

Open College of the Arts Student Association Draft Constitution

The Open College of the Arts Student Association (OCASA) is a students' union within the meaning of the Education Act 1994. The Association is devoted to the educational interests of its Members.

Aims and Objectives

1. To advance and support the education of its members and students of the Open College of the Arts (OCA) as a whole.
2. To represent the interests of its members and act as a channel of communication for students in dealing with OCA and any other relevant bodies.

These aims and objectives shall be practised without discrimination on the grounds of age, sex, race, religion, creed, sexual orientation, disability or medical condition, except that action may be taken to promote equality of opportunity.

Membership

All students who are registered at OCA shall be members of OCASA unless they have decided to opt out of membership according to the provisions of the 1994 Education Act (as outlined in Appendix C).

Only current members of OCASA can vote in elections or hold executive office.

All members will have access to a copy of this written constitution.

Governance

Under the Education Act 1994 the governing body of OCA (the OCA Board of Trustees) has a statutory duty to ensure that OCASA operates in a fair and democratic manner and is held to proper account for its finances. OCASA therefore works alongside the OCA in ensuring that the affairs of the student association are properly conducted.

The OCA Trustees will constitute a sub-committee to oversee the work of the OCASA comprising:

1. two members of the OCA governing body (one to chair);
2. a member of the OCA staff (normally the finance director);

This body will be known as the OCASA Supervisory Committee and is accountable to the OCA Trustees.

The OCASA president or a delegated executive officer of OCASA will attend the meetings of the OCASA Supervisory Committee but will not be a member of that Committee.

The OCASA Supervisory Committee will meet at least once per year to monitor the finances and conduct of OCASA with reference to applicable laws and regulations.

The Executive Committee

The Executive Committee shall be responsible for managing the activities of OCASA on a day to day basis in accordance with the terms of this constitution.

The Executive Committee will comprise:

- The OCASA president who shall be a member of OCASA and elected by the OCASA members;
- A representative elected from and by OCASA member students in each of the subject areas listed in appendix A;
- Any persons co-opted by the Executive Committee or invited by the committee to attend one or more of its meetings.

Co-opted members will normally serve for a period of twelve months, but this period can be extended by a collective decision of the elected members of the Executive Committee.

Each elected representative will serve for a period not exceeding two years, and may stand for re-election for a further term if still a member of OCASA. If a representative resigns or ceases to serve on the Executive Committee for any reason during their period of office, an election will be held promptly to seek a replacement. If a representative fails to attend three consecutive Executive Committee meetings, an election for their position on the Executive Committee will be held, though the individual may stand for re-election.

The Executive Committee will meet in person or by electronic means at least four times a year, and may choose to allocate specific roles and responsibilities to its members.

The role of the Executive Committee shall be:

- To consult the student body in order to formulate policy;
- To represent policy to OCA;
- To implement and monitor policy decisions;
- To act as channel of communication between members of the association, OCA management, the governing body and other organisations;
- To establish working groups where relevant to inform policy;
- To monitor the finances of OCASA;

Minutes of the Executive Committee meetings shall be made available to students, after ratification by the president. Detailed procedures for the organisation and conduct of the OCASA Executive Committee are in Appendix F.

The Executive Committee shall elect a Vice President according to procedures set out in Appendix F. This role is defined in Appendix G and the Vice President will, in the event of the President being unable to continue in the role, take over the duties of President until a new President has been elected.

Finance

The Supervisory Committee shall supervise OCASA finances and ensure that proper books of accounts are maintained and that these books shall be reviewed annually by a person appointed by the Supervisory Committee who is qualified to undertake this task. A copy of the annual accounts shall be given promptly to OCA and made available to members.

The financial year of OCASA will run from 1st September to 31st August.

OCASA will bid on an annual basis (normally during July) for appropriate funds and resources from OCA to enable it to effectively pursue its aims, objectives and legal obligations.

The regulations for the conduct of OCASA's financial affairs are set out in Appendix B.

Amendments to the Constitution

The constitution will be reviewed at least every three years from the date of implementation of the current version.

Any proposal to amend the constitution must be supported by a majority of the Executive Committee. Any proposed amendments to the constitution must be notified to the members and ultimately approved by the governing body of OCA.

Indemnity

OCASA Executive Committee members will be covered by indemnity insurance, for their activities and decisions on behalf of OCASA. This will be at OCASA's expense and will normally be organised through the OCA's insurance policies.

Complaints

Any complaints by OCASA members regarding their dealings with OCASA or its elected representatives shall be handled according to the procedures set out in Appendix D.

Interpretation

In the event of a challenge to the interpretation of any part of this constitution, the ruling of the President shall be sought. In the event of a challenge to the President's ruling, the decision shall be taken to the OCASA Supervisory Committee. The President and/or the Supervisory Committee may obtain legal advice as appropriate. If the member remains unsatisfied, they may appeal to the OCA Trustees, and the latter's ruling shall be final.

Societies

If OCASA decides to establish affiliated societies, the constitution will be amended to include an appendix setting out the procedures under which such societies shall be managed.

Appendices

- A. Election regulations, and returning officer
- B. Finance
- C. Opting out of OCASA membership
- D. Complaints and Removal of Elected Representatives
- E. Affiliation to external organisations
- F. Meeting Procedures for the Executive
- G. Role Definitions

Appendix A: Election Regulations

This appendix outlines what to do for all elections for all positions in OCASA. It also outlines the procedures to follow if a vacancy occurs in any position.

1. The OCASA Supervisory Committee shall appoint a returning officer, who shall not be a member of the Association, subject to the approval of the OCA Trustees. The returning officer shall be responsible for the good conduct and administration of all elections and their interpretation of the election regulations shall be binding on the members.

2. The returning officer shall ensure that an election takes place for any post or posts within sufficient timescale to ensure that no officer of OCASA serves for more than two years without seeking re-election.

3. If any post of the Executive Committee becomes vacant then a by-election shall be arranged by the returning officer. Nominations shall open no later than one week after confirmation of the vacancy arising. All other election regulations apply.

4. The elected members of the Executive Committee shall be:
 - The OCASA President;
 - A representative for each subject area, as follows:
 - Fine Art, History of Art (including Masters Programme);
 - Textiles;
 - Music;
 - Photography;
 - Creative Writing;
 - Visual Communications.

5. Only members of OCASA registered within a specific subject area shall normally be eligible to stand for representative for that subject area, and no individual shall represent more than one subject area.
6. Nominations for election to office can be made by any member of OCASA themselves, or by others with the permission of the nominee, subject to the restriction above.
7. A candidates nomination must be accompanied by:
 - An election statement of no more than 250 words;
 - A biographical background of no more than 250 words.
8. The returning officer shall establish a clear timetable and procedure for each election such that:
 - There is at least two weeks for nominations to be submitted.
 - There is at least three weeks between the publication of candidates' details and the closure of voting.
9. In the event of a sole nomination, that candidate shall be declared elected unopposed.
10. The returning officer shall ensure the publication to all members eligible to vote for a particular post of the relevant candidates' election statement and background information.
11. The returning officer shall make arrangements to ensure that all members of OCASA have the means to cast a vote irrespective of their place of study or residence.
12. Voting shall be by ballot and shall be conducted according to the most recently published edition of the rules of the single transferable voting (STV) system as set out by the Electoral Reform Society.

13. The method of voting may be by postal vote or online vote, as deemed most appropriate by the returning officer in relation to member circumstances and the availability of appropriate technology. The returning officer shall publicise the arrangements for voting at the time of publication of nominations.

14. Counting shall be completed within four days of the close of voting and the result declared within one working day of the completion of the count. The returning officer shall ensure that a statement of the result is publicised at relevant online locations to ensure that members can be aware of the outcome.

15. The results will become official three days after they have been posted provided that no complaint has been lodged with the returning officer within that time. In the event of a complaint being received by the returning officer the results shall be suspended until the complaint has been resolved.

16. In the event of no nominations being received for a particular vacancy the members registered within that subject electorate will be notified that there are currently no nominations, and the deadline will be extended. If at the extended deadline no volunteers are forthcoming, the OCASA Executive Committee may choose collectively to co-opt someone (not necessarily from that subject area) to fill the vacancy for a period of up to twelve months or until a nominee (or nominees) within the subject areas comes forward and is elected or confirmed in the role, whichever is the sooner. At the end of twelve months in which a co-opted representative has served, an election for that subject area must be held, in line with the election regulations in this appendix.

A current vacancy in any subject area will not invalidate decisions of the Executive Committee or render any meeting inquorate by virtue of such vacancy.

17. Any challenge or complaint concerning the administration and good conduct of the election will be heard by the returning officer within 72 hours of such a complaint being lodged by any full member or the candidate. In determining the outcome of a complaint the returning officer after hearing all appropriate evidence may not uphold the complaint; or may halt the election; or may disqualify a candidate or candidates if they have breached election regulations. The rule of the returning officer shall be final.

Appendix B – Finance Regulations

1. The Executive Committee shall appoint one of its members, or co-opt another OCASA member as finance officer to be responsible for overseeing the financial affairs of OCASA.
2. The finance officer shall report to the Executive Committee meeting expenditures since the last meeting and the current bank balance.
3. All payments on behalf of OCASA shall be made through the OCA bank account.
4. There shall be a process for requesting a payment that ensures the following regulations apply:
 - a. All requests for payment shall be approved by either the President or the finance officer;
 - b. Any request for payment over £50 shall also be approved by either the Finance Officer or the President AND one other member of the Executive Committee who must not be a personal beneficiary of the payment involved;
 - c. Any single item of expenditure in excess of £250 shall be discussed with the Executive Committee and approved by a majority.
5. All contracts shall have two signatories, normally the President and the finance officer. Any contract or commitment exceeding a value of £250 must be approved and countersigned by a member of the OCASA Supervisory Committee, normally the OCA Finance Director.
6. No financial agreement may be entered into which involves commitment beyond the end of the financial year following the year in which it was signed.
7. Budgets shall be drawn up for all areas of proposed expenditure. These areas will be discussed and approved by the Executive Committee for submission to OCA in July.
8. The finance officer, under the direction of the President, shall provide a financial statement once per year for submission to the OCASA Supervisory Committee. This statement will be made available to all OCASA members.
9. OCASA shall not enter into any borrowing or loan agreements.
10. Any member of the Executive Committee may receive expenses for costs incurred wholly and exclusively in connection with OCASA business. Expenses must be authorised in line with the regulations for payment requests above and must be authorised by a member of the Executive Committee other than the person making the claim.
11. OCASA shall not make any donations to any organisation outside the aims and objectives of the association.

12. For legal reasons, members of the Executive Committee who are under the age of 18 cannot be authorised to sign any contract or financial agreement, authorise any payment, take responsibility for any budget or make any financial decisions on behalf of OCASA.

Appendix C: OPTING OUT

1. Every OCA student shall be able to relinquish their right of membership of the OCASA.
2. A student who opts out of OCASA shall not be able to participate in the democratic and decision-making function of OCASA and may not stand for any office or representative position, as contained in the OCASA constitution.
3. A student wishing to opt out must indicate this within six weeks of the start of their OCA course in writing to Registry at OCA head office.
4. A student who has opted out who subsequently wishes to become a member of OCASA shall notify OCA Registry in writing. Registry shall then inform the OCASA President. Any such application falling less than twenty college days of nominations opening for an OCASA election will not qualify that student to stand for election.

Appendix D: Complaints and the Removal of Elected Representatives

The following complaints procedure shall be made available to all students or groups of students who are dissatisfied in their dealings with OCASA.

1. A complaint about OCASA shall be addressed in writing to the OCASA President, unless the complaint is about the President, in which case refer to paragraph 4 below.
2. On receipt of a written complaint, the President shall make a written reply within ten working days.
3. If the complainant is not satisfied with the response they may appeal to the Chair of the OCASA Supervisory Committee, who will respond to the complainant within ten working days.
4. A complaint about the OCASA President should be addressed in writing to the Chair of the OCASA Supervisory Committee.
5. If the complainant, whether making a complaint about OCASA or the President, remains unsatisfied with the response provided by the Chair of the OCASA Supervisory Committee, OCA shall appoint an independent person to consider and resolve the complaint. The decision of that person shall be final.
6. Elected members of the Executive Committee, including the President, may be removed from office by a majority ballot of their electorate (meaning all OCASA members in the case of the President, and the designated subject group in the case of other committee members);
7. The calling of a ballot to remove a member of the Executive Committee shall require the support of 200 OCASA members in the case of the President and of 20% of the OCASA members in the relevant subject group in the case of the subject area representatives. The regulations for such a ballot shall be determined by the returning officer, within the limits of this constitution.

Appendix E: Affiliations to External Organisations

1. Any proposal to affiliate (or dissociate) OCASA to (or from) an external organisation shall be first approved by the OCASA Executive Committee.
2. OCA and the membership of OCASA shall be informed of all new affiliations to external organisations. The notice shall include the name of the organisation being affiliated to, the type of affiliation and the subscription fee.
3. Details of all affiliations to external organisations, including the names of the organisations and each affiliation fee paid, shall be included in OCASA's annual financial report which shall be made available to all members of OCASA and to OCA.
4. At least 200 members of OCASA may, at intervals of not less than one year, by a ballot addressed to the OCASA President, call for a secret ballot of all members on the continuation of affiliation of OCASA to a particular external organisation.

Appendix F: Meeting Procedures for the Executive Committee

Frequency

- The committee is to meet at least 4 times per year.
- The date of the next two meetings will normally be set by the President, at least 3 weeks prior to the relevant meeting.

Attendance

- Meetings to be attended by the OCASA President and Subject Representatives who must be students of the OCA and members of OCASA;
- A quorum will consist of a minimum of four subject representatives, plus the President or Vice President;
- Attendance may be in person or via a communications link; apologies for absence to be notified to the President by e-mail;
- The elected Committee members may collectively co-opt other OCA members to join them. Co-optees are to be full members of the committee except for voting (see below); co-optees serve for one year, but may then be co-opted for a further period by a vote of the elected committee members;
- The Committee may invite any other individuals to attend meetings or parts of meetings for specific purposes. Those invited people do not have to be OCA students and such individuals do not have a vote.

Roles

- The OCASA President normally chairs the committee meetings;
- Committee members are expected to consider and work for the good of all OCA students, rather than only representing their subject interests;
- The Committee will appoint a Secretary who will keep the minutes and assist the President in preparing the agenda plus organisation and notification of meetings;
- The Committee will appoint a Finance Officer (see Appendix B);
- The Committee will appoint a Vice President, by election, if necessary. Candidates for Vice President must be full members of the committee (not co-opted members) and will either nominate themselves or will be invited to put themselves forward by other committee members. If there is more than one nominee, the committee will vote and elect a Vice President by simple majority. In the event of a tie, the President will have the casting vote.
- The Committee may define and appoint other roles;

- Co-optees may be appointed to roles, except as President or Vice President; co-optees may be asked to be an 'acting subject representative', in which case they serve in that role until the end of their period as a co-optee, or until a nominated or elected representative from that subject area is appointed, whichever is shorter.

Agenda

The agenda is to be published to the committee by the President not less than one week prior to a meeting, other than in exceptional circumstances;

Standing items on the Agenda will include:

- Minutes of last meeting & matters arising;
- Finance;
- Teaching & Learning Committee;
- Subject Representative Reports;
- Any other business;
- Date of next meeting.

Additional agenda items to be notified to President in writing (including email) at least two weeks prior to the date of a meeting.

Discussion and Conduct of Meetings

- Meetings are to be conducted in a spirit of mutual respect, with all subject representatives and co-optees having the right to speak and express their opinions on matters under discussion; invited individuals do not, in principle, have the same rights, but in practice, the committee is only expected to apply this principle in exceptional circumstances, with the views of all those present in a meeting being of potential interest to the committee;
- The President, as Chair, is to be responsible for the appropriate conduct of the meeting, ensuring contributions from all those who wish to speak and that the Agenda is followed;
- The discussions that occur in meetings are to be confidential between committee members, with the minutes (see below) being the conclusive record of the meeting.

Voting

- In principle, the approach is to be 'decision by consensus', with the Chair leading discussions towards a mutually agreeable outcome;

- When this is not possible, the Chair will make their personal position on the issues at hand clear and then a vote of the subject representatives will be taken and the majority decision will be carried forward as OCASA policy.
- Each subject representative present at the meeting has one vote and a decision will be based on the simple majority vote between subject representatives.
- Co-optees do not have a vote unless they have been appointed as an acting subject representative, in which case they have one vote in meetings that they attend whilst in that role;
- Invited individuals do not have a vote;
- In the event of a tied vote between subject representatives, the President has the casting vote.

Minutes

- Minutes of meeting to be kept by a nominated attendee, normally the Secretary;
- Draft Minutes are to be circulated to all committee members and then published in draft form on the OCA website;
- Once agreed at the next meeting, the final version of the minutes is to be signed by the President and is then to replace the draft version on the OCA student website.

Appendix G: Role Definitions

President

- Organising and chairing Executive Committee meetings;
- Attending meetings of the OCA Teaching and Learning Committee;
- Acting as the main (though not exclusive) point of contact with OCA, both formally and informally;
- Co-ordinating communications and decision-making outside of formal meetings;
- Ensuring proper processes and procedures are followed in the conduct of OCASA business;
- Providing leadership and direction for the Executive Committee;
- Ensuring that OCASA has plans and budgets in place to achieve its objectives;
- Attending the meetings of the OCASA Supervisory Committee.

Vice President

- Deputising for the President whenever necessary;
- Attending OCA Teaching and Learning Committee with the President;
- Generally supporting the President in all aspects of the role;
- Taking over the duties of the President, if the elected person is unable to continue for whatever reason, until a new President has been elected.

Secretary

- Assisting with the organization of committee meetings;
- Assisting with the general administration of the committee's activities;
- Taking the minutes at committee meetings and preparing them for agreement by the President and the Committee;
- Keeping the signed minutes as a formal record of committee proceedings.

Finance Officer

- Preparing and keeping appropriate financial records (with assistance from the OCA Finance Director);
- Administering expenses and other payments;
- Organising the preparation of an annual budget;
- The Finance Officer shall report to the Executive Committee meeting expenditures since the last meeting and the current bank balance;
- With the President and the OCA Finance Director, preparing financial statements at the end of the year.