

Durham Students' Union Assembly Agenda

Thursday 8 November 2018 – 18:00, PCL054

Time	Subject	Who	Paper
18:00 18:00	A. Welcome	George Walker	
18:01 18:03	B. Minutes of the meeting on June 12	George Walker	UA/1819/02
18:03 18:05	C. Apologies for absence and conflicts of interest	Chair	

Routine Business

18:05 18:15	D. Introduction to Assembly	Chair	
18:15 18:20	E. Approval of External Board Trustee	Chair	UA/1819/03

Items for Discussion

18:20 18:40	F. Open Positions Elections	Chair	
18:40 19:10	G. Officer Priorities	Officers	
19:10 19:20	H. Procedural Motions	George Walker	UA/1819/04
19:20 19:50	I. Student Group Constitution & Heads of Terms	Charlie Walker	UA/1819/05
19:50 20:00	J. Tyne & Wear Citizens	Charlie Walker	UA/1819/06

Assembly is committed to making its meetings accessible to persons with disabilities. If you consider yourself to have any access or reasonable adjustment needs, please contact the Union President at su.president@durham.ac.uk at least 2 days in advance of the meeting to make arrangements.

Note: UA/1819/02 (minutes from 12 June meeting) not included in papers but will be available ahead of the meeting

Report from the Board of Trustees

At its meeting in June 2018, the Board approved an Annual Plan and budget for Durham SU. These outline the steps the SU will take in 2018/2019 to progress the ambitions we've outlined in Forwards, the Durham SU Strategy to 2022. The Board also approved the draft annual report on the SUs activities in 2017/2018 for submission to the University, Charity Commission and Companies House.

At its meeting in September 2018, the Board approved a framework to delegate its powers to Committees, Officers, and professional staff. It also received an update on the strategic risks which Durham SU must address. The Board approved a multi-year People Plan to invest in the professional career staff, student staff, and volunteers which help the SU do its important work. The Board also agreed objectives for the Chief Executive.

Trustee Appointments

The Board met in June 2018 and recommended the appointment of a new Durham SU Trustee, subject to a vote of Assembly. Assembly is therefore asked to ratify the appointment of Clare Powne to the Board.

Clare has recently retired as University Librarian (Head of Library and Culture Services, and Assistant Director, Academic Services) at Exeter University. She has previously served as University Librarian at Lancaster University and Deputy University Librarian at Durham University. She has served on the Council of Lancaster University.

TO: Assembly
FROM: George Walker
RE: Procedural Motions
DATE: 08 November 2018

Proposal for Assembly to Adopt Procedural Motions

Background

Assembly members have the right to control the pace, flow, and direction of their meeting. Assembly's ability to collectively guide its decision-making process ensure it can make the right decisions on the topics it wants to discuss. A procedure to bring life to this right has not previously been written down anywhere, which creates a risk that disagreement over the correct way to proceed could inhibit good decision-making. This proposal would rectify the situation by adding a standard set of 'rules of order' for Assembly meetings to the Standing Orders.

Assembly resolves:

To amend Standing Order D by appending:

The procedural motions below may be proposed. A procedural motion must have the support of five Assembly members to be debated and voted on. A vote on a procedural motion must not itself be held by secret ballot.

The motions are as follows, in decreasing order of precedence:

- I. To suspend the rules (requires a two-thirds majority),
- II. A vote of no confidence in the chair
- III. To overturn a ruling of the Chair,
- IV. To vote on a question by secret ballot (requires a two-thirds majority),
- V. To not vote on a question,
- VI. To suspend or revoke a guillotine,
- VII. To recess the meeting for a specified amount of time,
- VIII. To vote on a question in specific parts,
- IX. To vote on a question by roll call (requires only one-third of votes),
- X. To move to a vote

TO: Assembly

FROM: Charlie Walker

RE: Societies Constitution and Heads of Terms for new Student Group Agreement

DATE: 08 November 2018

Assembly notes:

1. There are roughly 250 Durham SU student groups, all of which are fully regulated by the SU. They aren't legally distinct bodies but operate with a high degree of trust and freedom.
2. Durham SU is the legal backstop for student groups. The SU assumes responsibility for grant funding, entering into contracts, providing banking facilities, taking out insurance, safeguarding, data protection, health and safety, assuring fair complaints, creating investment plans – and so on. This provides a framework where student groups can do their thing, and don't have to worry about individually constructing the infrastructure that protects their leaders and members from the most serious of risks.
3. Durham SU needs to have a flexible and happy balance between a common regulatory framework – where student groups all agree that the best way to do the things they enjoy as well as protecting themselves - and individual student group innovation.
4. Assembly and the Board of Trustees established a Working Group last year to find a new framework which struck that balance. The Working Group membership was the Chair of Societies Committee, the Opportunities Officer and another member of Societies Committee, supported by Durham SU's legal advisers.
5. The Working Group reported in summer 2018 and they recommended a new Student Group Agreement and a model constitution. The documents they agreed are appended to this motion. The Working Group agreed that these documents strike the right balance. They are recommended to Assembly.
6. Societies Committee is a Committee of Assembly with a lot of responsibility. Societies Committee should continue to act on behalf of Assembly to ensure student groups are successful.
7. The Board of Trustees has a legitimate interest in ensuring legal compliance, but this shouldn't be the same thing as requiring uniformity or limiting the innovation of student groups.

Assembly believes:

1. The overwhelming majority of student groups are already operating within the parameters of the Student Group Agreement and the model constitution. There will be very little change in regulation and absolutely no change in day to day activity.
2. A small minority of student groups will have concerns about specific parts of the changes – they might have an external bank account that receives donations from alumni, for example – and these concerns should be listened to, and allowances made where possible. This sort of difference is absolutely fine, if it's known by Durham SU and agreed to be low risk.

3. There is provision within the documents for Societies Committee to authorise differences following discussion. Societies Committee should take a sympathetic view to the concerns of individual student groups who want to do something a little bit different.
4. Most student groups will want to make sure that their aims and activities can continue, their Committees have the right volunteers in the right elected positions, and their meetings and events continue in the way that works for them. These model documents welcome that freedom and make allowances for Durham SU student groups to continue to be award winning and generally awesome.
5. The Women's Association, the Trans Association and the Working Class Students Association have not been ratified by the Durham SU Board because the constitutions they proposed have some areas which do not align with the infrastructure that applies to all other student groups (such as differences in complaints procedures, for example). The adoption of the new Student Group Agreement and the model constitution will allow these groups to make slight amendments to their proposed constitutions – such as a standard complaints procedure as required by law - and the Durham SU Board will then consider them for ratification.

Assembly resolves:

1. To approve the Student Group Agreement.
2. To approve the model Student Group Constitution.
3. To transition student groups to the model constitution over the next year, allowing time for groups that want to make a case for preserving any part of their current constitutions or who want to find out more.
4. To have all current student groups working within the model constitution after conclusion of the registration period in 2019.
5. That Societies Committee should adopt terms of reference which makes clear how it will operate and how it will discharge its duties. Societies Committee is delegated power from Assembly to agree its terms of reference, for ratification by the Board of Trustees.
6. That the Welfare and Liberation Officer and the Opportunities Officer should work together to make sure that the unratified Association constitutions are helped to align to these model documents, and therefore presented to Assembly and the Board of Trustees as soon as possible.

DURHAM SU MODEL STUDENT GROUP CONSTITUTION

NOTICE TO STUDENT GROUPS

BACKGROUND

All Student Groups must have a constitution ("**Constitution**"), which they shall submit to the Societies Committee with their application for initial registration. Upon re-registration, if any amendments to the Constitution have been made since it was last submitted to the Societies Committee, the latest version of the Constitution will need to be submitted and the amendments clearly flagged and explained. If no amendments have been made the Student Group shall be required to make a declaration to this effect.

Each Student Group's Constitution shall clearly set out how the Student Group is governed internally i.e. its purposes, powers, governance arrangements and proceedings. Having a clear Constitution, which all members adhere to, will help to ensure that the Student Group is run smoothly and efficiently and that its members can focus their efforts on "successfully" fulfilling the Society's purposes rather than on governance issues.

THE TEMPLATE CONSTITUTION

For each Student Group, the Constitution is its key governing document and sets out the rules under which it conducts itself. It is therefore important that the Constitution accurately reflects what the Student Group wants to achieve and how they want it to operate.

To help ensure that your Student Group covers 'the basics' we have created a template constitution for you to use as a starting point – please see Appendix 1. All Student Groups must use and complete this template. We have also created some guidance to help you to complete the template – please see Appendix 2.

If you would like to make any changes to the template to deal with any specific needs that your Society may have, please do explain those changes and the specific needs in as much detail as you can when applying for registration or re-registration (as applicable). The Societies Committee has discretion whether or not to accept certain changes, and therefore whether or not to accept your application for registration or re-registration. The more information that you can provide to help the Societies Committee to assess the changes, the better.

Should you wish to make any changes to your Constitution in the interim period then the procedure set out in the template constitution at Appendix 1 must be followed.

Please note that any changes to the items listed at clause 10.2 on page 9 of this document will require the prior written consent of Durham SU given their particular importance.

If you have any questions please contact **[TBC]**.

APPENDIX 1

STUDENT SOCIETY CONSTITUTION

Adopted on [INSERT DATE]

1. NAME, AIMS AND ORGANISATION

- 1.1 The Society is called [INSERT NAME], but in this Constitution will be referred to as simply **the Society**.
- 1.2 The aims of the Society are
 - 1.2.1 [INSERT AIM]
 - 1.2.2 [INSERT AIM] etc
 (the **Aims**).
- 1.3 In order to achieve its Aims, the Society may:
 - 1.3.1 [INSERT DETAILS]
 - 1.3.2 [INSERT DETAILS] etc
 - 1.3.3 Carry out such other activities which the Committee (defined in clause 6) believes will help the Society to achieve its Aims, and which are agreed in advance with the Societies Committee.
- 1.4 The composition, work and organisation of the Society shall be governed by this Constitution and by the Student Group Agreement entered into between Durham SU and the Society. If there is a conflict between the two then the Student Group Agreement will prevail.
- 1.5 The Society will be overseen on a day to day basis by the Chair (with support from the other members of the Committee), and the Chair shall be directly answerable to the Societies Committee and the Durham SU Board of Trustees. Notwithstanding this, the Committee is collectively answerable to Durham SU as the body with ultimate responsibility for compliance with the law and with the regulation of the Charity Commission.

2. RELATIONSHIP WITH DURHAM SU AND DURHAM UNIVERSITY

- 2.1 The Society shall at all times comply with and conduct itself in accordance with the terms of the Student Group Agreement and all relevant Durham SU or Durham University (the **University**) regulations, rules, standing orders, policies, procedures and codes of practice etc in force from time to time including but not limited to:
 - 2.1.1 The Durham SU complaints procedure;
 - 2.1.2 The agreement in place between Durham SU and the University regarding the use of the University's name;
 collectively referred to in this Constitution as the **Rules and Regulations**.
- 2.2 The Society shall not, and shall not purport to, make or enter into any commitments for and on behalf of Durham SU or the University except as otherwise agreed in advance with Durham SU and/or the University (as applicable).
- 2.3 The Society recognises that it does not have permission to use the University's logo.

- 2.4 Neither Durham SU nor the University shall be held liable for any debts/financial liability of the Society unless otherwise agreed in writing and unless such liability arises from an act or omission on the part of the Society as authorised by Durham SU and/or the University (as applicable).

3. MEMBERSHIP

3.1 Who can be a member of the Society

3.1.1 All members of Durham SU may be a member of the Society (hereafter referred to as "**Student Members**").

3.1.2 Persons who are not members of Durham SU may, at the discretion of the Society, become members of the Society (hereafter referred to as "**Associate Members**").

3.2 Minimum membership numbers

3.2.1 There must be at least [three] members at all times. If the number of members falls below this number the existing members must immediately notify the Societies Committee who may decide to de-ratify the Society if the existing members are unable to promptly secure additional members.

3.3 Membership fee

3.3.1 As a condition of membership, members may be required to pay an annual fee to the Society. The level of that fee (if any) shall be in line with the relevant Durham SU policy on this issue.

3.4 Membership entitlements

3.4.1 All members shall be entitled to attend all Society events (subject to availability and any lawful restrictions that the Officers (defined in clause 6) may impose from time to time).

3.4.2 All members shall be entitled to Society privileges that the Committee may arrange from time to time [such as [INSERT EXAMPLES HERE E.G. DISCOUNT CARDS FOR X RETAILER/BAR]]

3.4.3 All members shall be entitled to attend the Society's General Meetings and Annual General Meetings ("**AGMs**") and put forward agenda items to be considered, although only Student Members can vote at these.

3.5 Member responsibilities

3.5.1 Members must not act in a manner which brings, or is likely to bring, the Society, Durham SU and/or the University into disrepute.

3.5.2 Each member must, as a condition of membership, sign a declaration confirming that they will, at all times:

- (a) comply with the terms of this Constitution, the relevant Rules and Regulations, and all relevant laws and regulations (including but not limited to the General Data Protection Regulation); and
- (b) act in the best interests of the Society and Durham SU, and uphold the Society's Aims and the objects of Durham SU.

4. GENERAL MEETINGS

- 4.1 A General Meeting may be held at any time during the University's term time.

- 4.2 [A General Meeting must be held at least [twice every University term]].
- 4.3 All members [who have fully paid any fees due to the Society] (subject to the Conflicts of Interest section below) shall be entitled to attend a General Meeting and, if they are Student Members, they shall also be entitled to vote at a General Meeting.
- 4.4 The Durham SU Board of Trustees and the Societies Committee may each nominate someone to attend and speak at the General Meetings on their behalf should they wish. Other persons who are not members of the Society may also attend the General Meetings but only with the prior consent of the Committee.
- 4.5 A General Meeting may be called by:
- 4.5.1 the Committee; or
- 4.5.2 [ten percent] of members of the Society.
- 4.6 Meetings may take place by video conference or telephone conference or similar means to allow every member to take part in the meeting.
- 4.7 Notification of all General Meetings shall be circulated to all members of the Society (and, where the agenda for the General Meeting includes a matter of significance, to members of the Societies Committee and the Durham SU Board of Trustees) at least seven days in advance of the meeting date. Notices shall be given in writing, including by email where members have given their consent. For the purpose of this clause 4.7, a "matter of significance" shall include a proposal to amend this Constitution or a proposal to change the rights of the Society's members
- 4.8 Motions to be discussed should be presented to the Society Secretary not less than [five days] prior to the General Meeting unless the Committee agrees otherwise.
- 4.9 The Chair, or in his/her absence, the Vice-Chair (if any) shall chair the General Meeting. In the absence of the Chair and Vice-Chair, the members present at the General Meeting shall elect a chairperson from amongst themselves for that meeting.
- 4.10 The Society Secretary will take the minutes of the General Meetings.
- 4.11 The quorum for General Meetings shall be [20%] of the membership of the Society.
- 4.12 All decisions at a General Meeting will be made by a show of hands or electronic vote, unless at least [three] members demand a secret ballot. In the case of electronic vote, that vote must be received at the email address set out in the notice of the General Meeting at least 48 hours before that meeting.
- 4.13 Motions carried by the necessary majority (i.e. a 50% or more vote in favour of the motion) at quorate General Meetings are binding on the Society (unless those motions also require the prior consent of the Societies Committee or the Durham SU Board of Trustees, in which case they will need that prior consent also to be binding).

A Committee member subject to a proposed motion of no confidence shall be notified of the motion in advance of the General Meeting and be given the opportunity to make representations thereto.

5. AGMs

- 5.1 AGMs shall be held annually prior to the deadline for the Society to submit its application for re-registration to the Societies Committee, as determined from year to year.
- 5.2 All members who, at the point that notice of the AGM is issued, have fully paid any fees due to the Society (subject to the Conflicts of Interest section below) shall be entitled to attend and, in the case of Student Members only, entitled to vote at the AGM.

- 5.3 Any person nominated by the Durham SU Board of Trustees and/or the Societies Committee may attend and speak at the General Meetings should they wish. Other persons who are not members of the Society may also attend the AGM but only with the prior consent of the Committee.
- 5.4 Notification of an AGM shall be circulated to all members of the Society (and to members of the Societies Committee and the Durham SU Board of Trustees) at least [two weeks] in advance of the meeting date. [Notices shall be given in writing, including by email where members have given their consent].
- 5.5 Meetings may take place by video conference or telephone conference or similar means to allow every member of the Committee to take part in the meeting.
- 5.6 Motions to be discussed should be presented to the Society Secretary not less than [seven days] prior to the AGM unless the Committee agrees otherwise.
- 5.7 The Chair, or in his/her absence, the Vice-Chair (if any) shall chair the AGM. In the absence of the Chair and Vice-Chair, the members present at the AGM shall elect a chairperson from amongst themselves for that meeting.
- 5.8 The Society Secretary will take the minutes of the AGM.
- 5.9 The quorum for an AGM shall be [20%] of the membership of the Society.
- 5.10 At the AGM the following business shall take place:
 - 5.10.1 Chair's report.
 - 5.10.2 Report by other Officers (where applicable).
 - 5.10.3 The Society Secretary shall report on the administrative affairs of the Society.
 - 5.10.4 Approval of the minutes of the last General Meeting.
 - 5.10.5 Approval of the Society's accounts for the preceding year.
 - 5.10.6 Approval of the Society's plan and budget for the forthcoming year.
 - 5.10.7 Constitutional amendments (if any).
 - 5.10.8 Such other business as is considered necessary.
- 5.11 All decisions at an AGM will be made by a show of hands or electronic vote, unless at least [three] members demand a secret ballot. In the case of electronic vote, that vote must be received at the email address set out in the notice of the AGM at least 48 hours before that meeting and validated by [INSERT ROLE] as eligible.

6. THE COMMITTEE

6.1 Composition of the Committee

- 6.1.1 The Committee is made up of the following **Officers**:
 - (a) The **Chair** who shall be the nominal head and representative of the Society and is ultimately responsible for the conduct of the Society and such other matters as set out in this Constitution and in the Chair's role description.

The Chair is accountable to the Durham SU Board of Trustees.

- (b) Any **Vice-Chair** who shall support the president and act as substitute for the Chair when they are not available and such other matters as set out in this Constitution and in the Vice Chair's role description.
- (c) The **Treasurer** who shall maintain the Society accounts and any property whether belonging to the Society or in the care of the Society, and shall be responsible to the Chair for those and such other matters as set out in this Constitution and in the Treasurer's role description.
- (d) The **Society Secretary** who shall be responsible for the administration of the Society, including taking the minutes of the AGMs, General Meetings and Committee meetings and such other matters as set out in this Constitution and in the Society Secretary's role description.
- (e) Such other positions as the Committee may decide from time to time.

6.2 Election of Officers and cessation of office

- 6.2.1 Notwithstanding any provision herein to the contrary, Officers must be elected in accordance with the Durham SU Student Groups Election Policy (as amended from time to time).
- 6.2.2 Any Student Member may run for a Committee post.
- 6.2.3 Subject to clause 6.2.4, all Officers shall commence their posts on the first day of the University's summer break and shall continue in post until the last day of the University's third academic term. Prior to the end of their term in post, each Officer shall use all reasonable endeavours to train the incoming Officers, and to ensure a smooth handover.
- 6.2.4 An Officer's term in office may cease prior to the last day of the University's third academic term if:
 - (a) They resign.
 - (b) A motion of no confidence is passed at a General Meeting held in accordance with clause 4.
 - (c) They are removed from their post by the Board of Trustees of Durham SU of its own volition acting reasonably, or on the recommendation of the Panel or Appeal Panel pursuant to clause 11.
 - (d) [They are removed from their post by the Board of Trustees of Durham SU on the recommendation of the Committee which reasonably concludes that such Officer's tenure is either damaging to the interests of the Society or is no longer in furtherance of its Aims or the objects of Durham SU.]
 - (e) In the case of an Officer who is also a trustee of Durham SU, that person ceases to be a trustee in accordance with the articles of association of Durham SU. In these circumstances, they will be deemed to have resigned from the Committee, and their resignation will take effect on the date that their termination from office of trustee takes effect.
- 6.2.5 They cease to be a member of Durham SU for whatever reason. In these circumstances, they will be deemed to have resigned from the Committee and their resignation will take effect on the date that their membership of Durham SU ends. Details of all resignations, dismissals and appointments must be sent to the Societies Committee within seven days of the resignation, dismissal and/or appointment (as applicable).

- 6.2.6 If an Officer post becomes vacant for whatever reason, reasonable steps shall be taken to fill the vacancy in accordance with the process for electing Officers under this constitution.

6.3 Responsibilities and powers of the Officers

- 6.3.1 The Committee shall manage the Society's day to day duties, general business and policy.
- 6.3.2 The Committee may delegate any of its functions to another group or person, but is ultimately responsible for the acts or omissions of such group or person.
- 6.3.3 The Committee is responsible for the Society's compliance with the Rules and Regulations; the law (including charity law), regulation and best practice; and the Student Group Agreement, and is accountable to the Durham SU Board of Trustees for the same.
- 6.3.4 The Committee may specify further responsibilities for themselves, or for any Officer, as required.
- 6.3.5 Upon appointment each Officer shall sign a declaration confirming that they:
- (a) Are able and willing to act as an Officer.
 - (b) Shall attend such training as the Durham SU Board of Trustees and/or the Societies Committee may require from time to time.
 - (c) Will at all times act in the best interests of the Society and uphold the Society's Aims.
 - (d) Will at all times act in the best interests of Durham SU and uphold the objects of Durham SU.

7. THE COMMITTEE MEETINGS AND DECISION MAKING

- 7.1 The Committee must meet at least [twice in every University academic term].
- 7.2 An Officer may call a Committee meeting by writing or email to the Society Secretary.
- 7.3 Any persons nominated by the Societies Committee and/or the Durham SU Board of Trustees may attend and speak at the Committee meetings. Other persons may also attend with the prior consent of the Committee.
- 7.4 Notification of a Committee meeting shall be circulated to all members of the Committee (and to members of the Societies Committee and the Durham SU Board of Trustees) at least [one week] in advance of the meeting date. Notification may be circulated by email (rather than by post) to the email address supplied by the recipients for this purpose, and provided the recipients agree in advance to receive such notifications by email.
- 7.5 Meetings may take place by video conference or telephone conference or similar means to allow every member of the Committee to take part in the meeting.
- 7.6 The Chair will chair all Committee meetings. If the Chair is unable or unwilling to do so then the Vice-Chair (if any) shall chair the meetings. If the Vice-Chair is unable or unwilling to do so, or if there is no Vice-Chair, those present shall appoint one of their number to chair the meeting.
- 7.7 In the event of a tie, the chair of the meeting will have a casting vote.
- 7.8 The quorum for a meeting of the Committee shall be [three] members.

- 7.9 The Committee may make decisions outside of meetings, provided that such decisions are recorded by the Society Secretary and that all members of the Committee have the opportunity to participate in the decision making process.

8. CONFLICTS OF INTEREST

- 8.1 A member (including an Officer) who has a conflict of interest in relation to the matters discussed at a General Meeting, AGM or a Committee meeting must:
- 8.1.1 At the start of the meeting declare the nature and extent of their interest in the matter in question.
 - 8.1.2 Excuse themselves from the meeting whilst the matter in question is being discussed.
 - 8.1.3 Not be counted in the quorum for the part of the meeting where the matter in question is discussed.
 - 8.1.4 Not vote on the matter in question.
- 8.2 The Society Secretary must keep a record of all interests declared.

9. ASSETS AND FINANCIAL MATTERS

9.1 Assets

- 9.1.1 All assets (whether tangible or intangible) ("**Assets**") purchased by the Society (whether from monies raised, grants awarded to it by Durham SU or otherwise) or provided or awarded to the Society by Durham SU shall at all times remain the property of Durham SU.
- 9.1.2 The Society and its members shall not cause, or permit to be caused, any damage to the Assets and may otherwise be held liable for any such damage.
- 9.1.3 For the avoidance of doubt:
 - (a) Tangible assets are physical assets such as stationery, books, IT equipment and furniture.
 - (b) Intangible assets are non-physical assets such as contracts or agreements, computer software, domain names, trademarks, goodwill and copyright.

9.2 Bank Account

- 9.2.1 Unless otherwise agreed with the Durham SU Finance Committee, on the recommendation of the Chief Executive of Durham SU, the Society shall not be permitted to maintain its own bank account. All of the Society's funds (the "**Society's Funds**") must be deposited into the Durham SU bank account, as nominated by Durham SU from time to time (the "**Bank Account**"). The Society's Funds will be ring-fenced from such other funds contained within that Bank Account (i.e. the Society's Funds will be held by Durham SU as a restricted fund).
- 9.2.2 Money received from members, sponsors, donors, and any other third parties:
 - (a) Must be immediately deposited into the Bank Account.
 - (b) May only be used for the purpose it was provided, donated, etc.
 - (c) Must be immediately returned if provided, donated etc. for a purpose that is incompatible with the Aims of the Society.

- 9.2.3 It is the Committee's responsibility to ensure that it instructs Durham SU as to the correct use of, or return of, the Society's Funds held in the Bank Account.

9.3 **Accounting Records**

- 9.3.1 The financial year for the Society is the same as that for Durham SU i.e. 31 July.
- 9.3.2 The Society's accounts and financial records shall be kept for at least seven financial years and can be inspected by any member of the Society, the Societies Committee or the Durham SU Board of Trustees upon request.
- 9.3.3 The Treasurer is responsible for:
- (a) Ensuring that monies received are properly accounted for, and that the Society's financial records are kept in good order.
 - (b) Presenting the Society's accounts to the members annually at the AGM.
 - (c) Ensuring that the ordinary expenditure of any given year is not more than the ordinary income of that year.
 - (d) Presenting an undated budget to the first full meeting of the Committee in the following academic year to be discussed.

9.4 **Miscellaneous**

- 9.4.1 The Society shall be non-profit making which means that the members (including the Officers) may only receive payment, direct or indirect, as reimbursement for legitimate expenses reasonably incurred in carrying out activities in furtherance of the Aims.
- 9.4.2 Any reserves at the end of the financial year shall be carried over into the restricted reserves for that Society for the following financial year, unless otherwise agreed by Durham SU.
- 9.4.3 If the Society is suspended or de-ratified by the Societies Committee and/or the Durham SU Board of Trustees or the Society has been dormant for two years, any balance left in its Bank Account shall be transferred to the Durham SU bank account, as a restricted fund, for the charitable purposes of Durham SU.
- 9.4.4 Records of the Society's business (whether financial or otherwise) shall be available for inspection by members of the Society, the Societies Committee and Durham SU.

10. **CHANGES TO THE CONSTITUTION AND COMPLAINTS PROCEDURE**

- 10.1 Subject to clause 10.2 below, the Constitution may be amended at a General Meeting, with approval of at least two thirds of those members present.
- 10.2 Any alteration to the following provisions of this Constitution will require the prior written consent of Durham SU:
- 10.2.1 Clause 1 – Name, Aims and Organisation
 - 10.2.2 Clause 2 – Relationship with Durham SU and Durham University
 - 10.2.3 Clause 6.2.4 – Cessation of office of an Officer
 - 10.2.4 Clause 6.3.5 – Requirement for Officers to sign a declaration.
 - 10.2.5 Clause 9 – Assets and Financial Matters

- 10.2.6 Clause 10 – Changes to the Constitution and Complaints Procedure
- 10.2.7 Clause 11 – Breach of this Constitution
- 10.2.8 Clause 12 – Dissolution
- 10.3 Any deviation from the Durham SU Complaints Procedure will require the prior written consent of the Durham SU Board of Trustees. A copy of that Procedure is available from the Opportunities team upon request.

11. BREACH OF THIS CONSTITUTION

- 11.1 If a member is alleged to have breached the terms of this Constitution then those allegations must be promptly reported to a member of the Committee, and the process set out below must be followed.
- 11.2 All persons involved in the process must at the outset sign a declaration to confirm that they will deal with the matter sensitively and with respect for the privacy of the relevant member concerned, and shall treat the information that they are privy to as part of the process as confidential.
- 11.3 Allegations of breach of this Constitution must, where possible, be dealt with in an informal and prompt manner. However, where this is not possible, or where the relevant member of the Committee believes that the breach is more than minor or has been committed before by the same person, then the Societies Committee must be notified and the more formal process below must be followed.

Investigation

- 11.4 An Officer (the **Investigatory Officer**) shall promptly investigate the alleged breach.
- 11.5 The Investigatory Officer may, as part of the investigatory process, suspend the member in question as a member of the Society. Suspension shall not imply that the relevant member has breached the Constitution – suspension will be a neutral measure designed to facilitate the investigation process.
- 11.6 The Investigatory Officer shall share the findings of their investigation with the Panel (defined in clause 11.7).

Panel decision

- 11.7 A panel made up of one member of the Committee (but not the Chair or the Investigatory Officer), one member of the Societies Committee, and one other member of the Society appointed by the Opportunities Officer, (the **Panel**), must promptly discuss the allegation and shall invite the member who is alleged to have breached the Constitution to put forward their views at the meeting. That member may be accompanied by a trusted friend or family member, but not a legal representative.
- 11.8 Each Panel member shall have one vote. If the majority or all of the Panel members decide that the member in question did breach the Constitution then the Panel is authorised to carry out one or more of the following actions:
 - 11.8.1 Issue a written warning to the member;
 - 11.8.2 Suspend or expel the member from the Society;
 - 11.8.3 Make a recommendation to the Board of Trustees of Durham SU to suspend or expel the member from Durham SU in accordance with the latter's Articles of Association;

- 11.8.4 If that member is an Officer, make a recommendation to the Board of Trustees of Durham SU to remove the member as an Officer of the Society and, if the Board of Trustees of Durham SU agree and action that recommendation, propose to the other members that a replacement Officer be elected without undue delay in accordance with this constitution;
- 11.8.5 Require the member to undergo such relevant training and development as specified by the Panel and in the timeframes specified by the Panel;

otherwise, the complaint will be dismissed.

Appeal Panel decision

- 11.9 Subject to clause 11.10, if the Panel decides that the member in question did breach the Constitution, that member may appeal that decision to a separate panel (the **Appeals Panel**) within 5 days of the decision.
- 11.10 Any person appealing a decision to carry out the action listed at clause 11.8.3 shall have the right of appeal (if any) as for a trustee of Durham SU as set out in Articles 86 to 89 inclusive of the articles association of Durham SU.
- 11.11 The Appeals Panel shall comprise the Chair and one other Officer (excluding the Investigatory Officer and the Officer who sat on the Panel).
- 11.12 The Appeals Panel shall meet to consider the allegations against the relevant member. The proceedings of the Appeals Panel shall be conducted in the same way as the Panel originally conducted their proceedings.
- 11.13 The Appeals Panel may substitute any alternative outcome, or uphold the original decision or recommendation of the Panel, and shall, in writing, notify the relevant member of the Appeal Panel's decision within 5 days of the appeal hearing.
- 11.14 Durham SU shall appoint an individual to take notes of the meetings of the Panel and the Appeals Panel and shall circulate the draft minutes to the Panel and Appeals Panel (as appropriate) for commenting and approval.
- 11.15 Subject to clause 11.16, the Appeal Panel's decision shall be final.

External validation of the process

- 11.16 If the relevant member remains dissatisfied with the decision **and** believes that the correct procedure has not been followed in reaching that decision then they must write, within 5 days of the date of the decision, to the Appeals Panel, setting out why they believe the correct procedure was not followed. An independent, external person, nominated by Durham SU Board of Trustees will then review the fairness (or otherwise) of the process and make recommendations to that Board of Trustees and the Committee on how to readdress that going forward. That independent external person may not, however, substitute an alternative outcome of the Appeals Panel.

12. DISSOLUTION

- 12.1 The Society may be wound up by a resolution of [three quarters/two thirds] of those present in person or by proxy at a General Meeting called for that purpose provided that notice of the proposed dissolution is first provided to the Societies Committee and to the Durham SU Board of Trustees in good time before the General Meeting.
- 12.2 Any motion for dissolution of the Society shall provide that assets remaining after all liabilities have been met shall not be distributed amongst the members but instead paid to Durham SU for its general charitable purposes

- 12.3 The Society shall automatically be dissolved if it ceases to be registered or de-ratified by the Societies Committee.

GUIDANCE ON HOW TO COMPLETE THE TEMPLATE CONSTITUTION

You will see in the template there are a number of provisions in square brackets. Those have been included to guide you, but please feel free to amend the wording in those brackets to suit the nature and anticipated size of your Society. For example, at clause 4.7 we have suggested that members need to be given seven days' notice of a General Meeting. You may feel that seven days is either too short or too long, and can amend that to suit how you feel your Society will operate best.

Some provisions however must be included in your Constitution and these include:

- Clause 1: Name, Aims And Organisation
- Clause2: Relationship With Durham SU And Durham University
- Clause3.1: Who Can Be A Member Of The Society
- Clause 3.5: Member responsibilities
- Clause 4: General Meetings
- Clause 6.2: Election of Officers and cessation of office
- Clause 6.3.5: Declaration by Officers
- Clause 7: The Committee Meetings and Decision Making
- Clause 8: Conflicts of Interest
- Clause 9.1: Assets
- Clause 9.2: Bank Account
- Clause 9.3.1: Accounting Records – financial year
- Clause 9.3.2: Accounting Records – retention and inspection of records
- Clause 9.4: Miscellaneous
- Clause 10: Changes to the Constitution and Complaints Procedure
- Clause 11: Breach of the Constitution.
- Clause 12: Dissolution

1. NAME, AIMS AND ORGANISATION

1.1 Name

1.2 It is important that your Society's name distinguishes your Society from our other ones and at the same time makes it immediately clear to others what your Society does. Your Society's name must **not** therefore:

- 1.2.1 Be misleading or ambiguous; students and members of the public alike must be clear, from the name, as to what the Society's activities/aims are.
- 1.2.2 Be the same or similar to that of another registered Student Society.

- 1.2.3 Be such that a reasonable person may take offence to it.
- 1.2.4 Be such that it may damage the reputation of Durham SU or the University.
- 1.2.5 Contain acronyms.
- 1.3 You may include the words "Durham University" in your name provided that the Societies Committee agree to this and provided you agree to comply with the terms and conditions of use of that name as set out by the University from time to time. If you are considering using "Durham University" in your name please contact the Opportunities team to discuss this further and to obtain a copy of the terms and conditions that you will need to comply with. Even if you are granted permission to use the "Durham University" name, **you may not use the University's logo.**
- 1.4 **Aims and organisation**
- 1.5 Please be as descriptive as possible in this section of the Constitution in terms of what your Society intends to do (i.e. what are its Aims) and how it intends to achieve that.
- 1.6 The Aims must fall within Durham SU aims/objects of **advancing education of students at Durham University**. They must not undermine or compromise, or fall outside of the scope of, Durham SU's aims/objects.
- 1.7 Think about what kind of Society you want your Society to be. Will you want it to, for example:
 - 1.7.1 Provide a social forum for those interested in X subject area.
 - 1.7.2 Organise team building events to improve member's skills in X.
 - 1.7.3 Provide members with links to X communities and companies.
 - 1.7.4 Organise and host guest lectures related to X.
 - 1.7.5 Encourage members to take a more active role in competitions relating to X.
 - 1.7.6 Provide support and industrial links for students in X.
 - 1.7.7 Organise events and fundraise on issues relating to X, etc.
- 1.8 As a general rule, the Society must be open to all interested members of the University. If you want to impose any restrictions on eligibility to join or participate in the activities of your Society on grounds such as national origins, ethnicity, religion, gender or sexual orientation, you must be able to adequately justify those to the Societies Committee.
- 1.9 Remember, we cannot have two Societies that are the same (or thereabouts). So you need to make sure that you Society stands out from the crowd.

2. RELATIONSHIP WITH DURHAM SU AND DURHAM UNIVERSITY

- 2.1 As a Durham University student and a member of the Durham SU, what you do (or don't do!) can impact on the reputations of those organisations and can have financial, legal and/or regulatory repercussions for them.
- 2.2 It is therefore important that you uphold the reputation of both Durham Students' Union and the University (particularly if you have "Durham University" in your name) at all times by complying with their policies and procedures etc.
- 2.3 Please speak to the Opportunities Team if you would like further details about those policies and procedures.

3. MEMBERSHIP

3.1 Who can be a member of the Society

- 3.1.1 This template assumes that your Society will only have two "classes" or "types" of member i.e. Student Members and Associate Members, and that only Student Members can be elected as Officers and can vote at General Meetings and AGMs.
- 3.1.2 However, we recognise that you may want your Society to be open to a broader range of membership types, or may even want to narrow the range of people who can be members. If this is the case then please make this clear and:
 - (a) In the case of narrowing the range of people, please explain the rationale for this and, in doing so, bear in mind that restricting entry on grounds such as gender, sexual orientation, religion, ethnicity, national origins etc are, as a starting point, prohibited under the Equality Act 2010. Robust justification would therefore be needed as to why you consider the restriction in question is necessary.
 - (b) If the different classes or types of person will each be entitled to different benefits, voting rights etc then again make these clear in the relevant sections of the template.

3.2 Minimum membership numbers

- 3.2.1 You may choose the minimum number of members that your Society must always have. We have suggested that the number must not be less than three, but please select a number that is appropriate to your Society.

3.3 Membership fee

- 3.3.1 If you intend to charge your members an annual membership fee that fee must be calculated in accordance with Durham SU's policy on this and must be pre-approved by the Committee.
- 3.3.2 You should not specify the membership price in the Constitution as your membership fee may well change over the years, if only to keep in line with inflation.
- 3.3.3 The membership fee should not be prohibitive and deter people from joining the Society.

3.4 Membership entitlements

- 3.4.1 If there are any particular privileges that your members will receive then feel free to list them here. However, to make things flexible only list the privileges that are likely to be available for the foreseeable future, otherwise you will need to follow the process set out later to amend the Constitution if and when the privileges change.

3.5 **Membership Responsibilities**

- 3.5.1 We have prepared a template declaration for you to complete and use for your members. Please ask the Opportunities Team for a copy.

4. **GENERAL MEETINGS**

- 4.1 As your Society becomes more and more popular and its membership grows, then it will be increasingly important for your internal procedures to be clear and manageable. The template constitution sets out the key issues that need to be covered to help make the running of your various meetings – General Meetings, AGMs and Committee meetings – as smooth as possible. The key issues that your Constitution will need to cover as a minimum, and which are dealt with in the template are:

- 4.1.1 Frequency of meetings.

- 4.1.2 Who can attend and vote at meetings.

- 4.1.3 How the meetings can be called.

- 4.1.4 How much notice needs to be given of the meetings.

- 4.1.5 How the meetings can be held.

- (a) If you feel that you may struggle to find a time that everyone will be available to attend meetings in person, then we have given you the right to allow people to attend by telephone / video conference.

- 4.1.6 Chairing the meetings.

- (a) This should usually be something that the Chair does or the Vice-Chair (if any) if the Chair is absent.

- 4.1.7 Taking the minutes.

- (a) This should usually be something that the Society Secretary does.

- 4.1.8 Quorum.

- (a) The quorum is the number of members needed at a meeting. If there are not enough members, then any resolutions passed/decisions made at the meeting will not be valid.

- 4.1.9 Decision making.

- 4.2 Whilst each of the issues listed above must be covered in your Constitution, please feel free to tailor to suit the needs of your Society.

5. **AGMS**

- 5.1 Please see section 4 above.

6. **THE COMMITTEE**

6.1 **Composition**

- 6.1.1 It is important for you to have an Committee comprising of at least a Chair, Treasurer and Society Secretary to help with overseeing and running the Society. We would recommend that you also have a Vice-Chair, although this is not compulsory.

- 6.1.2 The Committee will be directly answerable to the Societies Committee and to the Durham SU Board of Trustees.

6.2 Election Process and Cessation of Office

- 6.2.1 It is essential that elections are carried out in accordance with the Durham SU Student Groups Elections Policy. A copy of that policy is available from the Opportunities team upon request.
- 6.2.2 An Officer's term in office may end prematurely in a number of circumstances. The circumstances listed at clause 6.2.4 may not be amended.

6.3 Responsibilities

- 6.3.1 If the Committee chooses to delegate any of its functions to any groups or persons then you should ensure that you keep a record of this.
- 6.3.2 In light of the fact that the legal and regulatory environment in which your Society, Durham SU and the University operate has increased (as so too, therefore, the repercussions) it is important that your Committee keeps the Society on the 'right side' of the law. To help them do this we, Durham SU, will be making relevant training available to them, which we will expect them to attend. However, feel free to source your own training in addition to this!
- 6.3.3 So that each member of the Committee is clear on what is required of them, and other members are clear on the roles of the Committee, you should draw up a role description for each of them. Those descriptions can be amended from time to time as needed.
- 6.3.4 It is important that Officers of the Committee lead by example. Officers will therefore be required to sign a declaration at the start of their appointment confirming that they will act in accordance with the standards expected of them. A template declaration is available from the Opportunities Officer should you need one.

7. COMMITTEE MEETINGS AND DECISION MAKING

- 7.1 Please see section 4 above.

8. CONFLICTS OF INTEREST

- 8.1 Conflicts of interest can have a negative impact on your Society's reputation and membership as they may give the impression to the outside world that certain members are acting in their own interests rather than the interests of the members as a whole. For this reason, it is important that conflicts are managed appropriately and that members declare any conflicts that they have and do not participate or vote on matters where they are conflicted.
- 8.2 Examples of conflicts that might arise are:
 - 8.2.1 Paying for a guest lecturer to speak at a Society event and that guest lecturer is a relative of one of the Society's members. That member must declare this.
 - 8.2.2 Making a grant to a person who is a close relative of one of the Society's members. Again, that member must declare this.
 - 8.2.3 Offering members discounts at a particular bar and that bar is owned by a relative of one of the Society's members. That member must declare this.

9. ASSETS AND FINANCIAL MATTERS

- 9.1 All assets that the Society purchases or otherwise acquires, shall belong to Durham SU. All Society members must therefore take good care of those assets and may be held liable for any damage caused to them.
- 9.2 It goes without saying that:
 - 9.2.1 You can only use the monies that you receive for the purpose for which they were given.
 - 9.2.2 You can only accept monies if given for a purpose that falls in line with the Society's Aims.
- 9.3 You must ensure that all monies are properly accounted for and that your outgoings do not exceed your incomings. This is just basic business sense!
- 9.4 Please remember that any monies received by or raised by the Society ultimately belong to Durham SU.
- 9.5 In exceptional circumstances, Durham SU's Finance Committee, on the recommendation of Durham SU's Chief Executive, may authorise the Society to have their own bank account, subject to agreed safeguards.

10. CHANGES TO THE CONSTITUTION

- 10.1 Given the increasing legal and regulatory risks that Durham SU and the University face nowadays, you will appreciate that they will need oversight on how your Society is run, and therefore on your Constitution. For this reason, if you would like to make any changes to certain key provisions of the Constitution (as set out in clause 10.2 of the template) then you will need the consent of Durham SU.

11. BREACHES OF THIS CONSTITUTION AND COMPLAINTS PROCEDURE

- 11.1 There may, unfortunately, be times when a member of the Society is not performing their duties as required, behaving inappropriately, misusing Society funds, or breaching the terms of this Constitution or the Rules and Regulations etc. In these circumstances, that member's behaviour needs to be addressed by the Society. This may, in extreme cases, involve expelling that member from the Society and/or from Durham SU.
- 11.2 Any deviations from Durham SU's standard Complaints Procedure must be pre-approved by the board of Durham SU.

12. DISSOLUTION

- 12.1 If the Society is brought to an end (for whatever reason) then anything that it "owns" will need to be transferred to Durham SU; the members are not entitled to keep that.

We hope that this guide has been helpful but if you do have any questions about how to complete the template then please contact **[TBC]**.

STUDENT GROUP AGREEMENT

1. WHO DOES THIS AGREEMENT APPLY TO?

- 1.1 Durham SU
- 1.2 All Student Groups – societies, media groups, associations, Nightline

2. HOW LONG SHOULD THIS AGREEMENT LAST?

- 2.1 Student Groups will need to sign up to this when first registering as a Student Group, and annually as part of the re-registration process.
- 2.2 Student Groups acknowledge that re-registration is not automatic.

3. WHAT PRINCIPLES UNDERPIN THE RELATIONSHIP BETWEEN DURHAM SU AND THE STUDENT GROUPS?

- 3.1 The Student Groups are not separate legal entities but instead form part of Durham SU. This means that the Student Groups are ultimately accountable to the Durham SU Board of Trustees, and that Durham SU is ultimately responsible for the actions of the Student Groups.
- 3.2 With the above in mind, examples of the principles that underpin the relationship may include:
 - 3.2.1 Respect and understanding i.e. clarity and mutual understanding between the parties about their respective roles and what each party brings to the relationship.
 - 3.2.2 Mutual support and commitment i.e. commitment of both to making the relationship work.
 - 3.2.3 Trust and openness i.e. being open with each other, and building trust.
 - 3.2.4 Autonomy i.e. recognition that the Student Groups should be empowered to manage their own affairs, but that given the increased regulatory environment, Student Groups need to respect the controls and oversight that arise through affiliation with Durham SU, for their own benefit.
 - 3.2.5 The need to protect those decision makers within the Student Groups and ensure that Durham SU has effective responsibility for them and their actions.
 - 3.2.6 Diversity and equality i.e. both parties are committed to the fair treatment of all.
 - 3.2.7 Good stewardship of resources.
 - 3.2.8 Being proud and upholding each other's good reputation.

4. WHAT SUPPORT ETC CAN DURHAM SU PROVIDE TO ITS STUDENT GROUPS?

- 4.1 Getting involved in a Student Group is one of the most fun and useful things students will do at University. Through joining a Student Group, students will meet new people, enjoy new activities, broaden their horizons, have access to valuable advice, and develop new skills to enhance their CV. This is why Durham SU is committed to providing support and resources to its Student Groups to enable them to operate effectively.
- 4.2 The Student Group Agreement will need to set out, so far as possible, the support and resources that Durham SU does and can provide to its Student Groups. By way of illustration, see Appendix 1 for the support listed in the existing Student Group Agreement.

5. WHAT SHOULD THE STUDENT GROUPS DO IN RETURN FOR SUPPORT?

5.1 Each Student Group will:

5.1.1 At all times comply with:

- (a) Its constitution;
- (b) The terms of the Student Group Agreement;
- (c) The law and regulation in so far as relevant to its activities, in particular charity law, data protection law, health and safety law, and safeguarding regulations;
- (d) Are there any specific policies etc that should be specifically brought to the Student Group's attention. For example:
 - (i) Events Policy (which provides that Student Groups do not have automatic access to insurance etc by virtue of their registration as a Student Group; they will need to firstly carry out an appropriate risk assessment which will need to be approved by Durham SU).
 - (ii) Licence agreement with Durham University, where used in the name of the Student Group.
 - (iii) The Student Group Code of Conduct.

5.1.2 Comply with its obligations in relation to the provision of a development plan and budget (see below).

5.1.3 Regularly report to Durham SU (see below).

5.1.4 Give notice to the Durham SU Board, in accordance with the Student Group's constitution, of relevant general meetings and all AGMs so as to allow a Durham SU representative to attend/speak at those if appropriate.

5.1.5 Ensure that its Officers undergo appropriate and regular training, and that all members working with vulnerable groups act in line with Safeguarding Policy, which will usually mean they are DBS checked and undergo relevant safeguarding training.

5.1.6 Process complaints through the Durham SU complaints procedure.

5.1.7 Complies with risk assessment processes, such that all events are covered by appropriate and adequate insurance.

5.1.8 Notify Durham SU immediately in the event that it becomes aware of any breach of its constitution, breach of this Agreement or any other action which could be detrimental to the interests or reputation of the Student Group, of Durham SU, or of Durham University.

5.1.9 Unless otherwise agreed with Durham SU Finance Committee, on the recommendation of the Chief Executive of Durham SU, deposit all of that Student Group's funds into the Durham SU bank account, as nominated by Durham SU from time to time.

5.2 Each Student Group will not:

5.2.1 Enter into any contracts for and on behalf of Durham SU (including sponsorship contracts) without the prior written approval of Durham SU.

- 5.2.2 Make any commitments/promises to third parties for and on behalf of Durham SU, without the prior written approval of Durham SU.
- 5.2.3 Bring the name of Durham SU or Durham University into disrepute.
- 5.2.4 Make statements or comments in or to the press, unless those statements or comments are pre-approved by Durham SU.
- 5.2.5 Hold fundraising activities to subsidise activity costs; only fundraising activities which directly further the Student Group's aims are permitted.
- 5.2.6 Purport to employ any persons.
- 5.2.7 Unless otherwise agreed with Durham SU Finance Committee, on the recommendation of the Chief Executive of Durham SU, maintain its own bank account.

6. RISK ASSESSMENTS

- 6.1 First and foremost, Durham SU wants its Student Groups to do exciting "stuff". Risk assessments are not intended as a barrier to Student Group activities, but a means to enable them to take place safely. Durham SU is there to help Student Groups carry out those assessments.
- 6.2 Each Student Group should ensure that they carry out suitable risk assessments in relation to each of their activities and events to ensure not only the health and safety and wellbeing of their members, but also ensure that reputations (e.g. of the Student Group, Durham SU and, where relevant, the University), are preserved. Where risks are identified, Student Groups will ensure that an appropriate plan is put in place and executed to mitigate the risks identified.
- 6.3 Student Groups shall make all risk assessments and controls plans available to a nominated representative of the board of Durham SU upon request.
- 6.4 Durham SU, for insurance purposes, will need to pre-approve 'high risk' activities.
- 6.5 Student Groups that provide food and drink at events will have to follow the relevant guidance and procedures regarding food handling and safety provided by Durham SU and, where relevant, Durham University.
- 6.6 Student Groups who work regularly with children or vulnerable adults should comply with the Durham SU safeguarding policy and undergo DBS checks where relevant.
- 6.7 Members who are under 18 years of age may participate in Student Group activities with permission from a parent or guardian. Controls will need to be in place also in relation to participation by external members, where relevant.

7. DEVELOPMENT PLAN, BUDGET AND GRANT FUNDING

- 7.1 At the start of every academic term (unless otherwise agreed) the Student Groups will present to Durham SU a development plan in relation to the forthcoming academic term, in such format as agreed with Durham SU. That development plan will need to include details such as:
 - (a) Proposed calendar of activities.
 - (b) Proposed costs of the activities to be undertaken.
 - (c) Anticipated benefits/outputs of the activities.
 - (d) Risk assessment of the proposed activities / risk rating of each of the proposed activities.

7.2 Durham SU may reject an item or items of the business plan. In those circumstances Durham SU may need to provide support to the Student Group in relation to the rejected items until those items are no longer rejected by Durham SU.

7.3 Student Groups may apply for grant funding from Durham SU in accordance with the Student Group Grant Allocation Regulations. At the end of each academic year, unspent grants will be reclaimed by Durham SU.

8. FINANCIAL MANAGEMENT

8.1 It is important that Student Groups manage their financial resources in a sustainable manner, whilst spending their funds for the benefit of their members. Student Groups are therefore required to comply with the "Financial Matters" clause in their constitution at all times.

9. REPORTING

9.1 Unless otherwise agreed with Durham SU, Student Groups will provide Durham SU with an annual report setting out how the Student Group achieved what it set out to achieve that year (if at all)/its progress in relation to its development plan. Student Groups may, from time to time, need to provide Durham SU with a termly report (e.g. if high-risk activities were carried out that term) in such format as Durham SU may require.

9.2 Examples of what the Student Groups may need to report to Durham SU on:

9.2.1 Regular reporting suggestions:

- (a) Details of new activities not included in the development plan and details of the risk assessment carried out in relation to those/in relation to the high-risk activities.
- (b) Proposed changes to the membership fee.
- (c) Resignations/removal of any Executive Committee member, and appointment of new Officers.
- (d) Financial report including reconciliation of monies received and spent.

(e) Any others?

9.2.2 Immediate reporting suggestions:

- (a) (Material) breach of this Agreement. A "material" breach shall include a breach of paragraphs 3 (principles), 5 (obligations of the Student Groups), 5.2.7 (presentation of the development plan), 8 (reporting), and 10 (matters requiring the prior consent of Durham SU).
- (b) Any incident which is likely to bring the Student Group, Durham SU and/or Durham University into disrepute.
- (c) Any incident which would be regarded as a serious incident and reportable to the Charity Commission under the serious incident reporting regime:
<https://bit.ly/2wFo4RS>
- (d) Any suspected or actual fraud or financial mismanagement.

(e) Any others?

9.2.3 A Durham SU email account will be set up to facilitate the reporting process.

10. MATTERS REQUIRING THE PRIOR CONSENT OF DURHAM SU

10.1 Any alteration to the following provisions of the template constitution will need to be pre-approved by Durham SU:

- 10.1.1 Paragraph 1 – Name, Aims and Organisation
- 10.1.2 Paragraph 2 – Relationship with Durham SU and the University
- 10.1.3 Paragraph 9 – Financial Matters
- 10.1.4 Paragraph 10 – Changes to the Constitution
- 10.1.5 Paragraph 11 – Breach of the Constitution
- 10.1.6 Paragraph 12 – Dissolution

10.2 Entering into certain agreements with third parties

10.3 Any other matters determined by Durham SU acting reasonably.

11. DISPUTES AND BREACHES OF THE STUDENT GROUP AGREEMENT?

11.1 The parties should try to resolve any disputes informally, but if informal resolution cannot be reached:

- 11.1.1 The aggrieved party shall give written notice to the other of the dispute.
- 11.1.2 A Student Group Officer (other than the Chair) shall then meet with a member of Durham SU Opportunities team to try to reach agreement.
- 11.1.3 If agreement cannot be reached, the Chair of the Student Group shall meet with the Chief Executive of Durham SU (or their nominee) to try to reach agreement.
- 11.1.4 If agreement still cannot be reached, a nominated member of the Board of Durham SU shall consider the issue and put forward a resolution to the relevant Student Group Officers. If the resolution is agreed, the parties shall implement that resolution. If a resolution is not agreed, Durham SU may take such steps as are necessary to suspend or de-ratify the Student Group.

11.2 Where there is an alleged breach of the Student Group Agreement or the Student Group Constitution by a member of a Student Group, the process set out in the relevant Student Group's constitution will need to be followed.

11.3 In relation to the removal of officers of a Student Group, or removal of a member of a Student Group, the provisions in the relevant Student Group's constitution will need to be followed.

12. AMENDMENT AND REVIEW OF THE AGREEMENT

12.1 Durham Students' Union shall review the Student Group Agreement on an annual basis and may make changes to it at any time, upon giving notice to the Student Groups.

APPENDIX

1. **THE LIST BELOW SETS OUT WHAT DURHAM SU OFFERS TO ITS STUDENT GROUPS UNDER THE EXISTING STUDENT GROUP AGREEMENT:**
 - 1.1 Student representatives (full-time and voluntary) with remits focused on improving the support available to Student Groups, and ways for Student Groups to influence this support.
 - 1.2 Dedicated Durham SU staff to assist with all aspects of running a Student Group, and supporting development.
 - 1.3 Training sessions and workshops to provide Student Groups with the skills they need to run their Group, as well as resources and programmes to assist personal development.
 - 1.4 Support with the development of Student Groups, such as through the society accreditation scheme.
 - 1.5 Free publicity via the Durham SU website, noticeboards, attendance at freshers/refreshers fairs, as well as other opportunities to promote the Student Group e.g. social media takeover.
 - 1.6 Free room bookings for Durham SU facilities, as well as University rooms.
 - 1.7 Free or low cost equipment hire.
 - 1.8 A financial management system, with staff support.
 - 1.9 Opportunities to apply for funding for activities, events, campaigns or equipment.
 - 1.10 Opportunities to get involved in Durham SU campaigns and initiatives e.g. Give it a Go.
 - 1.11 Free insurance in the UK for most activities, and legal support including contract checking.
 - 1.12 Regular communication from Durham SU about the things the Student Groups need to know, including the publication of important dates in good time.
 - 1.13 Permission to use designated Durham SU logos in line with branding guidelines.
 - 1.14 Ability to apply for permission to use Durham University's name (e.g. as the "Durham University XXXX Society") through the Durham SU accreditation process.
 - 1.15 Celebration of the achievements of Student Groups, including *Student Group of the Week*, the Durham SU annual awards and the Student Group Recognition Scheme.

TO: Assembly

FROM: Charlie Walker

RE: Tyne & Wear Citizens

DATE: 08 November 2018

Proposal for Durham SU's Affiliation with Tyne & Wear Citizens

Assembly notes:

1. Citizens UK is the nation's largest and most diverse alliance of active citizens and leaders from local institutions who are committed to working together for the common good.
2. The charitable aim of Citizens UK is 'to develop the capacity of the citizens of Britain and Ireland to participate more fully in society and to strengthen their institutions and groups in the process'.
3. A number of Students' Unions, such as Leicester SU and Middlesex SU, are already affiliated to Citizens UK.
4. In November 2017, communities from across Tyne & Wear came together to launch Tyne and Wear Citizens, as part of Citizens UK.

Assembly believes:

1. Membership of Tyne & Wear Citizens would:
 - Give Durham Students' Union access to community leadership training, such as a 6-day Activist Academy, and free places on local training.
 - Enable Durham Students' Union's participation in neighbourhood, city-wide and nation-wide campaigns, such as the Living Wage campaign.
 - Provide Durham Students' Union with connections to other local institutions with similar values such as schools, trade union branches, health centres etc.
2. Becoming a member of Tyne & Wear Citizens would offer the potential to improve relations between students and the local community through collaborative campaigning, as well as provide access to local organisations with similar values.
3. Citizen's UK members pool together money and Durham Students' Union would be required to make a contribution of between £1,200.00 and £1,700.00 for affiliation.

Assembly resolves:

1. To mandate the Opportunities Officer to facilitate the affiliation of Durham Students' Union to Tyne & Wear Citizens.