

# **Constitution of the Selwyn College Middle Combination Room Society (MCRS)**

## **Table of Contents**

Definitions.....	3
Article A. Name.....	3
Article B. Aims and objectives.....	4
Article C. Membership.....	4
C.1. Membership.....	4
C.2. Opting Out .....	5
C.3. Membership rights .....	5
C.4 Ombudsman .....	6
Article D. The Committee.....	6
D.1. The Committee and its Officers.....	6
D.2 Committee Meetings .....	8
D.3. Duties .....	9
D.4 Resignation and Removal from Office.....	11
Article E. Open Meetings .....	12
E.1 The Open Meeting .....	12
Article F. Elections and Referenda.....	15
F.1 Elections .....	15
F.2 Nominations .....	16
F.3 Referenda .....	16
F.4 The Poll.....	17
F.6. Malpractice.....	17
Article G. Affiliation.....	18
G.1. Affiliation to external organisations .....	18
Article H. Finances.....	18
H.1. Terms .....	18
H.2. The Treasurer and payments.....	19
H.3 Indemnity .....	19
Article I. Contracts .....	19
I.1. Contractual agreements .....	19
Article J. Grievances .....	20
J.1. Grievance procedure .....	20

J.2. Motions of no confidence .....	20
Article K. The Constitution, Standing Orders and Policy Lists .....	21
K.1. The Constitution .....	21
K.2. Standing Orders and Policy Lists .....	22
K.3. Interpretation.....	22

# Definitions

The following definitions apply in this document:

- (a) College shall mean Selwyn College, Cambridge.
- (b) University shall mean the University of Cambridge.
- (c) College Council and Governing Body shall mean those bodies within College.
- (d) Concerned Member shall mean any member of the MCRS holding a personal or financial interest in the particular motion, item of discussion, Poll or any other business of the MCRS to which that provision of the Constitution relates.
- (e) Poll shall mean any Election or Referendum, other than votes cast within an Open Meeting.
- (f) The Online Voting System shall be as defined in the Standing Orders.
- (g) Policy shall mean any action or decision of the MCRS, as approved by an Open Meeting being of benefit to the members of the MCRS, subject to the provisions of Article E.1.i.
- (h) Allocation shall mean the annual financial subsidy provided to the MCRS by College.
- (i) Committee shall mean the whole of the elected and co-opted officers of the MCRS.
- (j) Whenever a fraction of a number of people is mentioned in a provision of the Constitution it shall be taken to mean the nearest whole number, below the exact fraction.

## Article A. Name

**A.1.** There shall be a body, the name of which shall be the Selwyn College Middle Combination Room Society, hereinafter referred to as the MCRS.

## **Article B. Aims and objectives**

**B.1.** The aims and objectives of the MCRS shall be:

- (a) To be the official representative body for the graduate members of the College.
- (b) To promote the interests and welfare of its members.
- (c) To provide and manage recreational facilities for its members.
- (d) To act as a channel of communication between its members and other members of College, the University of Cambridge, the Cambridge University Students' Union, the National Union of Students and other bodies.
- (e) In furtherance of these aims and objectives to operate in a fair and democratic manner in accordance with the provision of the Education Act 1994.

## **Article C. Membership**

### **C.1. Membership**

**C.1.i** Subject to article C.2.i, membership of the MCRS shall be confined to people in one or more of the following classes. No other person shall be a member of the MCRS:

(a) Class A

- i. All postgraduate members of the College.
- ii. All undergraduate members of the College who have a B.A. or M.A.

(b) Class B

Members of the College Senior Combination Room who are registered for higher degrees in the University of Cambridge and who do not have voting rights on the Governing Body of Selwyn College and who have previously been members of the MCRS in class A.

(c) Class C

People (including, but not limited to, fourth-year undergraduate students, spouses and partners of members in classes (A), (B), and (C)) proposed for

membership of the MCRS by members in class A, whose membership is supported at an Open Meeting of the MCRS by a simple majority of those voting on the matter. The duration of a person's membership in class C shall be explicitly fixed at the Open Meeting, but in any event, shall last no longer than until the 31<sup>st</sup> December in the same year (subject to renewal by an Open Meeting on the same terms for no longer than a year at a time).

## **C.2. Opting Out**

**C.2.i.** All members have the right to opt-out of the MCRS.

**C.2. ii.** A member must inform both the College (through the Senior Tutor) and the Committee (through the President), in writing, of their intention to opt-out of the MCRS, before the division of the Michaelmas Term in each academic year in which they wish to opt-out.

**C.2.iii.** A member who has opted out is deemed to have opted out for the entire year.

## **C.3. Membership rights**

**C.3.i** Every member of the MCRS is entitled to:

- (a) Attend and speak at Open Meetings and, if applicable, Election hustings.
- (b) Sponsor motions for Open Meetings and raise matters for discussion at Committee meetings.
- (c) Petition against Committee decisions, for emergency Open Meetings and for Referenda.
- (d) Vote at Open Meetings and in Polls.
- (e) Submit or sponsor a nomination in any election except where excluded under the provisions of this Constitution or otherwise.
- (f) Receive a list of officers and representatives, after giving the President reasonable notice.
- (g) Inspect the records of Open Meeting and Committee Meetings minutes, after giving the President reasonable notice.

- (h) Inspect the accounts and receive a statement of the balance of the accounts, after giving the Treasurer reasonable notice.
- (i) Inspect the list of active MCRS Policy, after giving the President reasonable notice.
- (j) Inspect the source code of the online voting system, after giving the Computing Officer reasonable notice.
- (k) Be co-opted onto the Committee of the MCRS.

**C.3.ii** A member who has opted out cannot:

- (a) Sponsor motions, vote, or attend Open Meetings.
- (b) Sponsor a candidate for elections.
- (c) Be a candidate for election.
- (d) Vote in Polls.

**C.3.iii** All other MCRS services shall remain equally available and accessible to members and those postgraduates who have opted-out, except where prohibited by a motion passed by an Open Meeting.

## **C.4 Ombudsman**

**C.4.i** An Ombudsman shall be appointed by the College Council on the nomination of the Committee.

**C.4.ii** The Ombudsman shall be a Fellow of the College.

**C.4.iii** The Ombudsman shall have no role in the running or decision making of the MCRS, except for where mentioned in this Constitution.

## **Article D. The Committee**

### **D.1. The Committee and its Officers**

**D.1.i** The Open administration of the MCRS shall be in the hands of the Committee, which shall comprise:

- (a) The President.

- (b) The Vice-President.
- (c) The Secretary.
- (d) The Treasurer.
- (e) Welfare Officer 1.
- (f) Welfare Officer 2.
- (g) The Entertainments Officer.

and any or all of the following: the Alumni Officer, the BAME Officer, the Common Room Officer, the Dinners Officer, the Green Officer, the International Officer, the IT Officer, the LGBTQ+ Officer, the Part-Time Students, the Publicity Officer, the Sports Officer.

**D.1.i** The MCR President must be a matriculated member of the College for the entirety of their term of Office (from 1st January to 31st December), unless no such candidate is nominated in the Elections.

**D.1.ii** The Executive Officers of the Committee shall be the President, the Vice President, the Secretary and the Treasurer, who shall be responsible for the day-to-day administration of the MCRS and who shall be members in class A.

**D.1.iii** To create a new office on the Committee the new office must be proposed at an Open Meeting, providing a limit of 18 offices is not exceeded. The office will be created if a simple majority votes in favour of the new office.

**D.1.iv** The Offices of the Committee may be held jointly by a maximum of two MCRS members, apart from Executive Committee positions which must each be held by one person alone.

**D.1.v** The Offices of the Committee shall be elected once a year in accordance with Article F of the Constitution.

**D.1.vi** The term of Office of all Committee members shall run for one year from the 1<sup>st</sup> of January to the 31<sup>st</sup> of December.

**D.1.vii** There shall be no sabbatical or paid elected Office contrary to the provisions of s22(2)(f) of the Education Act 1994.

**D.1.viii** No elected Officer of the MCRS or member of the MCRS mandated to act in the interests of the MCRS, whether as a member of an MCRS sub-committee or in any other capacity, shall receive remuneration for any actions undertaken.

**D.1.ix** Following an election, the Committee can elect co-opted members by majority vote at a Committee meeting, unless, at any time following that election, fewer than half the Offices are filled, in which case a bye-election shall be held to fill the unfilled Offices in accordance with article F.1.vii.

**D.1.x** Subject to article D.1.ii above, all members are eligible for elections to the Committee, however, the proportion of class B and C members elected to the committee shall not be greater than one-quarter of the number of class A members present on the Committee. Should the proportion of class B and C members exceed one quarter due to the resignation or removal of a class A Officer or for any other reason, the election of new officers to fill the vacant positions and restore the correct proportion will be initiated in accordance with article D.1.ix. All decisions made by the Committee taken during this period will be valid.

## **D.2 Committee Meetings**

**D.2.i** The purposes of the Committee Meetings shall be:

- (a) To organise the implementation and execution of Policy;
- (b) To ensure good communication between members of the Committee;
- (c) For each member of the Committee to relay the view of the members surveyed within their remit, in order to collate a representative consensus of opinion;
- (d) To coordinate the activities of the Committee members on various College committees to ensure a common and effective approach when acting in joint consultation with Fellows.

**D.2.ii** The Committee shall meet at least twelve times during each year, at least once per term.

**D.2.iii** A Committee meeting may be called by any member of the Committee, by giving at least 72 hours' notice to all members of the Committee.

**D.2.iv** The quorum of a Committee Meeting shall be one half of the number of currently filled Offices of the Committee.

**D.2.v** Each Office of the Committee shall have one vote. If a consensual decision cannot be reached when the Office is shared, then any vote from that Office is null and void. Co-opted members of the Committee shall have voting rights on any matter.

**D.2.vi** Decisions taken by the Committee shall require a majority vote. In the case of an equal division of votes, the Chair shall have the final deciding vote. No decision taken by the Committee shall be executed without the knowledge of the President, who shall be entitled to require any decision to be presented instead as a motion to an Open Meeting if they consider the decision to be outside the jurisdiction of the Committee.

**D.2.vii** Any motion presented to an Open Meeting as being proposed by the Committee shall require the unanimous support of the Committee.

### **D.3. Duties**

**D.3.i** It shall be the duty of members of the Committee when transacting the business of the MCRS, and when acting in their capacity as members of the Committee, to act in accordance with, and in a manner consistent with, the objects of the MCRS as outlined in Article B.1 of the Constitution, Standing Orders and MCRS Policy.

**D.3.ii** Members of the Committee shall fulfil their duties and obligations as outlined in the Standing Orders.

**D.3.iii** The President shall carry overall responsibility for the affairs of the MCRS. In the event of vacancy or absence or illness or incapacity of the President, the most senior officer able to act, in the order listed in Article D.1.i, shall adopt their responsibilities.

**D.3.iv** In the case of vacancy or absence or illness or incapacity of any officer, other than the President, the responsibilities of the Officer shall be distributed amongst the remaining Officers of the Committee.

**D.3.v** The President and Treasurer shall represent the MCRS, as ex-officio members, at meetings of the Governing Body and College Council of the College.

**D.3.vi** Members of the Committee shall be obliged to produce handover documents which outline for their successors the responsibilities of the office they have held. These documents must be passed over to the incoming Committee before the 1<sup>st</sup> of January.

**D.3.vii** The Duties of the Officers within the Executive Committee shall be as follows:

(a) The President

- i. attend and represent the MCRS at College Council, Governing Body and the relevant College Committees.
- ii. preside at all Committee and Open Meetings of the MCRS, unless they cannot attend. If they cannot attend, 48 hours' notice must be given to other members of the Committee, the Vice-President shall take the chair, or failing them, the Secretary, or failing them, the Treasurer, or failing them, some person elected by the Committee Meeting or Open Meeting.
- iii. have full rights to speak and vote in Committee meetings, notwithstanding the fact that they take the chair.

(b) The Vice-President

- i. act as the external liaison for the MCRS with the CSU.
- ii. liaise with other Welfare Officers of the Committee to provide welfare support for members of the MCRS.
- iii. direct the graduate room ballot and represent the MCR at the Accommodation Committee.

(c) The Secretary

- i. organise MCR Formal Dinners.
- ii. send out the MCR Bulletin.
- iii. send out meeting agendas prior to both Open Meetings and Committee Meetings.
- iv. take minutes at all Open Meetings and Committee Meetings.
- v. manage communication between the MCR Committee and the student body.

(d) The Treasurer

- i. present a financial report to the MCRS at the last Open Meeting of the year.  
This shall also be presented to Governing Body. The report shall include details of any donations made by the MCRS to external organisations in the period to which it relates.
- ii. prepare the annual accounts of the MCRS according to the financial year of the College and submit the accounts to the Bursar of College for submission to the College Auditors.
- iii. prepare the accounts of the MCRS for handover to the incoming treasurer according to the financial year of the MCRS, which shall end on 31 December.
- iii. set down in writing, and make freely accessible to all members of the MCRS and to the Governing Body, a statement of the procedure for allocating resources to groups and clubs, ensuring that the procedure is fair.
- iv. obtain the approval of an Open Meeting for any recurrent or non-recurrent expenditure exceeding 5% of the annual Allocation that the MCRS receives from the College.
- v. obtain the approval of the Committee for any recurrent expenditure of sums from the MCRS' funds relating to events, newspapers and all other items.
- vi. present a budget for expenditure for events for each Term at a Committee meeting at the start of that Term.

## **D.4 Resignation and Removal from Office.**

**D.4.i** Members of the Committee, with the exception of the President, may give notice of resignation in writing to the President who shall be obliged to accept the resignation. The resignation shall take effect 48 hours from the time of receipt unless withdrawn by this time.

**D.4.ii** The President shall give notice of their resignation to every other member of the Committee. The resignation shall be deemed to take effect 48 hours from the time of the email unless withdrawn by this time.

**D.4.iii** A member of the Committee shall cease to hold office if they are absent from three consecutive Committee and/or Open Meetings, without providing a reason for

this absence that is acceptable to the majority of the Committee.

**D.4.iv** A member of the Committee shall be removed from office by a motion of No Confidence passed at Open Meeting which receives a two-thirds majority of votes at the Open Meeting.

**D.4.v** A member of the Committee shall be removed from Office if in the opinion of two-thirds of the Committee their continued presence on the Committee will damage the overall aims of the MCRS. The member may request a Referendum be held on their continuing membership of the Committee, the results of which shall be final.

**D.4.vi** A member of the Committee who ceases to be a member of the MCRS shall be deemed to have resigned their position.

## **Article E. Open Meetings**

### **E.1 The Open Meeting**

**E.1.i** The purposes of the Open Meeting shall be

- (a) To provide a platform for the members of the MCRS to propose and publicise the proposal of Policy to the MCRS before the Policy is subject to ratification by a vote.
- (b) To provide a forum for the discussion, debate, and editing of any proposed Policy by the MCRS before the Policy is subject to ratification by a vote.
- (c) To provide an opportunity for Committee members to act as a member of the MCRS outside the capacity of their elected post.
- (d) To be the principal involvement of the members of the MCRS in decision making that requires ratification.

**E.1.ii** Policy motions will be deemed to have been ratified by a majority vote in favour of the Policy at the Open Meeting.

**E.1.iii** There shall be at least one Open Meeting during each of the Michaelmas, Lent and Easter Full Terms.

**E.1.iv** The time and place of the Open Meetings shall be decided by the President and advertised by the Secretary via the MCRS email list no later than midnight on

the seventh day before the intended Open Meeting. The notice shall include an invitation for the submission of motions to the Secretary. The Secretary shall accept all motions which have been proposed and seconded by members of the MCRS until 72 hours before the Open Meeting is due to start.

**E.1.v** The agenda for each Open Meeting shall be sent to the MCRS email list 48 hours before the start of the Open Meeting.

**E.1.vi** The agenda shall include at least the following items:

- (a) Minutes of the last Open Meeting.
- (b) Matters arising from those minutes.
- (c) A report from the MCRS representative on all resolutions of the Governing Body since the last Open Meeting of the MCRS.
- (d) The Treasurer's report to the MCRS on all expenditure out of the funds of the MCRS since the last Open Meeting.
- (e) Details of all proposed non-recurrent and recurrent expenditure from the funds of the MCRS in excess of 5% of the annual Allocation that the MCRS receives from the College.
- (f) Details of all co-options onto the Committee since the last Open Meeting.
- (g) All motions to be called "Any other business", which shall be the last item on the agenda.

**E.1.vii** The quorum for an Open Meeting shall be 13 members of the MCRS, including the person chairing, in accordance with D.3.vii. If there is no quorum for an Open Meeting at the time when the meeting is due to start, the start of the meeting shall be delayed for up to 15 minutes. If there is no quorum at the end of this time, the meeting shall be cancelled and shall be deemed not to have taken place. If in the course of an Open Meeting the quorum is challenged and it is found that the meeting is no longer quorate, 5 minutes shall be allowed for the conclusion of the business under consideration at the time of the challenge. Within this period those present at the Open Meeting may vote on the matter. The meeting shall then be terminated, even if a sufficient number of MCRS members have arrived to make the meeting quorate again. The meeting may not proceed to any item on the agenda after the one

under consideration when the quorum was challenged and the meeting was found not to be quorate.

**E.1.viii** The minutes of an Open Meeting shall be kept by the Secretary, or failing them, by some person appointed by the chairperson.

**E.1.ix** There shall be no proxy votes at Open Meetings.

**E.1.x** If a member of the MCRS is unable to attend an Open Meeting for a reason decided on as valid by the Committee, they may make written submissions on any or all of the matters on the published agenda and send them to the chairperson, who will then read them out at the appropriate points in the Open Meeting.

**E.1.xi** Emergency motions may be raised at Open Meetings under the item called "Any other business". They must be notified of the Open Meeting at the start of the meeting. They may relate to any matters which have arisen since the Open Meeting was called, except that they may not approve non-recurrent or recurrent expenditure exceeding 5% of the annual Allocation that the MCRS receives from College, or co-options onto the Committee, or new membership in class C, nor may they propose changes to this Constitution, nor may they be motions of no confidence in members of the Committee.

**E.1.xii** An emergency Open Meeting may be called by the President at any time or upon receiving a petition for one signed by 5% of the MCRS membership. At least 24 hours' notice must be given. Only items that cannot be held over until the next Open Meeting may be discussed, and no motion to change this Constitution may be proposed.

**E.1.xiii** The Open Meeting shall be conducted in accordance with the Standing Orders of the Constitution.

## **E.2 Policy**

**E.2.i** Policy shall be valid for one year. The President shall be responsible for ensuring the implementation of Policy and shall keep a record of all current Policy.

**E.2.ii** Referenda of the MCRS shall be the supreme policy-making forum of the MCRS. Subject to the provisions of Article E.2.i, a Policy derived from a resolution of a referendum shall only be amended or revoked by a subsequent referendum.

**E.2.iii** Subject to the provisions of Article E.2.i, Policy passed by at an Open Meeting may only be revoked by a subsequent vote at a later Open Meeting, after discussion at this meeting.

**E.2.iv** If any provision of Policy is in conflict with this Constitution, or the Education Act 1994, or the Charities Act 1993 (as amended), then the provision shall be deemed void in so far as it shall so conflict.

## **Article F. Elections and Referenda**

### **F.1 Elections**

**F.1.i** All elections shall be conducted by secret ballot online up to 72 hours after the hustings as in point F.1.iv.

**F.1.ii** The conduct of all elections shall meet the requirements of the Constitution of the MCRS, the Statutes and Regulations of the College, and the requirements of the Education Act 1994.

**F.1.iii** The Returning Officer shall be as specified in Standing Orders, but may not be a Concerned Member (unless approved with a majority at Open Meeting).

**F.1.iv** Elections for all Office posts shall be held annually in December. The evening before the election, there shall be hustings held in the College or online, chaired by the Returning Officer and commencing at a time between 6 p.m. and 8 p.m. The Returning Officer shall give notice of the election. At the hustings, each candidate may speak if they wish to do so. The proposers and/or the seconders of candidates may also make speeches if they wish to do so. Members of the MCRS in any class may put questions to candidates present at the hustings, but they may not make speeches except as provided above. No candidate shall be required to attend the hustings.

**F.1.v.** Voting for each post shall be by the single transferable vote system, as defined in the Statutes and Ordinances of the University of Cambridge.

**F.1.vi** If the Returning Officer should learn how any person voted, they shall not disclose this information.

**F.1.vii** If required, a bye-election shall be held following the procedure for normal elections at a time deemed suitable by the President.

## **F.2 Nominations**

**F.2.i** The returning officer shall give 7 days' notice of the election by sending an email to all MCRS members.

**F.2.ii** In an Election where more than one post is to be filled, a candidate may stand for more than one post.

**F.2.iii** Nominations can be proposed by any member of the MCRS. The returning officer will accept nominations until noon three days before the election. Each nomination must be confirmed by the proposer, the seconder, and the nominee.

**F.2.iii** Nominations shall be open for seventy-two hours.

**F.2.iv** A manifesto of not more than one side of the A4 paper may be submitted by each candidate by email to the Returning Officer at the same time as the nomination.

**F.2.v** A list of all candidates standing, along with all manifestos received, shall be emailed to the MCRS email list by the Returning Officer within one day of the close of nominations.

**F.2.vi** Members of the Committee who are not candidates for election may not campaign for any candidates standing for election.

## **F.3 Referenda**

**F.3.i** A referendum shall be held if it is requested by:

(a) A motion passed at an Open Meeting.

(b) A resolution of the Committee.

(c) A petition to that effect signed by no fewer than 5% of the membership of the MCRS.

**F.3.ii** Any matter, other than the removal of a person from Office, may be referred to a Referendum, in which all members of the MCRS shall be entitled to vote.

**F.3.iii** Referenda shall be held during Full Term within fourteen days of being called.

**F.3.iv** The Returning Officer shall be the same as in elections.

## **F.4 The Poll**

**F.4.i** All Polls shall be conducted by secret ballot online 24 hours after the Open Meeting.

**F.4.ii** Every member shall have only one vote.

**F.4.iii** The Poll will be open for 72 hours.

## **F.5 The Count and Results.**

**F.5.i** The Count shall be performed after the closure of the Poll.

**F.5.ii** A simple majority shall pass the motion of a referendum.

**F.5.iii** The results shall be posted to the MCRS email list as soon as they are available.

## **F.6. Malpractice**

**F.6.i** Any allegations of malpractice during an Election or Referendum shall be made in writing to the Returning Officer within twenty-four hours after the announcement of the results, who shall be obliged to investigate the allegations.

**F.6.ii** If the Returning Officer agrees that there has been a breach of the rules laid out in this Constitution or Standing Orders, they shall have the power to disqualify a candidate, or impose other punishments, as specified in Standing Orders.

**F.6.iii.** Any decision to punish a candidate made by the Returning Officer may be appealed to the Ombudsman, whose decision shall be final.

**F.6.iii** In the event of the disqualification of a candidate for malpractice, the Returning Officer must take one of the following actions:

- (a) recount the votes with the disqualified candidate being treated as having withdrawn; or
- (b) re-run the Election or Referendum with the same candidates or the same motion within seven days.

## **Article G. Affiliation**

### **G.1. Affiliation to external organisations**

**G.1.i** If the MCRS decides to become affiliated to any external organisation, the Committee shall publish to the membership of the MCRS, and to the College Council, a notice of this decision stating the name of the organisation and the details of any subscription or similar fee paid, or proposed to be paid, and of any donation made, or proposed to be made, to the organisation.

**G.1.ii** The Committee shall publish every November, to the membership of the MCRS, and to the College Council, a report stating the name of all external organisations to which it is affiliated, and the details of any subscriptions or similar fee paid, and of any donation made, or proposed to be made, to the organisations within the year covered by the report.

**G.1.iii** Continued affiliation to any organisation may be challenged by a Referendum called for the purpose in accordance with the procedures prescribed in Article F.

## **Article H. Finances**

### **H.1. Terms**

**H.1.i** All money given to the MCRS by the College shall be used to support the MCRS in accordance with B.1.

**H.1.ii** The MCRS Financial Year shall run from the first day of January in a year to the 31<sup>st</sup> day of December in the following year.

**H.1.iii** At the last Open Meeting of the Year the Committee shall present a financial report, circulated to all members of the MCRS in advance, which shall also be presented to the College Council. The report shall also include details of any donations made by the Charities Committee to external organisations in the period to which it relates, as well as the audited accounts for the previous year. The accounts shall be audited by someone external to the MCRS.

**H.1.iv** The MCRS shall set down in writing, and make freely available to all members of the MCRS, and to the College Council, a statement of the procedure for allocating

resources to groups and clubs, ensuring that the procedure is fair.

**H.1.v** Subject to the constraints of the MCRS budget, the competencies of the various organs of the MCRS to allocate funds shall be as follows:

(a) A resolution of the Committee shall be sufficient to allocate up to 20% of the termly income, or any expenditure necessary for the day-to-day running of the MCRS, and recurrent regular expenditure. The Committee shall inform the next Open Meeting of all expenditure that was not necessary for the day-to-day running of the MCRS and not regular recurrent expenditures.

(b) A single resolution of an Open Meeting shall be sufficient and necessary to allocate any amount over 20% of the termly income that is not necessary for the day-to-day running of the MCRS and not a recurrent regular expenditure.

## **H.2. The Treasurer and payments**

**H.2.i** The Treasurer shall not make any payments, except those allowed under Article H.1.v, and shall adhere to any financial controls stipulated in the Standing Orders.

## **H.3 Indemnity**

**H.3.i** Every person approved to make decisions on behalf of the MCRS shall be entitled to be indemnified out of the assets of the MCRS against all losses or liability which they may incur in or about the execution of their office or otherwise in relation thereto; and no Committee Members or others approved to make decisions shall be liable for any loss, damage or misfortune which may happen to or be incurred by the MCRS in the execution of the duties of their office or in relation thereto; provided that nothing in this clause shall affect their liability for the consequences of any deliberate, negligent or otherwise unlawful act on their part.

# **Article I. Contracts**

## **I.1. Contractual agreements**

**I.1.i** The President and the Treasurer shall be the only Officers of the Committee empowered to enter into any contract on behalf of the MCRS.

**I.1.ii** The MCRS shall not enter into any contract that has not been presented to a

Committee Meeting, at which it has been accepted by a majority vote of the voting members of the Committee present. If the draft contract is subsequently amended the Committee shall be informed, and if deemed necessary, the contract shall be subjected to a further vote of approval.

**I.1.iii** The Committee has the right to delegate the responsibility for selecting and negotiating a contract to the President and/or Treasurer, should it be satisfied that such a contract will not impose significant financial or legal constraints upon the MCRS.

**I.1.iv** The Committee may not delegate responsibility for a contract to the President and/or Treasurer if in doing so it would approve a contract which would bind a subsequent Committee by its acceptance.

**I.1.v** No contract may be signed on behalf of the MCRS without professional legal advice concerning the legal implications of such a contract having been obtained.

**I.1.vi** Any proposals to enter into contracts that could involve liability on the part of the MCRS to pay sums in excess of 5% of the annual Allocation that the MCRS receives from College must be presented to an Open Meeting.

## **Article J. Grievances**

### **J.1. Grievance procedure**

**J.1.i** All graduate members of the College, or groups of such members who are dissatisfied in their dealings with the MCRS, or who claim to be unfairly disadvantaged by reason of having exercised the right not to be a member of the MCRS, may complain in the first instance to the President of the MCRS.

**J.1.ii** If the member is unsatisfied with the response from the President they may appeal the decision to the Ombudsman, whose decision shall be final and binding on all parties involved.

### **J.2. Motions of no confidence**

**J.2.i.** Motions of no confidence in any or all members of the Committee may be put forward for inclusion in the agenda of any Open Meeting of the MCRS.

**J.2.ii** Motions of no confidence shall require a two-thirds majority of those voting on the motion to be passed.

**J.2.iii** If a motion of no confidence is passed, the relevant member or members of the Committee shall be deemed to have resigned with effect from the end of the Open Meeting.

**J.2.iv** If the consequence of a motion of no confidence would be to leave no Committee, a person will be elected to act as caretaker during an Open Meeting. The caretaker shall then constitute the whole Committee until a new Committee is elected. The caretaker shall be responsible for looking after the everyday business of the MCRS until a new Committee is elected.

**J.2.v.** The caretaker shall only act to ensure that the ordinary activities of the MCRS are not disrupted more than necessary and to arrange for the election of a new Committee. They may not be a candidate immediately following elections.

**J.2.vi.** If the President and/or the Treasurer have to resign, they may still sign cheques for regular bills and for amounts less than one hundred pounds but all such expenditure must be approved by all remaining members of the Committee or by the caretaker, and the resigning President's and/or Treasurer's right to spend money in this way shall cease immediately on the election of the new President and/or Treasurer.

## **Article K. The Constitution, Standing Orders and Policy Lists**

### **K.1. The Constitution**

**K.1.i** The Constitution shall be the primary document governing the conduct of the MCRS and shall take precedence in the event of contradiction with any Appendices, Standing Orders or Policies.

**K.1.ii** The Constitution shall be submitted to the Governing Body for review in accordance with the provisions of the Education Act 1994 at five-yearly intervals.

**K.1.iii** The Open Meeting shall be the sole body competent to amend the Constitution. An amendment to the Constitution requires a simple majority of those present and voting at one Open Meeting. An amendment shall only take place after the approval of the Governing Body.

## **K.2. Standing Orders and Policy Lists**

**K.2.i** Standing Orders may be adopted by Open Meeting.

**K.2.ii** The Open Meeting shall be the sole body competent to amend the Standing Orders. An amendment shall require the support of a majority of those present and ratification by a simple majority of votes during the meeting.

**K.2.iii** Current Policy, as defined by Article E2, shall be collated into a Policy List held by the President.

**K.2.iv** The Standing Orders shall take precedence over the Policy List in the event of contradiction, and the contradicting policy shall be void.

## **K.3. Interpretation**

**K.3.i** All words and phrases relating to the College in the Constitution and its Schedules shall be interpreted according to the Statutes and Regulations of College. All words and phrases relating to the University in this Constitution and its Statutes shall be interpreted according to the Statutes and Ordinances and Regulations and Proctorial Edicts of the University.

**K.3.ii** In case of doubt interpretation of the Constitution shall rest with College Council except that during all MCRS meetings the Chair shall be the sole interpreter in respect of questions not yet decided by College Council. The subsequent ruling of the College Council about such questions shall not invalidate the business of the meeting at which the Chair shall have used a different interpretation.