

Constitution & Bye-Law Approval

Proposer: Alex Chippy Compton (Union Council Chair 2018/19, Union President 2017/18)

Seconders: Rob Tomkies (Union President 2018/19), Fintan O'Connor (Deputy President Welfare 2017/18), Tom Bacarese-Hamilton (Deputy President Clubs & Societies 2017/18)

Union Notes

1. The Governing Documents must be renewed every five years, in line with the Education Act 1994
2. Last year, a 'governance review' was undertaken as part of this renewal
3. The updated Governing Documents were not passed last year due to inquoracy

Union Believes

1. It is important to have up-to-date governing documents

Union Resolves

1. To pass the new Governing Documents (requires 2/3 majority of Union Council)
2. To recommend Board of Trustees and Imperial College London Council pass the new Governing Documents
3. Pending approval from Board and College Council, the Union will draw up an appropriate timeline for implementing the changes and report this back to Council at the December meeting

NB: the changes will come into effect once passed by Board of Trustees and Imperial College London Council

Governing Documents Changes

A note by Alex Chippy Compton, Union Council Chair 2018/19

Below I have provided explanations as to the changes within the Governing Documents. I have broken it down by section for ease. The final section of this document outlines the formal paper for Council to consider.

NB: an arrow (→) denotes direct replacement of text

Main changes

- The Constitution provides us with a legal framework in which to operate as a charity. Imperial College London Council has a duty to ensure we adhere to our objects as a charity however we have the right to determine our policy setting procedures. If passed, Imperial College London Council will no longer be required to pass the Bye-Laws (only the Constitution). This will allow for more efficient changes to the Bye-Laws and greater Union ownership of our governance. These changes are allowed within the current Imperial College London statutes and has been discussed with senior College leadership.
- The Constitution has been condensed, with large sections moving to the Bye-Laws (outlined below), namely for the same reasons as above
- We have moved to a gender-neutral language to be more inclusive (his/her → their)

Constitution of Imperial College Union

NB: section letters refer to old sections lettering in tracked changes document

- A. Background → Introduction
 - This section has been renamed to Introduction
 - This section also incorporates the previous Section C (Name)
- B. Definitions & Interpretations
 - This has been merged with the previous Section O (also called Definitions & Interpretations) and is now located at the end of the document
- C. Name
 - This section has been move to Section A (Introduction)
- D. Objects
 - This remains unchanged as it is a legal requirement
- E. Powers
 - This remains unchanged as it is a legal requirement
- F. Dissolution
 - This section has been move to Section A (Introduction)
- G. Amendments
 - Requirement for amendments to Bye-Laws to be approved by Imperial College Council has been removed (reasoning above)
- H. Membership

- Governance Committee now has the power to expel a member (rather than Council). Council can provide a recommendation to expel a member as a result of disciplinary action.
 - Associate Membership is primarily featured in Board Policy however still features in the Constitution. Council can still elect and remove Associate Members (such as with Honorary Life Membership).
- I. Referenda
- This section has been moved to the Bye-Laws
- J. General Meetings
- This section has been moved to the Bye-Laws
- K. Trustees
- This section still outlines the make-up of Board of Trustees however the majority of the section has been moved to the Bye-Laws
- L. Union Council
- This section remains largely unchanged (minor reformatting)
- M. Constituent Unions
- This section remains largely unchanged (minor reformatting and addition of responsibility in line with the Union's Objects). The responsibility was agreed by all Constituent Union Executives last year.
- N. General
- The contents in this section have been moved to other sections (and therefore in some cases the Bye-Laws)
- O. Definitions & Interpretations
- This section incorporates the previous Section B (Definitions & Interpretations)

Bye-Laws of Imperial College Union

A. Structure of the Union

Union Council

- Names updated (to reflect changes made in previous years)
- Details on Representatives to Council have been merged to ensure better representation based on student numbers. Previously, non-Faculty students (eg Business School, Centre for Language, Culture and Communications) only have one representative. This addition gives us more flexibility if numbers change significantly in the future.
- Previously Representatives to Council would lose their seat after 2 consecutive ordinary meetings of Council. Now this is applied to ex-officio members. Ex-officio members will not lose their role- just their ability to vote on Council. This can be reinstated by a simple majority vote of Council (as per feedback from last year).
- The Executive Committee has been removed to reflect current operation- the Executive Committee has not been in place for several years.
- An additional clause has been added to allow for submissions acting as a direct response to a paper up to 2 clear College days before a meeting. The Council Chair already had the power to accept papers late, if deemed appropriate. This statement allows an opposing/alternative paper to be brought forward. A definition of 'direct response' needs to be drawn up and will sit in the Standing Orders (as per feedback from Council last year).

- Two Subcommittees have been added. The suggested Standing Orders feature in Appendix A. These will come formally to the December Council meeting to allow for the launch of these committees in January.

Constituent Unions

- Postgraduate students have been added as 'social members' to the traditional 'faculty' unions, based on the feedback from Constituent Union's last year.

Management Groups

- This section has been updated to reflect current operations and the management group restructure that occurred two years ago. This change was passed at the time but was never formally incorporated into the Bye-Laws.

Liberation & Community Officers

- Minor updates to reflect name changes last year and removal of Campaigns Officer (agreed last year but never formally incorporated).

B. Trustees

- Added from the Constitution
- Proceedings of the Board of Trustees (brought over from 'General' within the Constitution)
- Quorum for Board has been updated based on discussions at Board

C. Meetings

- Clauses on Constitutions and Standing Orders have been moved to relevant sections (ie Constituent Unions or Management Groups) within Section A

D. Policy

- No major changes (minor text updates)

E. Referenda

- Section added from Constitution

F. Officers of the Union

- Names updated
- Officer Trustee Job Description- this was approved at January 2018 Council
- Constituent Union Role Descriptions- based off feedback last year, this will be brought as a policy to December Council meeting

G. Complaints & Discipline

- Clarification added on dealing with trustees

- Maximum monetary fine is in line with College's fine (however a clause has been added stating that a monetary fine should be avoided)
- Appeal procedure reflects College procedures (which have recently been updated) based on feedback from parties involved in investigations last year

H. Major Elections

- Addition of deadline for complaints regarding the conduct of the Returning Officer (also added for I. Minor Elections)

Appendix A

Proposed Standing Orders

- **Services and Sustainability Board**

- Purpose

- 1) The purposes of the Committee shall be:

- a. To act as a forum for issues relating to the Union's Commercial Services and environmental sustainability of the Union.
- b. Campaigning to promote sustainability policy passed by the Union Council.

- Membership

- 2) The Membership of the Committee shall be:

- a. The Officer Trustees
- b. The Ethics & Environment Community Officer
- c. 4 elected Council members
- d. 1 elected Beit student staff member
- e. 1 elected H-bar/Reynolds student staff member
- f. 1 elected Shop/Shop Extra student staff member

- Structure

- 3) The Deputy President (Finance & Services) shall chair the Committee.

- **Governance and Identity Board**

- Purpose

- 4) The purposes of the Committee shall be:

- a. To act as a forum for issues relating to governance policy.
- b. Campaigning to promote governance policy passed by the Union Council.

- Membership

- 5) The Membership of the Committee shall be:

- a. The Officer Trustees
- b. The Constituent Union Presidents
- c. The BME Liberation Officer
- d. The Gender Equality Liberation Officer
- e. The Disabilities Liberation Officer
- f. The LGBT+ Liberation Officer

- Structure

- 6) The Union President shall chair the Committee.