;
- (b) Raise funds and receive grants and donations;
- (c) Trade while we are carrying out any of our objectives and carry on any other trade which is not expected to lead to taxable profits; and
- (d) Do anything which complies with current legislation to achieve our objectives.



3. Money and property

3.1 Our money and property must only be used to help us carry out our objectives.

3.2 Officers cannot receive any money or property from us except:

(a) Their reasonable out-of-pocket expenses;

3.3 There shall be space made available on each of the three main campuses for the Students' Association to use as office space and for students to identify as the focal point for the Students' Association.

3.4 All money and property will be dealt with according to the rules set out in the Schedules.

4. Members

4.1 Our members are:

(a) All students aged 16 and over who are registered at New College Lanarkshire and have not opted out of membership of our Association; and

(b) Our Sabbatical Officers.

4.2 You cannot transfer your membership to someone else. Your membership will automatically end if:

(a) You die;

(b) You stop being a student, or in the case of a Sabbatical Officer, your student status with the college is withdrawn in line with the College's processes;

(c) You give us written notice that you do not want to be a member, in line with the schedules;

(d) In the case of members who are not Sabbatical Officers, a decision is made to remove you from membership under the code of conduct.

4.3 The Executive Committee will set up and monitor a 'code of conduct' that all members must keep to, including when members are involved in activities or at events that are run or organised by us.

The code of conduct may include action if you break the code of conduct, including suspending or removing any or all of your rights and privileges of membership, including holding office.

4.4 You can use our facilities and take part in our educational, social, sporting and cultural activities. You can speak and vote at our meetings, nominate other members to run in elections, stand and vote in our elections, and hold office in clubs and societies. You are also entitled to the benefits set out in New College Lanarkshire's code of practice.

4.5 Registered students of New College Lanarkshire under the age of 16 shall not be members of our Association, but may take part in certain activities, as agreed by the Executive Committee and any forum for students under the age of 16 and approved by the Student Representative Council.

5. Referendums

5.1 A referendum, in which all members will be allowed to vote, may be called on any issue by:

(a) A majority vote of at least two thirds of the Student Council; or

(b) The President, if they receive a petition setting out the issue and the name, course, student card number and signature of at least 100 members.

5.2 Policy set by a referendum can overturn policy set by the members at the AGM or by the Student Council.

5.3 We will hold referendums in line with the schedules.

6. Annual general meeting (AGM)

6.1 We will hold an AGM once in each calendar year.

6.2 We will give you at least 14 working college days' notice of the place, day and time of the meeting and details of the agenda.

6.3 There must be at least 50 members present at an AGM.

6.4 The chairperson of the Student Council will chair the meeting. If this is not possible, the members at the meeting will elect a member to act as chairperson.

6.5 Every member will have one vote and decisions will be made on a simple majority unless this constitution says otherwise.



7. Elections

7.1 In line with the Education Act 1994, all office and major-union office holders will be elected by a secret ballot of our members.

7.2 The Sabbatical Officers will be 'major union office holders' for the purposes of Section 22 of the Education Act 1994 and will enter into a contract of employment with us or New College Lanarkshire. The term of office, duties and how we will pay each sabbatical officer will be set out in the schedules.

7.3 All office and major-union office holders will be elected in line with the Election Regulations set out in the Schedules.

7.4 Elections will take place every academic year. If positions remain vacant, by-elections will be called in line with the rules set out in the Election Regulations Schedule.

7.5 All office and major-union office holders terms of office will end on June 30th, unless otherwise stated or unless membership is removed under sections 4.2, 4.3 or 8.8. An in-person two week handover with newly elected members will take place before the term ends.

7.6 No member can hold any major-union office for more than two terms combined.

7.7 No member can hold one, or a combination of, major-union office for more than two terms.

7.8 The President will be the student member on the New College Lanarkshire Board. They will be a full voting member of the Board.

7.9 In the event that the President is unable to attend the Board meeting, the Vice President will substitute.

8. The New College Lanarkshire Students' Association Executive Committee

8.1 The New College Lanarkshire Students' Association Executive Committee, hereafter known as the 'Executive Committee', will include the Sabbatical Officers and no more than two non-Sabbatical Officers from each Campus Committee.

8.2 Both Sabbatical Officers and non-sabbatical campus officers will be elected in line with clause 7 and the schedules. There will never be more than 8 members of the Executive Committee at any one time.

8.3 In cases where the voting is a draw, the President will have the casting vote.

8.4 The Executive Committee will run our Association on a day-to-day basis in line with this constitution and its schedules, any relevant legislation and any decisions the members make at an AGM or referendum, or decisions made by the Student Council.

8.5 The Executive Committee will prepare a code of conduct which the Student Council must approve.

8.6 The Executive Committee will ensure that campus activity and campus issues are reported to it through the campus officers.

8.7 The Executive Committee will meet in line with the schedules.

8.8 Executive Officers will no longer be officers if:

(a) They resign by giving us notice;

(b) They fail to go to two executive meetings in a row without sending apologies; or

(c) A motion of no confidence in the officer is passed by a 66% majority in a vote of the Student Council

Because holding office is a privilege of membership, executive officers can also have the office removed under the code of conduct.

9. Misconduct

9.1 Any misconduct of an individual member will be dealt with under the College Complaints Handling Procedure.

10. The Student Council

10.1 The Student Council is responsible for:

- (a) Helping the Executive Committee and Campus Committees carry out their work and holding them to account;
- (b) Making and amending the schedules jointly with the Executive Committee in line with clause 15; and
- (c) Acting as a consultation forum for raising matters with New College Lanarkshire.

10.2 The membership and procedures of the Student Council will be set out in the schedules.

11. Affiliation to external organisations

11.1 Any proposal to affiliate to another organisation must be approved by the members at an AGM or by a referendum.

11.2 We will tell New College Lanarkshire about all new links to other organisations, including the name of the organisation and the fee to be paid.

11.3 We will include details of all links to other organisations, including the names of the organisations and each fee paid, in our annual report. Our annual report is available to all our members and to New College Lanarkshire.

11.4 If our members want to object to a current link to any particular organisation, they must present a petition, signed by at least 100 members, to the President. We will call a referendum on the issue and hold it in line with the schedules. We cannot hold another referendum about the same matter in the same academic year.

11.5 Referendums will be held in line with the schedules.





12. Clubs and societies

Clubs and societies may be recognised by the Student Council as long as they meet the requirements set out in the schedules and are in line with our objects.

13. Complaints procedure

If we receive any complaints about an individual officer, the Executive Committee, Campus Committee or any member of the Student Council, we will deal with these in the first instance then passed to common complaints procedure

14. Finance

We will receive appropriate funds from New College Lanarkshire to allow us to carry out our objectives. We will decide how to use this funding at the last meeting of our financial year, when we present our annual budget for the coming academic year.

15. Schedules

The Executive Committee and the Student Council will jointly make or amend schedules relating to how we run our Association, as long as these schedules are consistent with this constitution.

16. Minutes

The Executive Committee will have responsibility for ensuring that minutes and resolutions from all meetings are made and kept for students and future reference.

The Executive Committee will be able to request a member of College or Association staff to coordinate this work on their behalf.

17. Accounts and reports

The Association will act according to the Education Act 1994 and any other relevant legislation.

18. Winding up

If we are wound up, any money or property remaining after all our debts have been paid will belong to and be held by New College Lanarkshire in trust for the purposes of a Students' Association that represents the students of New College Lanarkshire which will be set up as soon as is reasonably practicable.

19. Amendments to the constitution

19.1 The Executive Committee and New College Lanarkshire will review this constitution every five years from the date of this constitution.

19.2 The constitution can only be amended by a resolution passed at a Student Council meeting by at least two thirds of the quorum who are entitled to vote, as long as New College Lanarkshire approves the amendments.

20. Interpretation

20.1 If anyone challenges any part of this constitution, we will ask our President to make a decision.

20.2 If the President's decision is challenged, following advice, we will ask the Student Council to make a decision.

20.3 If a member of our Association is not satisfied with the Student Council's decision they may appeal to the College Clerk, whose decision will be final.

Diane McGill

Clerk of the Board

Student President/Vice President





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