Explanation of Changes to the Constitution

This document accompanies the new proposed version of the constitution to explain the changes made.

The events of Lent Term showed that the provisions of the constitution were lacking, and we hope that the subcommittee created at the end of Easter Term has provided solutions to these issues.

The aims of the subcommittee were set out at the start of summer, which were:

* Clarity and transparency
* Efficiency
* Updating old and incorrect information

It was debated as to whether we wanted to rewrite most of the constitution or change and address specific parts. It was decided that the constitution required major changes to structure and some content and as a result the constitution was rewritten using the framework of the old constitution.

As a subcommittee, we have had several meetings lasting over two hours and spent countless hours editing the document. There has been thorough investigation into the changes made with major scrutiny by those involved.

I would like to thank, Alex Blore, Amy Folkard, Ben Milner, Dominic Bielby, Izaac “Woke” Mammadov, Niamh O'Brien, Robin Denham, Harry Taylor - Graduate (advisory and non-voting) and Will Clennell for their contribution to the writing of the new constitution.

The proposed document is also attached to the email sent with this. There will be 2-week period of consultation after which the subcommittee will meet a final time. Anyone is able to attend this meeting.

It will then be proposed at open meeting for the amendments to go to ballot. This will be a ballot of all undergraduate members of the JCR.

# Changes to structure

It was decided that a section and annex system would be employed with the main workings of the constitution described in sections and details described in annexes. This means that to have a general understanding the sections can be read but the detail is not lost as it contained in annexes. The annexes are still part of the constitution and subject to the same amendment procedure as the main body.

# Changes to the Old Constitution

The titles refer to the old conditional title.

## 1. NAME, MEMBERSHIP AND AIMS

This section is largely unchanged with the title remaining and the main body remaining fairly consistent with the old constitution, although some language has been clarified and an annex produced.

|  |  |  |
| --- | --- | --- |
| Type of change  | Description of change  | Reason |
| Addition | The committee is defined in this section | The committee was previously defined in the “Committee” section but there were references to it before then |
| Amendment | The wording of primary aims have been slightly altered to better describe the aims of the committee | This allows for greater clarity around what the aims of the JCR e.g. administer vs allocate |
| Removal | The secondary aims have been removed as they add no value | Streamlining, the statement was futile  |
| Addition | The Commitee shall be no-partisan  | This is made explicit in this section  |
| Annex | The provision to withdraw JCR membership has been moved to Annex 1 and the procedure for doing so is described there | This is so that the constitution can be read more easily with the detail of this process moved to the annex |

## 2. JCR COMMITTEES

|  |  |  |
| --- | --- | --- |
| Type of change  | Description of change  | Reason |
| Removal | MCR officer removed and described in the MCR section | Better reflects practice - the MCR don’t attend meetings as voting officers. The option for their attendance is provided later – allowing for improved relations with the MCR |
| Removal | Election of Major Union Offices as under the Education Act, all members must vote for these roles and the MCR are excluded from voting | This reflects something that is incorrect in the old constitution  |
| Amendment | Change of Academic and Access to Access | Better represents the role |
| Amendment | Any reference to “Post X” has been changed and will refer directly to that role  | For clarity |
| Amendment | Defining the electorate for each role has been moved to Annex 2: Election schedule  | For clarity – more important to describe them when voting is being discussed |
| Annex | Elections described in Annex 2 | This is so that the constitution can be read more easily with the detail of this process moved to the annex |
| Annex | Responsibilities of the committee described in Annex 3. | This is so that the constitution can be read more easily with the detail of this process moved to the annex |
| Annex | Resignation and impeachment procedure described in annex 10, with greater clarity and procedure  | For clarity and transparency around the process  |

## 3. FUNCTIONS OF THE COMMITTEE

This section has been renamed Section 4 – JCR committee and Subcommittee Meetings. (Section 3 now refers to the MCR)

|  |  |  |
| --- | --- | --- |
| Type of change  | Description of change  | Reason |
| Amendment | Change of language – ensures it is a requirement not a recommendation  | Although greater accountability and transparency form the committee  |
| Amendment | Change of quorum for committee meetings from 7 people to 60%. 60% is 11 Officers currently. | This reflects the increase in size in committee and facilitates any future change.  |
| Amendment | Clarification around “Starred” (unpublished) minutes and the reasons for not publishing them | Transparency  |

## 4. JCR SUBCOMMITTEES

Subcommittees section merged with committee meetings in section 4.

|  |  |  |
| --- | --- | --- |
| Type of change  | Description of change  | Reason |
| Amendment | Subcommittees defined and no forced Ents and K&B subcommittee. Conditions on their existence  | Reflects current practice and allows for transparency on what subcommittees do  |

## 5. OPEN MEETINGS

Name change to “Open Meetings and Emergency Open Meetings”.

|  |  |  |
| --- | --- | --- |
| Type of change  | Description of change  | Reason |
| Addition | Open meetings defined | Clarity |
| Amendment | Motions defined as JCR’s intent | Clarity – motions were not defined previously but were “binding”.  |
| Annex | The procedure for the conduct of open meetings as well as procedure moved to annexes 4 and 5 | This is so that the constitution can be read more easily with the detail of this process moved to the annex |

## 6. EMERGENCY OPEN MEETINGS

As above – merged with Open Meetings. No material change to this section apart from the merge.

## 7. OPEN AND EMERGENCY OPEN MEETINGS - GENERAL

This section moved to Annex 4.

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| --- | --- | --- |
| Type of change  | Description of change  | Reason |
| Amendment | Quorum changed from 25 people to 10% of the undergraduate JCR  | Better reflects the fluctuation in size of the college. |
| Addition | Defining who can make up quorum – video now allowed. | Clarity – ensures that all reasonable accommodations are made for people to attend – especially right now |
| Addition | Defining proxy voting and whether they count towards quorum.  | Clarity – not previously defined, very important for the Heating open meeting (see active policy on this meeting) |

## 8. BALLOTS

Now Section 7

|  |  |  |
| --- | --- | --- |
| Type of change  | Description of change  | Reason |
| Addition | Ballots now require open meetings to occur | Ensures there is a reason for the ballot to occur |
| Addition | Ability to request a ballot be made now possible at open meeting | Allows for JCR members to put questions to ballot more easily – transparency and empowering the student body |
| Annex | The ballot procedure defined under annex 6. It also has the same voting procedure as for elections | This is so that the constitution can be read more easily with the detail of this process moved to the annex |
| Amendment | CUSU/CSU changed – affiliation as a model no longer exists. The “CUSU referendum” is now defined as engagement or boycott – this will mandate attendance at CSU congregations | Updating old information but still allowing the JCR to scrutinise CSU as far as possible |

## 9. FINANCE-GENERAL/ 10. FINANCE - JCR BUDGET/ 11. FINANCE - JCR ACCOUNTS / 12. SPECIAL FUNDS

These have been merged into two sections: Finance and Funding; and JCR Budget and Accounts. This is to better describe each system and make the JCR budget section more clear and easier to navigate for clubs and societies who want to make budget applications.

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| --- | --- | --- |
| Type of change  | Description of change  | Reason |
| Amendment | Clearly defines what income the JCR receives | Clarity |
| Amendment | Motions for donations to charitable causes can go to ballot at any time of year now, not just in Lent Term. | No real reason for it to occur in Lent, as there is no obligations for it to be tied to the budget  |
| Amendment | Definition of political defined more strictly | For JCR members the process is the same, but precedence is given to the education act to comply with the law |
| Amendment | How the budget is proposed is clarified  | Clarity and accountability – means that the budget proposed must be the one that is passed (with amendments if necessary)  |
| Annex | Applications for funding described in Annex 7 | This is so that the constitution can be read more easily with the detail of this process moved to the annex |
| Amendment | Allocations of funds to the MCR moved to MCR section | Clarity – this is the more important for the MCR so better to include it the relevant section |
| Amendment | Withdrawal of money better defined to reflect online banking | Current practice is that the Treasurer reimburses societies and the current provision requires two people to accept every transaction which is extremely complicated. This change allows the treasurer to fulfil their responsibilities more easily.  |

## 13. Special Reserve Fund

Unchanged except for reference.

## 14. EXTERNAL AFFILIATIONS

Now Section 11.

|  |  |  |
| --- | --- | --- |
| Type of change  | Description of change  | Reason |
| Amendment | System redefined for how external affiliation and disaffiliation can occur – procedure of declaration to GB and the JCR remains the same.  | Allows the method of how these are voted to occur with more clarity.  |
| Annex | Procedure for how ballots on Affiliation occur is described in Annex 6 | This is so that the constitution can be read more easily with the detail of this process moved to the annex |

## 15. THE MCR

Now Section 3 as there are mentions of MCR before it is defined.

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| --- | --- | --- |
| Type of change  | Description of change  | Reason |
| Addition  | MCR must produce accounts as the JCR does | No provision before this. Reflects current practice |
| Addition  | The MCR may have a non-voting officer sit on our committee meetings (non-voting) | Allows for better relations – is a historical practice that has been reintroduced.  |
| Addition  | The JCR VP may attend MCR Committee meetings (non-voting)  | Allows for better relations – is a historical practice that has been reintroduced.  |
| Addition  | Amendments to this section defined in line with the old constitution but with greater clarity | Clarity – exact procedure laid out  |
| Addition  | The right to include the MCR in ballots if agreed by both committees and not in contradiction with the constitution | May be useful to provide a united student front to college any issues that may be raised |

## 16. AUTHORITY, AMENDMENTS AND INTERPRETATION OF THE RULES

Now Section 12

|  |  |  |
| --- | --- | --- |
| Type of change  | Description of change  | Reason |
| Amendment | All references to each section are better defined and more easily found | Clarity, hyperlinks included |
| Amendment | Defining an order of precedence to include active policies  | Updating to current practice |
| Annex | Amendments to the constitution defined in Annex 6: Ballots | How a constitutional amendment ballot may be passed defined here for greater clarity about this process. |
| Removal | Standing orders removed | Replaced with annexes where applicable.  |
| Amendment | Interpretation of the constitution defined with a challenge procedure  | Similar to the old constitution but more systematically laid out |

## 17. COMPLAINTS PROCEDURE

Now Section 13.

|  |  |  |
| --- | --- | --- |
| Type of change  | Description of change  | Reason |
| Annex | The reasons for a complaint defined then the procedure set out in Annex 9. | This is so that the constitution can be read more easily with the detail of this process moved to the annex |
| Amendment | The escalation of a complaint defined with more clarity | Clarity and transparency  |
| Amendment | Procedure following committee appeal and escalation to Governing Body (Fellows) defined with more clarity | Clarity and transparency |
| Amendment | Exclusion of officer who the complaint is against from these meetings | Transparency  |

## 18. REMOVAL OF THE ELECTED OFFICERS OF THE JCR

Now Section 14 and includes resignations too

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| --- | --- | --- |
| Type of change  | Description of change  | Reason |
| Annex | Impeachment and resignation defined in an Annex 10 | Previously didn’t exist so has been added.  |
| Amendment | Quorum of 5 people for no confidence ballots not 30% as in liberation roles the electorate is unknown. | Previously no way to achieve 30% quorum for these roles so this procedure has been added  |
| Addition | Procedure for resignation added (in line with current active policy), allows for both immediate and future resignations | Previously didn’t exist so has been added |
| Addition | Redistribution of responsibilities until a byelection happens* 1. If president resigns then their responsibilities taken on by VP (‘Acting President’) and VP responsibilities go to treasurer and Secretary
	2. Responsibilities are distributed by the president unless no one can take on the roles (e.g. No people who can represent an electorate)
	3. Then byelection procedure is sped up to fill the role more quickly
 | Prevents a case with no President but doesn’t allow for Officers to fulfil duties for a role they are ineligible to run for. Clarity on how to handle responsibilities in transitional period. |
| Addition | Provision for a case where all officers are impeached or resign | Previously didn’t exist so has been added. |
| Annex | By-elections Annex added (11)* 1. Follows the same rules as a normal election apart from:
	2. Reduced period of nomination
	3. Reduced quorum for hustings
 | Allows for quick by-elections to occur rather than following the same rigid process as elections |

## 1. ELECTIONS SCHEDULE

Now Annex 2.

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| --- | --- | --- |
| Type of change  | Description of change  | Reason |
| Addition | Liberation roles electorate defined here | This is moved from the committee section. All information regarding elections can be found in one place, improving clarity and readability |
| Amendment | Nominators don’t need to be made public in elections if they are part of a reduced electorate but must be checked by the Returning Officer | Keeping identity of those in the groups represented by liberation officers discrete (if they would prefer) |
| Addition | Hustings is defined | Hustings defined separately to an open meeting – better clarity |
| Addition | Procedure if a tied election occurs  | Didn’t exist before – represents governmental practice  |
| Addition | STV for Welfare defined with more clarity to allow for “at least two gender identities to be elected”  | Avoids a situation like the CUSU NUS elections. Greater transparency about how outcomes are defined where outcomes are very close. |

## 1. Procedures for JCR Open Meetings and Emergency Open Meetings

Now in Annex 6

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| --- | --- | --- |
| Type of change  | Description of change  | Reason |
| Addition | Declarations of interest occur at the start of the meeting by JCR officers | Transparency |
| Addition | Procedural motion to take question to ballot | Transparency, empowering student voice |
| Amendment | Separating a question into parts better defined. | Clarity, reflecting practice. |
| Amendment | People may be removed from the meeting for being disruptive at the discretion of the chair | Clarity |
| Addition | The chair may prevent items from being discussed  | 2 people could submit 100 motions that could all be discussed. This prevents lengthy open meetings. The complaints procedure exists to prevent the chair exploiting this |

## Appendix III. Responsibilities of the JCR Committee

Defined in Annex 2 and changes made to wording as well as some content

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| --- | --- | --- |
| Type of change  | Description of change  | Reason |
| Amendment | Attending CUSU/CSU councils being dependent on a CSU mandate | Not an obligation when the JCR doesn’t request it. Reflects current practice |
| Removal  | End of year report for President | Difficult to produce. Adds little value – open meetings can be used to update the JCR |
| Addition | VP oversee CSU ballot and review active policies | Reflects other changes to the constitution  |
| Amendment | Treasurer updated to better define changes to the role due to advancement in technology | Updating outdated information  |
| Removal | Secretary – removal of responsibilities such as social media | Reflects current practice  |
| Amendment  | Welfare/ LGBT+: Sexual Health supplies (not condom machine) | Updating old information.  |
| Amendment  | Sport and socs updated to represent essential duties | Reflects current practice and doesn’t constitutionally mandate minor things |
| Amendment  | Ents - selling tickets being a responsibility rather than presenting revenue. | Better reflects current practice |
| Removal | Gender equalities- don’t have to attend CSU women’s campaign/forum  | Anyone who self-defines as a woman or non-binary students is able to vote in the womens’ campaign forum. Voting is not reserved for GE Officer like for CSU council  |
| Removal | First year officer removed (as per the last change which is not reflected in the current document) | This was removed in 2018 but is not reflected in the constitution on the website. |
| Addition | DSO | This was added in 2019 but is not reflected in the constitution on the website.  |

# Additions to the Constitution:

## Active policies

Section 6 – Active Policies – Active Policies are currently defined by an Active Policy. This Amendment allows for their existence without the need to self-govern.

## By-Election and resignation procedure

This procedure has been described above. This addition allows for a by-election to happen quickly if required but still mandates it to happen within 3 weeks. No liberations responsibilities will be undertaken by those who do not represent that group.