



Forth Valley Student Association

Constitution

This Constitution shall take effect from 20th April 2017 and invalidates all former Constitutions of this Association.

This Constitution shall be subject to review by the Students' Association and the Board of Management of Forth Valley College at least every five years, in accordance with the Education Act 1994.

Last updated on: 28/07/20

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Introduction

Part II of the Education Act 1994 requires institutions to *'take steps as are reasonably practicable to secure that any students' union for students at the establishment operates in a fair and democratic manner and is accountable for its finances.'*

The Board of Management of Forth Valley College recognises Forth Valley Students' Association as an autonomous, democratically run organisation, committed to service and representing the students of the College. The Board of Management of Forth Valley College will endeavour to ensure that the activities of the Association do not contravene the College's Equality Policy nor bring the College into disrepute.

The Constitution is a legal document that sets out the activities and procedures of the Students' Association.

It provides a framework for the operation of the Students' Association by:

Defining what the Association can or cannot do.

Indicating how the Executive Committee can act on behalf of Association members

Outlining how Association members can air their concerns

The Constitution is made up of three sections:

Section 1 – The Articles

This section defines the aims and objectives of the Association as well as setting out what can or cannot be done.

Section 2 – The Schedules

This section gives further operational details in relation to how things get done.

Section 3 – The Appendices

This section includes other regulations that the Association has to follow.

The Articles

Article 1 - Name and Status

Section 1.01

There shall be a Student Association in the name of Forth Valley Student Association (for the rest of the document the organisation will be referred to as FVSA).

Article 2 - Aims and Objectives

Section 2.01

To enhance the educational experience of its members and students of the College as a whole.

Section 2.02

To represent the interests of its members and act as a channel to communication with the College and other bodies.

Section 2.03

To promote and protect the welfare of its members.

Section 2.04

To promote, encourage and co-ordinate student clubs, societies, sports and social activities.

Section 2.05

These aims and objectives shall be practiced without discrimination on the grounds of any protected characteristics except where that action may be taken to promote equality of opportunity.

Section 2.06

To provide an advisory, advocacy and referral service internally and externally for students wishing support in relation to personal, finance or educational matters.

Section 2.07

The FVSA shall practice the above aims and objectives independent of any political party, religious organisation or any other activist groups.

Article 3 - Membership of the FVSA

Section 3.01

All students who are registered at the College, over the age of 16, shall be members of the FVSA unless they have decided to relinquish their membership according to the regulations.

- a) Every student shall be able to relinquish their right of membership of the FVSA.
- b) A student who opts out of the FVSA shall not be able to participate in the democratic and decision-making function of the FVSA. This includes not being able to stand for any Officers or representative position, including club and society committee members, as contained in the FVSA constitution.
- c) A student who opts out of the FVSA shall continue to have the right to attend FVSA run events and participate in the activities of clubs and societies.
- d) A student wishing to opt out of membership of the FVSA must indicate this within six weeks of the start of their course in writing to the Sabbatical Officers.
- e) A student who has opted out but who subsequently wishes to become a member of the FVSA shall apply in writing to the Sabbatical Officers. The Sabbatical Officers shall then meet and discuss the application. If the application falls within twenty College days of nominations opening for an FVSA election, the student will not be eligible to take up the full privileges of membership until the nomination process has closed.

Section 3.02

All Sabbatical Officers must be full members of the FVSA.

Section 3.03

Registered students of the College under the age of 16 shall not be full members of the FVSA but associate members¹, but may participate in certain activities, as agreed by the student Sabbatical Officers, Executive Committee and any forum for students under the age of 16 and approved by the Student Representative Council.

Section 3.04

All members shall be entitled to use the facilities of the FVSA and take part in its educational, social, sporting and cultural activities. Members shall be allowed to speak and vote at FVSA meetings, to nominate, to stand and to vote in FVSA elections, and to hold office in clubs and societies.

¹ See section 3.05 for membership details on page 4

Section 3.05

Memberships for the FVSA are as follows:

1. Full member - Full members are defined as being over the age of 16 at the start of study, who have not opted out of full membership. They have full access to the FVSA benefits.
2. Associate member – Associate members are defined as being under the age of 16 at the start of study. They have access to nearly all benefits but will not have voting rights as per the Education Act 1994.

Article 4 - Student Representative Council (SRC)

Section 4.01

The Student Representative Council shall be the supreme decision making body of the FVSA. It shall also raise issues that are of concern to its members to the Senior Management Team of the College. This will be done following the proper FVSA structure.

Section 4.02

The membership of the Student Representative Council shall be made up of the following categories:

- a) The Student Sabbatical Officers
- b) The Executive Committee
- c) The class/course representatives

Section 4.03

The functions of the Student Representative Council shall be to:

- a) Set the policy of the FVSA
- b) Amend the constitution and schedules as appropriate, subject to the approval of the College Board of Management.
- c) Instruct and hold accountable the Executive Committee to their work.
- d) Monitor and discuss the events and decisions of the formal College decision making bodies.
- e) Elect delegates to appropriate NUS conferences and councils.
- f) Approve reports from committees, working parties and the Executive Committee.
- g) Approve financial reports from Sabbatical Officers.

To approve motions as part ongoing FVSA work (as in Schedule 6)

Section 4.04

The first meeting of the Student Representative Council shall be held in November and be Chaired by an assigned Sabbatical Officer. This meeting shall also:

- a) Discuss appropriate clubs and societies.
- b) Discuss Executive Committee Elections and confirm arrangements.
- c) Issue members with meeting schedules.

Section 4.05

An ordinary Student Representative Council meeting shall be held on at least two occasions in each Academic Year.

Section 4.06

An emergency Student Representative Council meeting may be called by the Sabbatical Officers to discuss a particular issue.

Section 4.07

All FVSA meetings shall be conducted according to the Meeting Regulations contained within this constitution.

Section 4.08

Who can attend the Student Representative Council?

- a) All members of the Student Representative Council will be expected to attend all meetings of the Student Representative Council to which they will have been given no less than ten College days' notice. Any member of the Student Representative Council who fails to attend two consecutive meetings without giving prior apologies to the assigned Sabbatical Officers, and does not provide satisfactory reasons acceptable to the Student Representative Council, shall be considered to have resigned.
- b) Any full member of the FVSA may attend Student Representative Council meetings in accordance with the constitution. Any individual who is not a member of the FVSA who wishes to attend must receive permission by submitting a request to the assigned Sabbatical Officers no later than five College days before the start of the meeting. The assigned Sabbatical Officers shall then take a vote from the Executive Committee on whether the individual/s may attend.

Section 4.09

Who may speak at the Student Representative Council?

- a) Any full member of the FVSA may speak at the Student Representative Council meeting.
- b) Members of the College Senior Management Team may attend and speak at the request of the Student Representative Council. Any other individual may attend and speak as a guest, if invited to do so by the Student Representative Council or the Executive Committee.
- c) Any member wishing to speak must raise their hand. The Chair of the meeting shall decide the order of speaking.

Section 4.10

Who may vote at the Student Representative Council?

- a) Only members of the Student Representative Council who are present at the meeting may vote.
- b) The Chair may not vote unless the vote is tied, in which case the Chair may have the casting vote.

Section 4.11

Who runs the meeting?

- a) The assigned Sabbatical Officers shall be responsible for the agenda and publicising the meeting. This involves giving no less than ten college days' notice of the meeting and no less than five college days' notice of the final agenda including any documents or papers relating to agenda.
- b) The assigned Sabbatical Officers shall take the role of the Chair for all Student Representative Council meetings for the academic year.
- c) In the event of any situation arising not being covered by meeting regulations then the assigned Sabbatical Officers shall rule on the procedure to be adopted. Such ruling shall be subject to the approval of the Student Representative Council.
- d) In the event of the assigned Sabbatical Officers having or alleged to have a conflict of interest with the item under discussion, the role of Chair should be passed, for the duration of the item under discussion, to a designated Executive Committee Member.
- e) In the event of the assigned Sabbatical Officers being absent at the meeting for whatever reason, then the meeting shall be Chaired by the assigned deputy. In the event of both the deputy and the Sabbatical Officer being absent, the meeting will be adjourned and rescheduled for another date.

Section 4.12

General Rules

- f) All items and documents discussed at Student Representative Council Meetings will be considered confidential and must not be discussed out with the meeting, without prior approval, until minutes are agreed and published.
- g) Every Debate shall have a proposer and seconder.
- h) Individuals may only speak with Chair's permission.
- i) Anyone who wishes to attend a meeting who is not a Student Representative Council member must have approval of attendance five College days prior to meeting.
- j) Decisions will be made on the basis of a simple majority of those present. No decision on any matter of business will be taken without a quorum present.

- k) The quorum for a decision made by Student Representative Council meeting will be 20 members across the campus meetings regarding any single decision.

Article 5 - Executive Committee

Section 5.01

The Executive Committee of the FVSA is led by the Student President who shall run the FVSA on a day to day basis according to the terms of this constitution, relevant legislation and the decisions that have been made by the Student Representative Council.

Section 5.02

The Executive Committee shall be made up of the following FVSA Officers (subject to change in order to best represent the student body), elected by the FVSA membership:

- a) The Sabbatical Officers
- b) Liberation Officers
- c) Executive Officers

Section 5.03

The Non Sabbatical Executive Committee officers shall be elected by 1st of December each year according to the regulations of this constitution. They will serve as members of the Executive Committee from date of election of that year to the end of the academic year.

Section 5.04

The role of the Executive Committee shall be to:

- a) Carry out the decisions made by the Student Representative Council.
- b) Act in the absence of the Student Representative Council.
- c) Act as a channel of communication between members of the FVSA, Sabbatical Officers and also external agencies.
- d) Be responsible for contributing to the strategic direction of the FVSA.
- e) Liaise with and offer relevant support to any forum of students under the age of 16.
- f) Fulfil specific responsibilities laid down in the role descriptions of this constitution.

Section 5.05

Executive Committee meetings shall be called by the Student President and shall meet at least once every month. Further meetings may be called by a written request of a majority of the committee members to the Student President. The Chair will be the Student President or their nominee. The Chair may only vote in the event of a tie.

Section 5.06

Executive Committee meetings shall only take place if there is at least 50% of serving Executive Committee members present throughout the meeting.

Section 5.07

Any member of the Executive Committee who fails to attend two consecutive meetings of the Executive Committee or Student Representative Council without giving prior apologies to the Student President, and does not provide satisfactory reasons acceptable to the Executive Committee, shall be considered to have resigned.

Section 5.08

All members of the Executive Committee must abide by the Code of Conduct for Members of the FVSA Student Executive committee. (See External Document)

Article 6 - Clubs and Societies

Section 6.01

Clubs and societies may be recognised by the Student Representative Council provided that they meet the requirements set out by the Executive Committee in Schedule Two (societies) of this Constitution² and do not breach the FVSA aims and objectives.

² Schedule Two (societies) can be found on page 18 within this document.

Article 7 - Affiliations to External Organisations

Section 7.01

Any proposal to affiliate to an external organisation must be approved by both the Executive Committee **and** the Student Representative Council.

Section 7.02

The College and members of the FVSA shall be informed of all new affiliations to external organisations via an email or letter. The notice shall include the name of the organisation being affiliated to and any affiliation or subscription fee to be paid.

Section 7.03

Details of all affiliations to external organisations, including the names of the organisations and each affiliation fee paid, shall be included in the FVSA's financial report which shall be available to all members of the FVSA and to the College.

Section 7.04

In the event of an objection to a current affiliation to any particular external organisation, a petition signed by at least 200 members of the FVSA must be presented to the Student President. A vote shall be held on the issue at the next Student Representative Council meeting. The vote shall be carried out in accordance with the constitution. A further vote on the same affiliation cannot be called in the same academic year.

Article 8 - Complaints Procedure

Section 8.01

Complaints about an individual Officer, the Executive Committee or any member of the Student Representative Council shall be dealt with under the complaints procedure contained in this constitution.

Section 8.02

Any complaint about the FVSA shall be addressed in writing to the Student President. In any circumstances where the complaint relates to the Student President or another member of the Executive Committee, it shall be addressed to the Secretary to the Board of Management.

Section 8.03

The Student President or the Secretary to the Board of Management, whichever is issued with the complaint, shall make a written reply within twenty working days.

Article 9 - FVSA Finance

Section 9.01

The FVSA shall receive appropriate funds from the College to enable it to effectively pursue its aims and objectives. The Associate Principal and Executive Director of Finance (hereafter referred to as DoF) shall recommend this annual allocation of funding for approval to the Board of Management at the last Board meeting of the financial year. The DoF recommendation will be made after presentation of the Association's estimates for the forthcoming academic year to the Finance Committee.

Section 9.02

The Sabbatical Officers shall supervise all of FVSA's finances and ensure that proper accounting records are maintained and that these records shall be reviewed annually and certificated as correct by a qualified accountant, who could be an accountant from the College Finance team, independent of the FVSA.

Section 9.03

The Sabbatical Officers shall be responsible for ensuring that the annual budget, amendments to the budget, FVSA accounts and all other short-term financial reports and financial proposals are discussed and approved by the Student Representative Council.

Section 9.04

A copy of the FVSA's budget and the annual accounts shall be given promptly to the College each financial year for approval and be made available to all students.

Section 9.05

The financial year of the FVSA shall run from 1st August to 31st July.

Section 9.06

The organisation of the FVSA's finances and systems of control shall be contained in Schedule three (Finance Regulations) of this constitution³.

Article 10 - Minutes

Section 10.01

At all meetings of the FVSA, draft minutes shall be taken which shall be circulated at the next appropriate meeting or via email to the attendees for approval and any necessary corrections made. Confirmed minutes shall be filed and made available to all students.

Section 10.02

A copy of the constitution, including all amendments, a copy of the annual report and any plans for the FVSA's activities, including the budget, shall be made available to all students and to the Secretary to the Board of Management.

Section 10.03

All meetings of the FVSA shall be considered open to all members of the FVSA. However, the members of the meeting may vote to hold a specific meeting or an item of a meeting as a closed session.

An open meeting is free for all members to attend to observe (no input unless on request)

A closed meeting has no observers, this can be for a single item of a meeting, members would be asked to leave for the duration of the discussion.

³ Schedule three (Finance Regulations) can be found on page 20 of this document.

Article 11 - Amendments

Section 11.01

The Student Representative Council shall be the only body permitted to amend the constitution and schedules. All amendments will be subject to the approval of the College Board of Management before they can be implemented.

Section 11.02

All amendments to the constitution or schedules shall require the support of a majority of the members present and entitled to vote at a quorate meeting of the Student Representative Council. From here, the amendments will be taken to the Board of Management for approval.

Section 11.03

The constitution shall be reviewed by the FVSA at least every five years from the date of the current document's implementation and approved by the College Board of Management.

Article 12 - Code of Conduct

Section 12.01

The FVSA and all of its members shall follow the Colleges Code of Conduct and may make reference to it when they see fit in any case.

Section 12.02

All members of the FVSA shall be required to adhere to this code, particularly when on FVSA premises, or attending events organised by the FVSA or its clubs or societies.

Section 12.03

The code of conduct may include restrictions up to and including the unlimited suspension of any or all of the rights of FVSA membership.

Section 12.04

The Executive committee members must follow the FVSA Code of Conduct for Executive Committee members.

(See external document)

Article 13 - Interpretation

Section 13.01

In the event of a challenge to the interpretation of any part of this constitution, the ruling of the Sabbatical Officers shall be sought.

Section 13.02

In the event of a challenge to the Sabbatical Officers' ruling or decision, following legal advice, the decision shall be taken to the Student Representative Council.

Section 13.03

In the event the member of FVSA remains dissatisfied with the ruling of the Student Representative Council, they may appeal to the College Secretary to the Board of Management. The ruling of the College Secretary to the Board of Management shall be final.

The Schedules

Schedule 1 - Election Regulations

This Schedule outlines what to do for all elections for all positions in the Association. It also outlines the procedure to follow if a vacancy occurs in any position.

1.1 Returning Officer

- a) The Returning Officer, who shall not be a full member of the Association, shall be the Secretary to the Board of Management or their representative. The Returning Officer shall be responsible for the good conduct and administration of all Association elections and shall have the sole interpretation of the election regulations. The Returning Officer may appoint assistants to support them in undertaking these duties.

1.2 When Elections Should Happen

- a) The Returning Officer shall ensure that the election of the Sabbatical Officers takes place by the end of June each year. Once elected, the Sabbatical Officers shall take office from 1 July.
- b) The Returning Officer shall ensure that election of the Executive Committee also takes place by 1st December each year. Once elected, the members of the Executive Committee shall take office with immediate effect.
- c) The dates of elections for Executive Committee members, a copy of the election timetable and a copy of the election regulations shall be made available to all FVSA members at least 21 College days before the elections.

1.3 Standing for Election

- a) The elected members of the Executive Committee shall be:
 - I. The Student President
 - II. The Vice President
 - III. The Executive Officer(s)
 - IV. The Liberation Officer(s)
- b) No person shall hold sabbatical Association office, or paid elected Association office, for more than two years in total.
- c) All members of the Association are eligible to stand for any of the following Executive Committee positions:
 - I. The Student President
 - II. The Vice President
 - III. The Executive Officer(s)

- d) All members of the FVSA who identify with the protected characteristic of the role are eligible to stand for the following Liberation Officer positions:
 - 1. The Black and Minority Ethnic Students' Officer (BME)
 - 2. The Disabled Students' Officer
 - 3. The Lesbian, Gay, bisexual and Transgender+(LGBT+) Students' Officer
 - 4. The Mature Students' Officer
 - 5. The Women's Officer
- e) Reopen nominations (RON) shall be a candidate in all Association elections.
- f) Nomination forms will be provided by the Returning Officer or their representative and shall be available from the FVSA Moodle Page and any Student Association Office in line with the election timetable. The nomination form shall contain a copy of the description of the role of each position in the election.
- g) Members of the Association may stand for election upon completion of a nomination form signed by the candidate and at least one proposer and one seconder.
- h) Nomination forms must reach the Returning Officer or their representative not later than 4.00pm on the closing date outlined in the election timetable.

1.4 Publicity about the Election

- a) The Returning Officer shall produce a list of candidates, which shall be displayed on the Association Moodle Page in line with the election timetable.
- b) Candidates may produce a supporting statement, which must be handed in with the completed nomination form.
- c) On receipt of a valid nomination form the Returning Officer or his or her representative shall provide the candidate with an election campaign pack.
- d) The contents of the election campaign pack shall be determined by the Returning Officer in conjunction with the Executive Committee.

1.5 Campaigning

- a) Candidates may commence campaigning on the date outlined within the election timetable.
- b) Candidates cannot use any communication materials that are not sanctioned by the election campaign pack.
- c) The Returning Officer shall publicise the location and arrangements for voting, together with a list of candidates and manifestos.

1.6 Voting Procedures

- a) The Returning Officer shall ensure that all members of the Association have access to vote no matter their place or time of study.
- b) Voting will be conducted via Moodle, each member of FVSA is entitled to one vote, and is responsible for casting their own vote and ensuring that no one has access to their private Moodle login details.

1.7 Counting and Declaring Votes

- a) The Returning Officer or their representative and another member of College staff shall review the votes cast via Moodle both to ascertain the successful candidate and to verify that no student cast more than one vote.
- b) Candidates will have the opportunity, as per the election timetable, to meet with the Returning Officer or their representative to view the election result before this is made public.
- c) The Returning Officer or their representative will communicate the result to the Association Executive Team who will then communicate the results to members using such communication methods as it deems appropriate .

1.8 Complaints

- a) Any challenge or complaint concerning the administration and good conduct of the election will be heard and determined by the Returning Officer as soon as practically possible following such a complaint being lodged by any full member or the candidate or their nominee.
- b) Any complaint against the conduct or administration of the election should be received by the Returning Officer before the start of the count.
- c) In determining a resolution to the complaint, the Returning Officer after hearing all the appropriate evidence may not uphold the complaint; or may halt elections for a specific post(s) or disqualify specified candidate(s) if, in their view, a candidate(s) has breached election regulations. The ruling of the Returning Officer on any complaint shall be final.

1.9 Vacancies for positions on the Executive Committee or Sabbatical Officers

- a) If the position of Sabbatical Officer or an Executive Committee post falls vacant, then a by-election may be arranged by the Returning Officer. Nominations shall open, no later than three College days after confirmation of the decision to hold a by-election, if viable in the timeline of the relevant academic year. All other election regulations apply.

Schedule 2 - Societies

There shall be societies of the Association.

2.1 Setting up a Society

- a) No club or society may receive funds from the FVSA or use FVSA facilities without recognition in each academic year by the Executive Committee.
- b) To be considered for recognition, the proposed club or society shall present to the Executive Committee a plan of activities and a list of prospective members in accordance with the clubs and societies schedule.
- c) No club or society will be recognised if its objectives conflict with those of the FVSA.
- d) Any club or society that wishes to be recognised by the FVSA shall present to the Executive Committee:
 - I. A list of five signatures of members
 - II. The proposed membership fee (when applicable)
- e) Membership can be comprised of students. Associate membership can be offered to staff and non student members
 - I. Non student members do not have voting rights within the club or society nor can run for leadership positions

2.2 Money for Societies

- a) The Sabbatical Officers shall allocate a sum in the FVSA budget which shall be for grant aid of recognised clubs and societies. This should be used to cover reasonable expenses or the purchase of equipment relating to the purpose of the society.
- b) To receive funding, an eligible club/society shall submit a written budget proposal to the Executive Committee. This should be submitted at least one month prior to the date the funding is needed.
- c) The Executive Committee will meet and allocate the funds. Allocations will be made on the basis of the level of activity in the club/society; the number of members it has and special equipment and travel considerations and available FVSA budget.
- d) The allocations shall be approved at a meeting of the Executive Committee or Student Representative Council.

2.3 Responsibilities of Societies

- a) No member from a club or society may commit either the club or society or the FVSA to any expenditure without prior authorisation through the FVSA's budgetary control system.
- b) All clubs and societies will elect a named person who will be the primary contact between the club/society and FVSA, and are responsible for ensuring that the club/society meet the requirements set out in this constitution.
- c) No member from a club or society may apply for or commit the club or society to any expenditure without prior authorisation by a majority vote by members.
- d) The club or society shall be responsible for promoting itself during the academic term to encourage new membership.
- e) The club or society shall be responsible for fundraising for planned activities, whilst adhering to the College Fundraising Policy. Said funds will then be deposited in a ring-fenced fund for the exclusive access of that club or society.
- f) The club or society shall not hold its own bank account and all its finances will be administered through the FVSA.
- g) The club or society shall hold no funds whatsoever outside the FVSA accounts.
- h) All clubs and societies will produce an activities report and submit an income/expenditure sheet to the Executive Committee at the end of each term.
- i) Any equipment purchased by a club or society shall remain property of FVSA, and provided for the use of that club annually on renewal of recognition at the Executive Committee.
- j) The named person(s) shall be responsible for ensuring that all expenditure is legitimate and that it does not exceed the club or society allocation for that year. The person(s) shall also ensure that an accurate list of all equipment purchased is kept and the FVSA is supplied with this. The person(s) will also ensure all equipment is returned to the FVSA at the end of the academic year.
- k) The Named person(s) shall ensure that all income received by the club or society is passed to the Student Association Coordinator without undue delay and that no funds received by the club/FVSA are withheld. All transactions will be carried out in accordance with the financial regulations of the College.
- l) Failure to abide by these regulations and the Constitution may result in suspension of the society by the Executive Committee or disciplinary action against an individual or group of members.

Schedule 3 - Finance Regulations

3.1 Collection of Funds

- a) The collection of all money due to the FVSA shall be the responsibility of the Sabbatical Officers, who shall follow the financial regulations of the College to ensure the money is banked appropriately. These regulations can be found at the end of this document.

3.2 FVSA Funds

- a) The FVSA funds will be held within a separately designated Fund within the College's accounting records, including details of all expenditure incurred, which shall be incurred in accordance with the College's Financial Regulations, and all income received, which shall be banked by College Finance Staff into the designated FVSA Fund.

3.3 Expenditure

All expenditures within the FVSA shall be discussed and agreed amongst the Sabbatical Officers.

All expenditures within the FVSA over £1000.00 shall be discussed and agreed with the Executive Committee Members and must be passed for approval by a member of the College Senior Management Team.

All requests for payment shall be signed by the Student Association Coordinator, and cheques must then be signed by a member of the Senior Management Team.

If it is brought to the Student Representative Council's attention with regards to excessive expenditure then they have a duty to investigate and carry out appropriate actions.

3.4 Security and Insurance

The FVSA shall be responsible for maintaining proper security at all times for all stock, stores, furniture, equipment, cash etc. under its control.

The Sabbatical Officers shall inform the Executive Committee and College in any case where security is thought to be defective or where it is considered that special security arrangements may be needed.

The College shall be responsible for ensuring that proper insurance cover is in place, including fire risks, theft, damage and loss etc. of property and employers' liability.

3.5 Events

- a) All events undertaken or provided by the FVSA must be costed and budgets prepared.
- b) Annually, the Executive Committee, in consultation with the Sabbatical Officers, shall draw up a proposed events budget. This shall form the basis of all events expenditure.
- c) Records of all expenditure for events shall be kept. The Sabbatical Officers shall advise the Executive Committee if the budget is likely to be exceeded. The Executive Committee is responsible, under the direction of the Sabbatical Officers, for ensuring that agreed budgets are not exceeded, unless necessary approval has been given before the proposed expenditure is incurred.

3.6 Expenses to FVSA members

Any member of the Executive Committee may receive reimbursement of expenses for costs appropriately incurred whilst on FVSA business, with any expenditure reimbursed in line with the College Financial Regulations and Travel and Expenses Policy which can be requested from the Student Association Coordinator.

Expenses for FVSA volunteers must be authorised by the Student Association Coordinator or DoF on production of appropriate expense claim form and receipts.

Expense reimbursement to the Sabbatical Officers will be made by the College through the College payroll system upon authorisation of a College expense form, by the Student Association Coordinator or DoF.

3.7 Petty Cash

The petty cash limit shall be £40.00, under the direction of the Sabbatical Officers. They shall ensure that petty cash stays at or below this limit and that a proper record is kept of all advances and expenditure.

3.8 Donations

FVSA shall not make donations or affiliations to any organisation outside the aims and objectives of the FVSA. FVSA may allow for its facilities to be used for special events which may raise money for a specific charity or cause. Only the net profit from such events may be passed to the charity.

3.9 Gifts

If any Sabbatical Officer or Executive Committee Member receives a gift over a £25.00 limit in a professional capacity, they must declare this to the Executive Committee within five College days, as this may be seen as a conflict of interest.

3.10 Executive Committee Members Under 18

Any member of the Executive Committee under the age of 18 shall not have budgetary responsibility.

Schedule 4 - Role Descriptions

4.1 Student President

The Student President will be a sabbatical officer, and shall

- a) Be the main representative and official spokesperson of the Students' Association.
- b) Attend the Board of Management, Learning and Student Experience Committee, and other relevant College committees to represent the student voice, and report back to the Students' Association.
- c) Work with the National Union of Students to ensure the voice of FVC students is represented nationally.
- d) Encourage Forth Valley College students to get involved with and shape the work of Students' Association.
- e) Ensure the Student Association works as a motivated team and encourage executive committee members to work to the best of their ability.
- f) Draft the Student Association annual budget, monitor expenditure, ensure that all transactions are correct and that accounts are audited annually.
- g) Coordinate the Student Association work in response to the needs and opinion of the student body.
- h) Be responsible for any other Student Association duties as decided by the executive committee.
- i) Contribute to the Student Association Communication and Engagement strategy in order to promote activity and opportunities to students and staff.
- j) Facilitate engagement opportunities within the College including class visits, events, information gathering and participation in Class Rep training/Student Council in order to allow students to inform the activity of the Student Association.
- k) Support the Student Association Executive Committee by implementing partnership projects in conjunction with the College.
- l) Establish and maintain contact with offices in other colleges, universities and relevant organisations in order to identify and maintain best practice.
- m) Attend relevant conferences and courses on behalf of the Student Association, and lead any delegations attending on their behalf.
- n) Contribute to all relevant Student Association reports, including the Annual Impact Report, Healthy Body Healthy Mind Report, monthly Student Association reports etc.

- o) Liaise with the Student Association Executive Committee on all budgetary decisions such as venues, entertainment, catering etc.
- p) Present relevant reports to the Student Association Executive Committee.
- q) Share duty rota across campuses.
- r) Assist with main office duties and administration.

4.2 Vice President

The Vice President will be a sabbatical officer, and shall;

- a) Attend the Board of Management, Learning and Student Experience Committee, and other relevant College committees to represent the student voice, and report back to the Students' Association.
- b) Coordinate all activities in response to the needs and opinion of the student body.
- c) Work with the National Union of Students to ensure the voice of FVC students is represented nationally.
- d) Encourage Forth Valley College students to get involved with and shape the work of Students' Association.
- e) Be responsible for any other Student Association duties as decided by the executive committee.
- f) Contribute to the Student Association Communication and Engagement strategy in order to promote activity and opportunities to students and staff.
- g) Facilitate engagement opportunities within the College including class visits, events, information gathering and participation in Class Rep training/Student Council in order to allow students to inform the activity of the Student Association.
- h) Support the Student Association Executive Committee by implementing partnership projects in conjunction with the College.
- i) Establish and maintain contact with offices in other colleges, universities and relevant organisations in order to identify and maintain best practice.
- j) Attend relevant conferences and courses on behalf of the Student Association, and lead any delegations attending on their behalf in the absence of the Student President.
- k) Contribute to all relevant Student Association reports, including the Annual Impact Report, Healthy Body Healthy Mind Report, monthly Student Association reports etc.
- l) Liaise with the Student Association Executive Committee on all budgetary decisions such as venues, entertainment, catering etc.
- m) Present relevant reports to the Student Association Executive Committee.
- n) Share duty rota across campuses.

4.3 Executive Officer

- a) The Executive Officer(s) will be elected voluntary members of FVSA, and shall;
- b) Assist in the day to day operation of FVSA, providing support to the Sabbatical Officers in all aspects of FVSA Activity.
- c) Act as a channel of communication between members of the FVSA, Sabbatical Officers and also external agencies.
- d) Be responsible for contributing to the strategic direction of FVSA.
- e) Act on behalf of FVSA Members, and attend executive committee meetings on their behalf.
- f) Contribute to all relevant FVSA Reports.
- g) Attend and support the facilitation of the Student Representative Council.
- h) Fulfil all other duties as a member of the Executive Committee, as set out in the constitution.
- i) Attend relevant conferences and courses on behalf of the Student Association

4.4 Liberation Officer

The Liberation Officer(s) will be elected, voluntary members of FVSA, who identify within the protected characteristic of the respective role, and shall;

- a) Ensure the views and opinions of student's within their respective liberation area are reflected throughout the whole of the FVSA's work.
- b) Represent the perspective of their students on all matters concerning FVSA and the College, and encourage regular discussion between the students.
- c) Raise the awareness of students on the issues that affect their students through meetings and events.
- d) Co-ordinate activities designed to counter discrimination and hate crime.
- e) Establish and maintain contact with, and provide information for groups and organisations which work on anti-discrimination issues.
- f) Liaise with the relevant NUS Liberation campaigns.
- g) Promote the positive involvement of students in all areas of the FVSA's activities.
- h) Monitor incidents of discrimination in the College and inform FVSA and the College of these incidents.
- i) Seek to ensure that the FVSA and College publications and events do not contain discriminatory material and ensure the provision and depiction of a wide range of images.
- j) Liaise with the Sabbatical Officers on the development of the College Equality Policy.

- k) Present relevant reports to the Executive Committee, and fulfil duties as a member of the Executive Committee as per the constitution.
- l) Act reasonably and prudently in all matters, and in the best interests of the FVSA.

Schedule 5 - Disciplinary Procedure

The FVSA will follow the disciplinary process layed out bellow, however the College disciplinary policy can be used for guidance.

The organisation of the FVSA's disciplinary process shall be contained in Schedule 7 (Disciplinary Process) of this constitution.

Section 5.01

All members of the FVSA shall be expected to abide by the Constitution and its schedules at all times, as well as the College's Equality Policy and the College Code of Conduct which will be published on the FVSA Moodle page.

Section 5.02

The FVSA has authority over any premises managed by the FVSA, any FVSA activities, including the activities of any FVSA club or society, or any misconduct which takes place outside FVSA premises but is connected with the FVSA and is likely to affect the reputation of the FVSA.

Section 5.03

The FVSA has authority over any student attending premises external to Forth Valley College and therefore any behaviour that brings the FVSA into disrepute can be dealt with in accordance to this policy.

Section 5.04

If a student or club or society is deemed to have breached the disciplinary policy, their conduct shall be examined by two Sabbatical Officers and the Student Association Coordinator, known as the disciplinary committee. If these individuals are unavailable or unable to participate, for instance if they are a witness to alleged misconduct, then the College Senior Management Team will be asked to nominate appropriately trained staff to form the disciplinary committee and conduct the investigation and make any recommendations for further action as necessary.

Section 5.06

In cases involving the misuse of FVSA facilities or resources or behaviour likely to cause potential danger or offence to students, staff or other persons, or bring FVSA into disrepute, the student or club or society may be suspended from the use of particular FVSA facilities or resources until the disciplinary committee has reached a decision.

Section 5.07

All persons involved have the right to support on the basis that the individual is for support on a silent basis and not an active part of the hearing.

Section 5.08

The committee may ask questions of any witnesses, the person bringing the charge or the student, club or society.

Section 5.09

The disciplinary committee shall then deliberate on the matter and decide on the appropriate action to be taken. The committee shall base its decision on evidence presented and examined in the presence of the person bringing the charge and the student, club or society being charged. Evidence of any earlier misconduct shall not be presented until after the decision has been reached on the facts of the case, but then may be admitted and considered in deciding on any sanction.

If Discipline Committee upholds the complaint, it shall have the authority to impose any sanction, or combination of sanctions, at its disposal. This includes recommending a motion of no-confidence in a voluntary officer.

In accepting this code, the members grant the Discipline Committee the additional authority to suspend the officer in question. Such a suspension shall also apply to any committees on which the officer is represented.

In accepting this code, the members grant the Discipline Committee the additional authority to suspend the officer in question. Such a suspension shall also apply to any committees on which the officer is represented.

The ultimate sanction can be expulsion from the FVSA and removal from office as appropriate.

Section 5.10

The FVSA disciplinary committee may refer any matter to the College disciplinary process.

Section 5.11

If the recommendation is a motion of no-confidence, an emergency Executive Officer Meeting will be convened and all Executive Officers will be presented with the Discipline Committee findings. The Executive Officers will then vote to keep or remove the officer(s) in question.

Section 5.12

The disciplinary committee must inform the person of their right of appeal and if any party wishes to appeal, they can do so by raising an agenda item at Student Council. A written request must be submitted to the Student President no later than 5 working days before the next Student Council. No member that had involvement in the original decision making process will be able to cast a vote during the appeal process.

Parties can provide a written statements of their position which will be read out to members and a vote will be taken. The majority will be two-thirds of the votes taken of those present at the quorate meeting and the decision of Student Council is final.

Section 5.13

Any member of the Student Representative Council, Executive Officer Committee, or any other committee who has been absent from or failed to contribute to at least two successive ordinary meetings, without submitting apologies to the Chair of the meeting, shall automatically be deemed to no longer hold office.

Section 5.14

Any resignation must be in writing to the Student President. Resignations shall take effect immediately, and be reported to the Student Representative Council.

Section 5.15

Class/course representatives may be removed from office by:

- a) A two-thirds majority vote by their class.
- b) A breach of the College Code of Conduct on the grounds of gross misconduct resulting in suspension from the College.
- c) The individual being removed has the right to appeal any decisions (Where the FVSA disciplinary process is being followed).

Section 5.16

The Executive Committee officers may immediately be removed from office by:

- a) A two-thirds majority vote at a quorate meeting of the Student Representative Council.
- b) A breach of the College Code of Conduct on the grounds of gross misconduct, resulting in suspension or expulsion from the College.
- c) If any sanction prevents the officer from being able to fully carry out their job description.
- d) The individual being removed has the right to appeal any decisions (Where the FVSA disciplinary process is being followed).

Section 5.17

The Sabbatical Officers may immediately be removed from office by:

- a) A two-thirds majority vote at a quorate meeting of the Student Representative Council.
- b) A breach that is considered to be gross misconduct under the College Discipline and Dismissal policy.
- c) If any sanction prevents the officer from being able to fully carry out their job description.
- d) The individual being removed has the right to appeal any decisions (Where the FVSA disciplinary process is being followed).

Section 5.18

In the case of any vacancy arising, a by-election may be held in accordance with Schedule One Section 1.9 of the constitution⁴.

⁴ Schedule One Section 1.9 can be found on page 15 within this document.

Schedule 6 - Code of Practice

This code of practice is approved by the College in accordance with the requirements of clause 22(3) of the Education Act 1994, which requires that the College shall take such steps as are reasonably practicable, to secure that the Association operates in a fair and democratic manner and is accountable for its finances. The code of practice should be read in conjunction with the constitution, schedules and appendices.

6.1 Constitution

- a) The FVSA shall have a written constitution, approved by the Student Representative Council and the Board of Management. This shall be reviewed at intervals of not more than five years.
- b) Any amendments to the constitution shall be approved by the Student Representative Council and the College Board of Management.

6.2 Membership

- a) All registered students of the College, over the age of 16, shall be full members of the FVSA, those under 16 shall be Associate Members, unless they choose to opt-out in accordance with article three of this constitution⁵.
- b) The consequences of opting out or expulsion of membership shall be:
 - I. A student may not participate in any of the democratic processes of the FVSA.
 - II. A student shall not hold office in any club or society in the FVSA.
 - III. A student will not be represented by the FVSA

6.3 Freedom of Speech

- a) The Association and its members are bound to observe the College's code of practice in relation to freedom of speech as required by Section 43 (No 2) Act of 1986.

6.4 Motions Passed At Student Representative Council

- a) Motions passed at SRC will be in effect for three years. Once the Motion reaches the three year point it will be brought back to the SRC for a vote of continuation or retirement.
 - I. If the motion is voted to be continued it will run for another three years and will be reviewed following this process.
 - II. If the motion is voted to be retired it will be removed from active policy at the end of the current teaching year.

⁵ Article three can be found on page 3 of this document.

Schedule 7 – Disciplinary Process

7.1 Sabbatical Officer

If a sabbatical officer is deemed to have breached the constitution and/or policy, their conduct shall be examined by the Secretary to the Board of Management(Or designated appointee). The Secretary to the Board of Management(Or designated appointee) shall make a written reply within twenty working days.

If these Secretary is unavailable or unable to participate, for instance if they are a witness to alleged misconduct, then the College Senior Management Team will be asked to nominate appropriately trained staff to form the disciplinary committee and conduct the investigation and make any recommendations for further action as necessary.

7.2 Volunteer Officer/Ordinary Student Member/Society or Club

If a volunteer officer or ordinary student member is deemed to have breached the constitution and/or policy, their conduct shall be examined by a disciplinary committee comprised of two or three executive officers appointed by the Student Association Coordinator and a sabbatical officer, where they will be convened to discuss and investigate the complaint or breach. If there is a conflict of interest amongst the sabbatical officers, the Student Association Coordinator will take their place on the committee.