

## **Constitution of the Student Association for the Open College of the Arts (Student Association)**

The Student Association is a students' union within the meaning of the Education Act 1994. The Association is devoted to the educational interests of its Members.

The Open College of the Arts describes its vision to be at the forefront of student-led creative arts education through open, enhanced, & supported distance learning, for an evolving society. In order to be truly student led we must work together in a mutually beneficial and collaborative way. We need to think of students as our partners beyond learning & teaching but also in institutional change & governance. "Sustaining openness relies on embedding a sense of fairness, shared value and equity within the structure of community interaction and support." (Art Hack Practice, p.58) Through this reciprocal relationship students will be able to have more autonomy over their own learning experience, allowing OCA to become more democratic, ethical and engaging; challenging traditional power structures.

### **Aims and Objectives**

1. To advance and support the education of its members and students of the Open College of the Arts (OCA) as a whole.
2. To represent the interests of its members and act as a channel of communication for students in dealing with OCA and any other relevant bodies.
3. To act in partnership with OCA to ensure that the college listens to its students and makes decisions based on consultation and collaboration with the student body.

These aims and objectives shall be practised without discrimination on the grounds of age, sex, race, religion, creed, sexual orientation, disability or medical condition, except that action may be taken to promote equality of opportunity.

### **Membership**

All students who are registered at OCA shall be members of **the student association** unless they have decided to opt out of membership according to the provision of the 1994 Education Act (as outlined in Appendix C).

Only full members of **the student association** can vote in elections or hold executive office.

All members will have access to a copy of this written constitution.

### **Governance**

Under the Education Act 1994 the governing body of OCA (the OCA Trustees) has a statutory duty to ensure that **the student association** operates in a fair and democratic manner and is held to proper account for its finances. **The**

**student association** therefore works alongside the OCA in ensuring that the affairs of the student association are properly conducted.

The OCA Trustees will **appoint the Remuneration and Development Group (RDG)** to oversee the work of the **student association**. This body is accountable to the OCA Trustees.

The **student association lead representative** or a delegated executive officer of **the student association** will be invited to attend the **meetings of the RDG where the student association business is discussed** but will not be an official of that group.

The **Remuneration and Development Group (RDG)** will meet at least once per year to monitor the finances and conduct of **the student association** with reference to applicable laws and regulations

### **The Executive Committee**

The Executive Committee shall run **the student association** on a day to day basis in accordance with the terms of this constitution.

The Executive Committee will comprise:

- The OCASA **lead representative** who shall be a member of **the student association** and elected by **the student association** members;
- **One or more value-led representative(s)** elected from and by **the student association** member students in each of areas listed in appendix A;
- Any persons co-opted by the Executive Committee or invited by the Committee to attend one or more of its meetings.

Co-opted members will normally serve for a period of twelve months, but this period can be extended by a collective decision of the elected members of the Executive Committee.

Each elected representative will serve for a period not exceeding two years, and may stand for re-election for a further term if still a member of **the student association**. If a representative resigns or ceases to serve on the executive for any reason during their period of office, an election will be held promptly to seek a replacement. If a representative fails to attend three consecutive committee meetings, an election for their position on the executive will be held, though the individual may stand for re-election.

The Executive Committee will meet in person or by electronic means at least four times a year, and may choose to allocate specific roles and responsibilities to its members.

The role of the executive committee shall be:

- To consult the student body in order to formulate policy;
- To represent policy to OCA;
- To implement and monitor policy decisions;
- To act as channel of communication between members of the association, OCA management, the governing body and other organisations;
- To establish working groups where relevant to inform policy;
- To monitor the finances of **the student association**;

Minutes of the Executive Committee meetings shall be made available to students, after ratification by the **lead representative**. Detailed procedures for the organisation and conduct of the **Executive** Committee are in Appendix F.

Executive Committee members shall still be bound by any and all applicable OCA policies during their membership, which can be found on the OCA and OCA student websites. This includes, but is not limited to, data and computer use.

The Executive Committee shall elect a **deputy lead representative** according to procedures set out in Appendix F. This role is defined in Appendix G and the **deputy lead representative** will, in the event of the **lead representative** being unable to continue in the role, take over the duties of **lead representative** until a new **lead representative** has been elected.

## **Finance**

The **Academic Development Officer (students)** shall supervise all **student association** finances and ensure that proper books of accounts are maintained and that these books shall be audited annually by the **OCA Head of Finance** who is qualified to undertake audited accounting. A copy of the audited accounts shall be made available to students **as part of the annual financial statement**.

The financial year of **the student association** will run from 1<sup>st</sup> **August** to 31<sup>st</sup> **July**.

The **Academic Development Officer (students)** will liaise **on behalf of the student association** with the Head of Finance on an annual basis (normally during May and June) for appropriate funds and resources from OCA to enable **the student association** to effectively pursue its aims, objectives and legal obligations **for the forthcoming academic year**.

The regulations for the conduct of **the student association's** financial affairs are set out in Appendix B.

## **Amendments to the Constitution**

The constitution will be reviewed at least every three years from the date of implementation of the current version.

Any proposal to amend the constitution must be supported by a majority of the Executive Committee. Any proposed amendments to the constitution must be notified to the student body and ultimately approved by OCA.

### **Indemnity**

The student association Executive Committee members will be covered by indemnity insurance, for their activities and decisions on behalf of the association. This will be at the association's expense and will normally be organised through the OCA's insurance policies.

### **Complaints**

Any complaints by the student association members regarding their dealings with the student association or the association's elected representatives shall be handled according to the procedures set out in Appendix D.

### **Interpretation**

In the event of a challenge to the interpretation of any part of this constitution, the ruling of the lead representative shall be sought. In the event of a challenge to the lead representative's ruling, the decision shall be taken to the Remuneration and Development Group. If the association member remains unsatisfied, they may appeal to the OCA Trustees, and their ruling shall be final.

### **Societies**

If the student association decides to establish affiliated societies, the constitution will be amended to include an appendix setting out the procedures under which such societies shall be managed.

### **Appendices**

- A. Election regulations, and returning officer
- B. Finance
- C. Opting out of OCASA membership
- D. Complaints and Removal of Elected Representatives
- E. Affiliation to external organisations
- F. Meeting Procedures for the Executive
- G. Role Definitions

## Appendix A: Election Regulations

This appendix outlines what to do for all elections for all positions in **the student association**. It also outlines the procedures to follow if a vacancy occurs in any position.

1. The **Chair of Remuneration and Development Group (RDG)** shall appoint a returning officer, who shall not be a member of **the student association**. The returning officer shall be responsible for the good conduct and administration of all union elections and shall have sole interpretation of the election regulations.
  
2. The returning officer shall ensure that an election takes place for any post or posts within sufficient timescale to ensure that no officer of the association serves for more than two years without seeking re-election.
  
3. If any post of the Executive Committee becomes vacant then a by-election shall be arranged by the returning officer. Nominations shall open no later than one week after confirmation of the vacancy arising. All other election regulations apply.
  
4. The elected members of the executive committee shall include:
  - **Lead Rep** - The Lead Rep will act as the main, but not exclusive, point of contact with OCA. They will attend relative meetings either online or in person with OCA and they will lead on organising Student Association meetings.
  - **Deputy Lead Rep** - The Deputy Lead Rep will support the Lead Rep and be available to take their place at any relevant meeting should the lead be unable to attend. The Deputy Rep role can be in conjunction with another Rep role.
  - **Wellbeing Rep** - The Wellbeing Rep will promote positive wellbeing and mental health. They will use the **#WeAreOCA** blog to share tips and articles.
  - **Accessibility Rep** - The Accessibility Rep will advocate for access and work with the Learner Support team at OCA to ensure guidance and any reasonable adjustments are fit for purpose.
  - **Social & Communications Rep** - The Social & Communications Rep will work with the Lead Rep and OCA Associate to coordinate communications for informal and formal meetings. They will maintain a presence on the relevant area of the Discuss forum and social media. They will help administer study

- events working with the OCA Associate. They will help coordinate the end of year annual event - OCA Yearbook.
- Diversity/Inclusivity Rep - The Diversity and Inclusivity Rep will help ensure there is parity of opportunity for all students. They will help raise awareness using the #WeareOCA blog space and consider how to decolonise and diversify the curriculum in a culturally sensitive way.
  - Environment & Sustainability Rep - The Environment and Sustainability Rep will work with OCA and students to promote better working practices and glean information on how we can make a difference in the current climate crisis. They will use the #WeAreOCA blog space as a place to vocalise concerns and opportunities.
  - Technology/IT Rep - The Technology and IT Rep will work closely with students and OCA to ensure the technology used is fit for purpose. They are not there to act as tech support rather to advocate best practices and student friendly IT. They could work with the TEL team to help coordinate student testing of new technological initiatives.
  - International Rep - The International Rep will represent students outside of the UK and ensure their voices are heard.
  - OCA Studies Rep - The OCA Studies Rep will help disseminate changes and developments regarding courses and studying with OCA. They will help point students in the direction of help for course specific queries either to OCA HQ or the relevant programme leader/unit leader. They will work with the Social & Communications Rep to ensure students are aware of changes for example timeframes, policies and the removal or addition of units.
  - Finance Rep - The finance rep will act in support of student interests in areas of fees, finance and ensuring value for money.
  - 18-35 Rep - The 18-35 Rep will be responsible for supporting the needs of the younger age demographic of distance learning students at OCA.
5. Only members of **the student association** shall normally be eligible to stand for representative and no individual shall represent more than one area.
  6. Nominations for election to office can be made by any member of **the student association** themselves, or by others with the permission of the nominee, subject to the restriction above.

7. A candidates nomination must be accompanied by:
  - An election statement of no more than 250 words;
  - A biographical background of no more than 250 words.
  
8. The returning officer shall establish a clear timetable and procedure for each election such that:
  - There is at least two weeks for nominations to be submitted.
  - There is at least three weeks between the publication of candidates' details and the closure of voting.
  
9. In the event of a sole nomination, that candidate shall be declared elected unopposed.
  
10. The returning officer shall ensure the publication to all students eligible to vote for a particular post of the relevant candidates' election statement and background information.
  
11. The returning officer shall ensure that all members of the **student association** have access to vote irrespective of their place of study or residence.
  
12. Voting shall be by ballot and shall be conducted according to the most recently published edition of the rules of the single transferable voting (STV) system as set out by the Electoral Reform Society.
  
13. The method of voting may be by postal vote or online vote, as deemed most appropriate by the returning officer in relation to student circumstances and the availability of appropriate technology. The returning officer shall publicise the arrangements for voting at the time of publication of nominations.
  
14. Counting shall be completed within four days of the close of voting and the result declared within one working day of the completion of the count. The returning

officer shall ensure that a statement of the result is published at relevant online locations to ensure that members can be aware of the outcome.

15. The results will become official three days after they have been posted provided that no complaint has been lodged with the returning officer within that time. In the event of a complaint being received by the returning officer the results shall be suspended until the complaint has been resolved.
  
16. In the event of no nominations being received for a particular vacancy the students will be notified that there are currently no nominations, and the deadline extended. If at the extended deadline no volunteers are forthcoming, **the student association** Executive Committee may choose collectively to co-opt someone to fill the vacancy for a period of up to twelve months or until a nominee (or nominees) comes forward and is elected or confirmed in the role, whichever is the sooner. At the end of twelve months in which a co-opted representative has served, an election must be held, in line with the election regulations in this appendix.
  
17. Any challenge or complaint concerning the administration and good conduct of the election will be heard by the returning officer within 72 hours of such a complaint being lodged by any full member or the candidate. In determining the outcome of a complaint the returning officer after hearing all appropriate evidence may not uphold the complaint; or may halt the election; or may disqualify a candidate or candidates if they have breached election regulations. The rule of the returning officer shall be final.



## Appendix B – Finance Regulations

1. The Academic Development Officer (students) in liaison with the Head of Finance shall be responsible for overseeing the financial affairs of the association.
2. The Academic Development Officer (students) shall report to the Executive Committee meeting expenditures since the last meeting and the current bank balance.
3. All payments on behalf of the student association shall be made through the OCA bank account.
4. There shall be a process for requesting a payment that ensures the following regulations apply:
  - a. All requests for payment shall be approved by either the lead rep or the Academic Development Officer (students);
  - b. Any single item of expenditure in excess of £250 shall be discussed with the Executive Committee and approved by a majority.
5. All contracts shall have two signatories, normally the lead rep and the Academic Development Officer (students).
6. No financial agreement may be entered into which involves commitment beyond the end of the financial year following the year in which it was signed.
7. Budgets shall be drawn up for all areas of proposed expenditure. These areas will be discussed and approved by the executive committee for submission to OCA in May/June.
8. Academic Development Officer (students), under the direction of the lead rep, shall provide a financial statement once per year for submission to the Remuneration and Development Group. This statement will be made available to all student association members.
9. The student association shall not enter into any loan agreements.
10. Any member of the Executive Committee may receive expenses for costs incurred whilst on student association business. Expenses must be authorised in line with the OCA Expenses Policy and must be authorised by the Academic Development Officer (students).
11. The student association shall not make any donations to any organisation outside the aims and objectives of the association.

12. For legal reasons, members of the Executive Committee who are under the age of 18 cannot be authorised to sign any contract or financial agreement, authorise any payment, take responsibility for any budget or make any financial decisions on behalf of **the student association**.

**Appendix C: OPTING OUT**

1. Every OCA student shall be able to relinquish their right of membership of the **student association**.
2. A student who opts out of **the student association** shall not be able to participate in the democratic and decision-making function of the association. This includes not being able to stand for any office or representative position, as contained in the **student association** constitution.
3. A student wishing to opt out must indicate this within six weeks of the start of their OCA course in writing to **the Academic Development Officer (students)**.
4. A student who has opted out who subsequently wishes to become a member of the **student association** shall notify **the Academic Development Officer (students)** in writing. **The Academic Development Officer (students)** shall then inform the **student association lead rep**. If the application falls within twenty college days of nominations opening for a **student association** election, the student will not be eligible to stand for election.

## **Appendix D: Complaints and the Removal of Elected Representatives**

The following complaints procedure shall be made available to all students or groups of students who are dissatisfied in their dealings with **the student association**.

1. A complaint about **the student association** shall be addressed in writing to the **student association lead rep**, unless the complaint is about the **lead rep**, in which case refer to paragraph 4 below.
2. On receipt of a written complaint, the **lead rep** shall make a written reply within ten working days.
3. If the complainant is not satisfied with the response they may appeal to the **Chair of the Remuneration and Development Group**, who will respond to the complainant within ten working days.
4. A complaint about the **student association lead rep** should be addressed in writing to the **Chair of the Remuneration and Development Group**. The decision of that person shall be final.
5. Elected members of the Executive Committee, including the **lead rep**, may be removed from office by a majority ballot of their electorate (meaning all **student association** members).
6. The calling of a ballot to remove a member of the Executive Committee shall require the support of 200 **student association** members. The regulations for such a ballot shall be determined by the returning officer, within the limits of this constitution.

## Appendix E: Affiliations to External Organisations

1. Any proposal to affiliate (or dissociate) **the student association** to (or from) an external organisation shall be first approved by **the student association** Executive Committee.
2. OCA and the membership of **the student association** shall be informed of all new affiliations to external organisations. The notice shall include the name of the organisation being affiliated to, the type of affiliation and the subscription fee.
3. Details of all affiliations to external organisations, including the names of the organisations and each affiliation fee paid, shall be included in **the student association's** annual financial report which shall be made available to all **students** and to OCA.
4. At least 200 members of **the student association** may, at intervals of not less than one year, by a ballot addressed to the **student association lead rep**, call for a secret ballot of all members on the continuation of affiliation of the **student association** to a particular external organisation.

## Appendix F: Meeting Procedures for the Executive

### Frequency

- The Executive Committee is to meet at least 4 times per year.
- The date of the next two meetings will normally be set by the **lead rep**, at least 3 weeks prior to meeting.

### Attendance

- Meetings to be attended by **the lead rep and other representatives**; they must be students of the OCA;
- A quorum will consist of a minimum of four representatives, plus the lead rep or **deputy lead rep**;
- Attendance may be in person or via a communications link; apologies for absence to be notified to the **lead rep** by e-mail;
- The elected Executive Committee members may collectively co-opt other OCA students to join them. Co-optees are to be full members of the committee except for voting (see below); co-optees serve for one year, but may then be co-opted for a further period by a vote of the elected committee members;
- The Executive Committee may invite any other individuals to attend meetings or parts of meetings for specific purposes. Those invited people do not have to be OCA students and such individuals do not have a vote.

### Roles

- The **lead rep** normally chairs the committee meetings;
- Committee members are expected to consider and work for the good of all OCA students, rather than only representing their subject interests;
- The Committee will appoint a Secretary who will keep the minutes and assist the **lead rep** in preparing the agenda plus organisation and notification of meetings;
- **The Academic Development Officer (students) will act as** a Finance Officer to the Committee (see Appendix B);
- The Committee will appoint a **deputy lead rep**, by election, if necessary. Candidates for **deputy lead rep** must be full members of the committee (not co-opted members) and will either nominate themselves or will be invited to put themselves forward by other committee members. If there is more than one nominee, the committee will vote and elect a **deputy lead rep** by simple majority. In the event of a tie, the **lead rep** will have the casting vote.

- The Committee may define and appoint other roles;
- Co-optees may be appointed to roles, except as **lead rep** or **deputy lead rep**; co-optees may be asked to be an 'acting subject representative', in which case they serve in that role until the end of their period as a co-optee, or until a nominated or elected representative from that subject area is appointed, whichever is shorter.

## **Agenda**

The agenda is to be published to the committee by the **lead rep** not less than one week prior to a meeting, other than in exceptional circumstances;

Standing items on the Agenda will include:

- Minutes of last meeting & matters arising;
- Finance;
- Curriculum and Quality Committee;
- Representative Reports;
- Any other business;
- Date of next meeting.

Additional agenda items to be notified to the **lead rep** at least two weeks prior to the date of a meeting.

## **Discussion and Conduct of Meetings**

- Meetings are to be conducted in a spirit of mutual respect, with all representatives and co-optees having the right to speak and express their opinions on matters under discussion; invited individuals do not, in principle, have the same rights, but in practice, the committee is only expected to apply this principle in exceptional circumstances, with the views of all those present in a meeting being of potential interest to the committee;
- The **lead rep**, as Chair, is to be responsible for the appropriate conduct of the meeting, ensuring contributions from all those who wish to speak and that the Agenda is followed;
- The discussions that occur in meetings are to be confidential between committee members, with the minutes (see below) being the published outcome of the meeting.

## **Voting**

- In principle, the approach is to be 'decision by consensus', with the Chair leading discussions towards a mutually agreeable outcome;
- When this is not possible, the Chair will make their personal position on the issues at hand clear and then a vote of the representatives will be taken and the majority decision will be carried forward as **student association** policy.
- Each representative present at the meeting has one vote and a decision will be based on the simple majority vote between representatives.
- Co-optees do not have a vote unless they have been appointed as an acting representative, in which case they have one vote in meetings that they attend whilst in that role;
- Invited individuals do not have a vote;
- In the event of a tied vote between representatives, the **lead rep** has the casting vote.

### **Minutes**

- Minutes of meeting to be kept by a nominated attendee, normally the Secretary;
- Draft Minutes are to be circulated to all committee members and then published in draft form on the **student association** website;
- Once agreed at the next meeting, the final draft of the minutes is to be signed by the **lead rep** and is then to replace the draft version on the **student association** website.



## **Appendix G: Role Definitions**

### **Lead Representative**

- Organising and chairing executive committee meetings;
- Attending meetings of the OCA Curriculum and Quality Committee;
- Acting as the main (though not exclusive) point of contact with OCA, both formally and informally;
- Co-ordinating communications and decision-making outside of formal meetings;
- Ensuring proper processes and procedures are followed in the conduct of the association's business;
- Providing leadership and direction for the executive committee;
- Ensuring that the association has plans and budgets in place to achieve its objectives;
- Attending the meetings of the OCA Trustees.

### **Deputy Lead Representative**

- Deputising for the **lead rep** whenever necessary;
- Attending OCA Curriculum and Quality Committee with the **lead rep**;
- Generally supporting the **lead rep** in all aspects of the role;
- Taking over the duties of the **lead rep**, if the elected person is unable to continue for whatever reason, until a new **lead rep** has been elected.

### **Secretary**

- Assisting with the organization of committee meetings;
- Assisting with the general administration of the committee's activities;
- Taking the minutes at committee meetings and preparing them for agreement by the **lead rep** and the Committee;
- Keeping the signed minutes as a formal record of committee proceedings.

**Finance Officer - Academic Development Officer (students)**

- Preparing and keeping appropriate financial records (with assistance from the OCA Head of Finance);
- Administering expenses and other payments;
- Organising the preparation of an annual budget;
- The Finance Officer shall report to the Executive Committee meeting expenditures since the last meeting and the current bank balance;
- With the **lead rep** and **OCA Head of Finance**, preparing financial statements at the end of the year.
- With the **lead rep** and the **OCA Head of Finance**, preparing the **financial budget for the forthcoming year**.