

## The JCR Constitution

### **1. The JCR and its Members**

- 1.1. The name of the Common Room shall be St. Hugh's College Junior Common Room, hereinafter referred to as "the JCR."
- 1.2. This Constitution shall be reviewed before the end of Hilary Term 2016. The function of that review shall be to clarify the legal status of the JCR and replace this clause with an adequate description of the legal status of the JCR and the addition of any necessary supplementary information about that legal status.
- 1.3. In furtherance of the charitable objects of St. Hugh's College the principal aim of the JCR shall be to promote and represent the interests of its Members as students of St. Hugh's College, Oxford, hereinafter referred to as "the College."
- 1.4. The JCR shall also:
  - 1.4.1. Promote and maintain the economic, communal, cultural, recreational, academic, and pastoral interests of its Members;
  - 1.4.2. Seek representation and involvement for its Members in the governance and administration of the College;
  - 1.4.3. Seek representation of JCR Members within Oxford University Student Union (Oxford SU);
  - 1.4.4. Seek to promote and represent the interests of its Members as students of the University of Oxford, hereinafter referred to as "the University".
- 1.5. The Members of the JCR shall be as follows:
  - 1.5.1. All undergraduate Members of the College who, having matriculated, are not recognised as Full Members of either the Middle Common Room (MCR) or the Senior Common Room (SCR) by the Governing Body of the College, and who have not chosen to opt out under clause 1.7 of this Constitution shall be called Full Members of the JCR.
    - 1.5.1.1. Any reference to JCR Members hereinafter shall refer only to Full Members of the JCR unless otherwise stated.
  - 1.5.2. Any person may be elected, by the passage of a motion through a JCR meeting subject to Section 6 of this Constitution to be an Honorary Member of the JCR, and shall hold that position for a period of two years, though this may be renewed.
- 1.6. JCR Members shall have the following rights, unless expressly disqualified hereinafter:
  - 1.6.1. The right to attend, speak and vote at JCR Meetings, in accordance with Section 6 of this Constitution;
  - 1.6.2. The right to vote in all elections and referenda, in accordance with Section 7 of this Constitution;
  - 1.6.3. The right of candidature, subject to the conditions in Section 7 of this Constitution;
- 1.7. The right to enjoy the facilities of the JCR, and to entertain guests, who shall also be allowed to enjoy these facilities. JCR Members shall take responsibility for their guests.

Honorary Members of the JCR have the right to enjoy the facilities of the JCR, but are not entitled to any other rights specified in clause 1.5 of this Constitution.

- 1.8. JCR Members may resign their membership at any time. Any Member choosing to opt out of the JCR must do by submitting written notice to the JCR Secretary. Members who opt out shall instead become Honorary Members of the JCR, unless, when submitting written notice to the JCR Secretary, they explicitly state that they would like to opt out of Honorary Membership of the JCR.
- 1.9. Honorary Members may petition to become Full Members of the JCR, provided that they satisfy the conditions for Full Membership in Section 1.4.1, by writing to the JCR Secretary. Such petitions shall be accepted, unless, in exceptional circumstances, there is a unanimous decision of the JCR Committee not to do so. The JCR Committee shall report their reasons for rejecting any petition to become a Full Member at the next Ordinary JCR Meeting.
- 1.10. Both Full and Honorary Members of the JCR shall have the right not to be discriminated against on the basis of their sex, gender identity and presentation, marital status, sexual orientation, racial group, faith, beliefs, age, or disability.
- 1.11. JCR Policy shall be set by the passage of a Policy Motion through a JCR meeting, or by the result of a referendum. Policy, if adopted through a JCR meeting, shall lapse after two years unless it is renewed. If adopted by referendum, it shall stand until revoked or replaced.

## **2. The JCR Committee and Representation**

- 2.1. The JCR shall be represented solely by JCR Members elected or appointed in accordance with this Constitution.
- 2.2. The Executive Body of the JCR shall be the JCR Committee, which shall be governed by the Terms of Reference contained in Appendix A of this Constitution.
- 2.3. The duties of the individual Members of the JCR Committee shall be laid out in the Terms of Reference of the JCR Committee, which are contained in Appendix A of this Constitution.
- 2.4. A Committee Member will receive an Official Caution if they are in breach of their duties as defined by Section 2 of the Constitution, and two thirds of the JCR Committee resolves to issue one. Any JCR Member may submit an Official Caution to be discussed and voted upon by the JCR Committee. The JCR shall be notified of the issue of an Official Caution. If a Committee Member receives two Official Cautions, a Motion of No Confidence shall be moved against them at the next Ordinary JCR Meeting in the name of the JCR Committee, subject to Section 6 of this Constitution.

### **3. The JCR Sub-Committees**

- 3.1. The following shall be regarded as Sub-Committees of the JCR Committee, and shall be governed by their Terms of Reference contained in Appendix B of this Constitution:
  - 3.1.1. The Executive Committee;
  - 3.1.2. The Welfare and Equal Opportunities Committee;
  - 3.1.3. The Freshers' Committee.
- 3.2. Additional Sub-Committees may be established by a resolution of the JCR. They shall be governed by Terms of Reference agreed upon by the JCR Committee, and ratified at a JCR Meeting, and their Terms of Reference shall then be included in Appendix B of this Constitution.
- 3.3. Each Sub-Committee shall have at least one Member of the JCR Committee amongst its Members in their official capacity.

### **4. Joint Committees and Working Groups**

- 4.1. The following shall be Joint Committees of the JCR and MCR, and shall be governed by the Terms of Reference contained in Appendix C of this Constitution:
  - 4.1.1. The Ball Committee;
  - 4.1.2. The Entz Committee.
- 4.2. Additional Joint Committees may be established by a resolution of the JCR. Such Committees may be created with any appropriate organisation(s), for example the MCR, SCR or JCR Committees of other Colleges of the University. They shall be governed by Terms of Reference agreed upon by the JCR Committee, and ratified at a JCR Meeting, and their Terms of Reference shall then be included in Appendix C of this Constitution.
- 4.3. Each Joint Committee shall have at least one Member of the JCR Committee and at least one Member of each participating committee amongst its Members in their official capacity.
- 4.4. Working Groups may be established by a resolution of the JCR. They shall be governed by Terms of Reference agreed upon by the JCR Committee, and publicised to the JCR, and their Terms of Reference shall then be included as Appendix D of this Constitution.
- 4.5. Working Groups are neither Sub-Committees nor Joint Committees, and their Members may be drawn from either the JCR alone, or both the JCR and other specified bodies or committees.
- 4.6. Each Working Group shall have at least one member of the JCR Committee amongst its Members in their official capacity.

## 5. Finance

- 5.1. The finances of the JCR shall be administered by the JCR Treasurer in close conjunction with the JCR President in accordance with Sections 5 and 6 of this Constitution and the Constitution of the Amalgamated Clubs.
- 5.2. All JCR expenditure shall require express authorisation by the JCR, as per clause 5.7 of this Constitution, save that:
  - 5.2.1. The JCR Executive Committee may spend up to £100, by valid decision of the Executive Committee, as defined in Appendix B;
  - 5.2.2. The JCR Committee may spend up to £200 by majority decision of the JCR Committee;
  - 5.2.3. The JCR Treasurer may grant up to £100 from the main current account to any JCR Member in order to reimburse them for expenditure on the JCR's behalf, providing it has been approved by a JCR Meeting or a JCR Committee Meeting.
- 5.3. The chequebook for the main current account shall be in the care in of the JCR Treasurer. The JCR Treasurer and either the JCR President or the JCR Vice-President, or any other combination of two out of these three, shall sign cheques drawn on the main account. No-one shall sign a cheque made payable to themselves.
- 5.4. The signature of any two of the JCR Treasurer, JCR President and JCR Vice-President shall be required to authorise withdrawals from the deposit account.
- 5.5. It shall be the duty of the JCR Treasurer to set, publish and make available a termly budget for expenditure during their time in office, which shall be approved by majority decision of the JCR Committee. It shall also be the duty of the JCR Treasurer to make available to the JCR an annual report of all JCR expenditure.
- 5.6. Such budgets and the JCR accounts shall be made available to any JCR Member and the Governing Body of the College on request and shall be audited annually in the College Finance Committee.
- 5.7. The JCR shall be deemed to have expressly authorised expenditure if a motion is passed expressly in favour of the expenditure and:
  - 5.7.1. The motion names the budget from which the money is to be spent, and the sum to be spent;
  - 5.7.2. The motion is passed at a single JCR meeting, unless it requires the spending of more than £200, in which case a motion will be required to be passed in two consecutive JCR Meetings or unanimously in one JCR Meeting.
- 5.8. Members should not use their personal bank accounts to transfer money on behalf of the JCR, transfers should instead be made by the JCR Treasurer directly from the JCR Bank Account wherever possible.

## 6. JCR Meetings

- 6.1. The JCR shall hold four Ordinary Meetings in each Full Term (as defined by the University). The procedure for these meetings shall be laid out in the JCR Standing Orders.
- 6.2. No Ordinary Meeting shall take place outside of Full Term.
- 6.3. JCR Meetings shall be chaired by the Independent Chair, who shall be elected in accordance with the Standing Orders.
- 6.4. The Independent Chair shall call an Emergency Meeting, stating the reasons for so doing, if:
  - 6.4.1. The JCR Committee request one and the Independent Chair deems it to be necessary.
  - 6.4.2. Petitioned to do so by not fewer than 30 Members of the JCR and the Independent Chair deems it to be necessary.
- 6.5. The procedure for Emergency Meetings shall be laid out in the JCR Standing Orders.
- 6.6. Emergency Meetings may take place at any time.
- 6.7. An Ordinary Vote shall mean that a simple majority is required for a motion to pass. A Supermajority Vote shall mean a two-thirds majority is required.
- 6.8. Wherever this constitution, its Standing Orders, and its Appendices refer to the passage of a motion through a meeting, it shall be taken to mean the passing of an Ordinary Vote, unless stated otherwise.
- 6.9. Wherever this constitution, its Standing Orders, and its Appendices refer to a JCR Meeting, it shall mean both Ordinary JCR Meetings and Emergency JCR Meetings, unless stated otherwise.
- 6.10. The Independent Chair shall not vote, save where there is a tie. In voting, the Independent Chair shall always vote as follows: firstly to keep debate open; secondly in line with current JCR Policy; thirdly to maintain the status quo, which means keeping spending and action as close to current practice as possible; and lastly as they see fit.
- 6.11. Simple majority shall be defined to be when the following is satisfied:
$$F / (F+A) > 1/2$$
Where F = Votes cast in favour of the motion  
A = Votes cast against the motion  
When referring to a simple majority, a tie shall be when  $F/(F+A) = 1/2$   
(In other words, a simple majority is when more votes are cast for the motion than are cast against it, and a tie is when the number of votes cast for and against the motion are equal.)
- 6.12. Two thirds majority shall be defined to be when the following is satisfied:
$$F / (F+A) > 2/3$$
Where F = Votes cast in favour of the motion

A = Votes cast against the motion

When referring to a two thirds majority, a tie shall be when  $F / (F+A) = 2/3$

(In other words, a two thirds majority is when more than twice as many votes are cast for the motion as are cast against it, and a tie is when exactly twice as many votes are cast for the motion as are cast against it.)

## 7. Elections and Referenda

- 7.1. The JCR shall hold elections for each post in the JCR Committee in Michaelmas Term each year, and they shall be conducted in accordance with clauses 7.4-7.10 and clauses 7.14-7.26 of this constitution. If no candidate is elected to any post, there shall be a by-election for that post.
- 7.2. When posts in the JCR Committee fall vacant, a by-election shall be held. In the event that no candidate is elected, the JCR Committee may choose, by a Supermajority Vote, to leave the post vacant until the next Annual Election, or to hold another by-election.
- 7.3. By-elections shall be held in accordance with clauses 7.5-7.10 and clauses 7.14-7.26 of this constitution.
- 7.4. The annual elections for the post of JCR President shall be held during 5<sup>th</sup> Week of Michaelmas Term, and the annual elections for all other JCR Committee posts shall be held during 6<sup>th</sup> Week of Michaelmas Term.
- 7.5. Balloting shall be by the Alternative Vote (AV) system (as defined by the Electoral Reform Society), with Re-Open Nominations (RON) as a candidate for each post. If RON wins, nominations will be reopened and a second election held as soon as practicable.
- 7.6. Candidates may not stand for more than one post at any election, with the exception of unsuccessful candidates for the post of JCR President, who may then stand for any other post in the JCR Committee.
- 7.7. Only Full Members of the JCR shall be eligible to stand for posts in the JCR Committee.
- 7.8. Nominees currently holding JCR Committee posts must resign their posts prior to submitting a nomination for a new post.
- 7.9. Only one JCR Member may present themselves as a nomination for each post on the JCR Committee, with the exceptions laid out in Appendix A of this Constitution.
- 7.10. Candidates must be eligible to take up the post for which they are standing, subject to the Terms of Reference for the JCR Committee, which forms Appendix A of this constitution, and subject to the College procedures requiring tutorial permission to run for office.
- 7.11. Elections for any other committee must take place in accordance with clauses 7.14-7.26 of this constitution.
- 7.12. A referendum may be triggered by:
  - 7.12.1. The passage of a valid motion (under clause 7.13 of this Constitution) calling for

- a referendum through any JCR Meeting with a Supermajority;
- 7.12.2. A valid petition (under clause 7.13 of this Constitution) calling for a referendum signed by at least 30 JCR Members;
  - 7.12.3. When it has been five years since the JCR Constitution was last updated, in which case it shall be reviewed by the JCR Committee and a Referendum held subject to ratification by the College Governing Body.
- 7.13. The motion or petition to hold a referendum must clearly state the question to be put. The referendum shall be held in accordance with clauses 7.14-7.25 of this constitution.
- 7.14. The JCR Returning Officer shall be elected in accordance with Appendix E of this Constitution and shall be governed by that Appendix. They shall notify the JCR of any poll by circulating an e-mail not less than 72 hours before the poll. Where a debate or hustings are to be held, they must be held within 48 hours of the poll.
- 7.15. The JCR Returning Officer must, before the opening of nominations in any elections, circulate a code of conduct for the elections, to be drawn from:
- 7.15.1. The Code of Conduct for Elections, as set out in appendix I,
  - 7.15.2. The relevant clauses of section 7 of this constitution,
  - 7.15.3. Any additional rules the Returning Officer deems appropriate under clause 7.18 of this constitution, with approval by the JCR President.
  - 7.15.4. The JCR Returning Officer may supplement their original code of conduct by issuing rulings of interpretation during an election. Any rulings of interpretation must be circulated to all candidates or campaign groups via e-mail.
- 7.16. Every week in which there is a poll to be held, in conjunction with the JCR Executive Committee, the JCR Returning Officer shall appoint up to two JCR Committee Members to assist in the conduct of all polls to be held that week.
- 7.17. If a poll is being run using a paper ballot, the JCR Returning Officer and an impartial JCR Committee Member shall ensure that the ballot box is empty prior to the poll, and seal it. If the poll is being run online, the JCR Returning Officer shall take appropriate steps to ensure that the result is not known until the official count, and shall further ensure that only those eligible to vote have done so.
- 7.18. The JCR Returning Officer shall ensure that all polling is conducted in a fair and democratic manner and that Conscience Clauses are included in elections for positions which will be representing certain communities or groups of people.
- 7.18.1. The positions which require a Conscience Clause to be used during elections are the LGBTQ Representative, the International Students' Representative, the Women's Representative(s), the BME (Black and Minority Ethnicities) Representative(s), the Mature Students' Representative(s), the Disabled Students' Representative(s), the Faiths and Beliefs Representative(s).
  - 7.18.2. The Conscience Clause will read as follows: 'Please note that the primary responsibility of the JCR x Representative will be to the x community in St Hugh's. Therefore, if you do not identify as a member of this community, you may not be in a very good position to determine which candidate would be best to represent it.' with 'x' being replaced by the title of the group of Members whom

the Representative in question will represent.

- 7.19. The JCR Returning Officer may be assisted by any number of JCR Committee Members. Their role shall be limited to distributing polling cards, and explaining how to ballot. They shall not seek to influence the outcome of the poll, and may not be a candidate in the current poll, or an activist for either side of a referendum question.
- 7.20. After the close of polling, the JCR Returning Officer and a JCR Committee Member shall count the number of ballots, if a poll is being run using a paper ballot, and check that this is equal to the number of ballot cards issued. All counts shall take place in the presence of at least three observers, including the JCR Returning Officer and a JCR Committee Member. The ballots shall then be counted, and the provisional results shall be announced in the JCR and the College Bar as soon as possible. If the poll is being run online, the JCR Returning Officer and a JCR Committee Member will check that only those eligible to vote have done so, and shall count the number of votes in the presence of at least three observers as above. Results shall be announced as above.
- 7.21. Once the provisional results have been announced, the JCR Returning Officer and the JCR Committee Member who counted the votes shall sign and post a Declaration of Results in the JCR and the College Bar. This shall be the final result of the ballot, unless overturned as a result of a complaint. A copy of this result shall be sent to the entire JCR via e-mail as soon as possible.
- 7.22. In the event of a complaint, the JCR Returning Officer shall act as they see fit to ensure that the poll remains fair and democratic, in accordance with clause 7.18 of this constitution.
- 7.23. Where a complaint involves the conduct of the JCR Returning Officer, or where the JCR Returning Officer is the complainant, the JCR President shall arbitrate. If this does not resolve the situation, or if a further complaint is received, the complaint may then be addressed to an independent person appointed by the Governing Body of the College, who shall seek to resolve the complaint, in line with the JCR Constitution.
- 7.24. After each poll, the JCR Returning Officer may make a report to the next Ordinary Meeting of the JCR. If the JCR Returning Officer has acted under clause 7.22 of this constitution, they shall be obliged to make a written report to the next Ordinary Meeting of the JCR.
- 7.25. If the JCR President has acted under clause 7.23 of this constitution, they shall be obliged to make a written report of the incident to the next Ordinary Meeting of the JCR.
- 7.26. If the JCR fails to approve the JCR Returning Officer's report, or the JCR President's report, a motion shall automatically be moved calling for a re-poll, which shall require a Supermajority Vote to pass.

## **8. Affiliations**

- 8.1. In accordance with the Education Act (1994), the JCR shall review its external affiliations at least every two years by the process laid out in the JCR Standing Orders.
- 8.2. The JCR may not affiliate to any organisation that is banned in the United Kingdom.
- 8.3. All new affiliations shall be subject to the approval of the Governing Body of the College, or its nominated representative.
- 8.4. The JCR may affiliate to any body, subject to the preceding clauses, by the passage of a Motion by Supermajority Vote calling for the affiliation through a JCR Meeting. The JCR may disaffiliate from any body by the passage of a Motion by Supermajority Vote calling for the disaffiliation through a JCR Meeting.

## **9. Complaints**

- 9.1. Any Member of the JCR shall be entitled to complain formally about:
  - 9.1.1. Any aspect of the running of the JCR.
  - 9.1.2. Any JCR Committee (or Sub-Committee or Joint-Committee) Member's actions (or lack thereof) insofar as they relate to their duties and responsibilities to the JCR as laid down in this Constitution and its Appendices, the JCR Standing Orders or elsewhere.
- 9.2. In accordance with the Education Act (1984), there shall be a three level complaints procedure, which is set out below. These stages must be followed in order, and, if the complaint is not dealt with to the complainant's reasonable satisfaction, it shall proceed to the next stage.
  - 9.2.1. In the first instance, the complaint shall be addressed in writing to the JCR President, who shall take all reasonable steps to ensure that the complaint is dealt with as quickly as possible. Where the complaint concerns the JCR President, the complaint shall be addressed in writing to the JCR Vice-President, who shall take all reasonable steps to ensure that the complaint is dealt with as quickly as possible.
  - 9.2.2. The complaint may then be addressed to an independent person appointed by the Governing Body of the College (this may be a College Officer or any other Member of the Governing Body), who, by communication with the JCR Committee, shall seek to resolve it.
  - 9.2.3. Finally, the complaint may be addressed, in writing, to the Bursar's Secretary no later than 11am on the Wednesday preceding the soonest meeting of the Governing Body of the College. At the Governing Body's discretion, the complaint may then be discussed at this meeting. Notification of the complaint reaching this stage must be given, in writing, to every Member of the JCR Committee, and to the independent person appointed by the Governing Body of the College.

## 10. Changes

- 10.1. Changes and additions to this Constitution may only be made after one of the following conditions is met:
  - 10.1.1. A referendum has been held, in accordance with section 7 of this Constitution, the result of which explicitly supports the changes and contains the exact wording.
  - 10.1.2. A written request is received from the College's Governing Body, or their appointed representative, to change the Constitution in a specified way. A Motion must then be passed through two consecutive JCR Meetings explicitly supporting and stating the changes to be made.
  - 10.1.3. After five years have passed since the last time the Constitution was reviewed. At this point a full review of the Constitution, its Appendices and its Standing Orders must be carried out by the JCR Committee. The changes undertaken within this review will only come into effect once they have been explicitly supported by a referendum of the JCR in accordance with section 7 of this Constitution. Subsequently they must be approved by the Governing Body of the College.
- 10.2. All constitutional amendments are subject to ratification by the Governing Body of the College but shall take effect provisionally from the time they are passed by the JCR, pending such ratification. In the event of the amendments not being ratified, the amendments shall no longer be in effect. Any decisions made prior to non-ratification under the provisionally amended Constitution will remain valid.
- 10.3. Changes and additions to the Appendices to this Constitution may only be made after the passage of a motion explicitly stating the changes through two consecutive JCR meetings.
- 10.4. Changes and additions to the JCR Standing Orders may only be made after the passage of a motion through a JCR meeting in accordance with the unaltered Standing Orders.
- 10.5. Where corrections to numbering, spellings and punctuation are required, and where the alteration does not affect the meaning and sense of a clause, the JCR Secretary shall call the JCR's attention to the inaccuracy in their written remarks in a JCR Meeting, and, if there is no opposition raised, update the relevant section accordingly.

## **11. Interpretation**

- 11.1. Any question concerning the interpretation of this Constitution and its Appendices, or the JCR Standing Orders, shall be referred to the Independent Chair, who shall issue a ruling. This ruling shall be binding unless overturned under section 9 of this Constitution, where the complaint questions the ruling of the Independent Chair.
- 11.2. Where the interpretation of this Constitution, its Appendices or the JCR Standing Orders is unclear, the Constitution shall take precedence over the Appendices and the Standing Orders, and the Appendices shall take precedence over the JCR Standing Orders.
- 11.3. The Independent Chair may retract or amend their ruling.
- 11.4. Previous resolutions of the JCR shall not be invalidated by this Constitution, save where they are expressly invalidated, in which case they are immediately superseded.
- 11.5. All previous Constitutions of St. Hugh's College JCR are hereby expressly revoked and invalidated, and this Constitution shall have effect from Sunday of 5<sup>th</sup> Week, Michaelmas Term 2015.