Josephine Butler College MCR Constitution

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# Definitions

In this Constitution and its Standing Orders the following definitions shall apply:

1. A “Student” shall include all undergraduate and postgraduate members of the College,including those who have opted out of the JCR and MCR;
2. A “Member” shall mean only full members of the MCR as defined in Section 3.1;
3. An “Associate Member” shall refer to associate members of the MCR as defined in Section

3.2;

1. The “Exec” shall mean the MCR Executive Committee as defined in Section 5;
2. All references to officers and committees shall mean those of the MCR unless stated;
3. The JCR, MCR and SCR shall mean the Junior, Middle and Senior Common Rooms of

Josephine Butler College respectively;

1. PGA shall mean the Durham Students’ Union Postgraduate Association;
2. DSU shall mean Durham Students’ Union;
3. The “College” shall refer to Josephine Butler College;
4. The “College Regulations” shall mean the regulations of Josephine Butler College as approved by Josephine Butler College Council;
5. The “University Regulations” shall mean the regulations of Durham University as approved by Durham University Council;
6. The “University” shall mean Durham University;
7. References to the JCR, MCR, SCR, PGA, DSU, the College or the University shall include all executive and non-executive officers, and any representatives to internal and external committees elected or appointed by the MCR.

# The Objectives of the Middle Common Room

1. There shall be a Middle Common Room (“the MCR”), whose purpose it is to:
   1. Represent the views and interests of its Members (as defined in Sections 3.1 and 3.2);
   2. Offer assistance to individual Members in representation to the College and University;
   3. Co-operate with the JCR and SCR in matters that affect its Members;
   4. Provide and administer facilities, services and a social forum for its Members;
2. The MCR may play a disciplinary role for its Members as permitted by the College Regulations;
3. The MCR shall be independent of any religious body or party political organisation, and shall pursue its object without regard to race, nationality, creed, gender or sexual orientation.

# Membership and Subscriptions

1. The full membership of the MCR shall be:
   1. The registered postgraduate students of the College;
   2. The undergraduate students of the College, who are in their final year of study of a four year course. This shall include Level 3 students who have undertaken a year abroad or in industry;
   3. The undergraduate students of the College who are aged 23 or older upon their matriculation to the University. In this Constitution and the Standing Orders such students shall be referred to as Mature Students.
2. Associate membership may, at the discretion of the Exec, be granted to
   1. The JCR President;
   2. The Student Community Development Officer (“SCDO”) of the College;
   3. Level 3 undergraduate students who matriculated to the University at least three years previously;
   4. Other postgraduate students;
   5. Postdoctoral research assistants;
   6. The SCR President.
3. A Member may, in accordance with the University Code of Practice, choose to opt out of the MCR by written notification to College (or the MCR President, who shall forward the note to College).
4. On behalf of the MCR, the Exec for each year may choose to levy a subscription to its Members, a portion of which shall be awarded to the JCR to grant full membership of the JCR, as described in the JCR-MCR Memorandum of Understanding.

# MCR Meetings

1. The supreme authority of the MCR shall be the formal decisions of the MCR meetings (as defined by the Standing Orders). Formal decisions shall be binding on all officers and committees of the MCR, unless it is in conflict with the Constitution, Standing Orders, College or University Regulations, or the Law.
2. There shall be at least one MCR meeting held each term. All Members shall be entitled toattend, speak, vote and stand for election to any position with the exception of President, who must be a postgraduate at the time of election.
3. The convening and business of MCR meetings shall be regulated by the Standing Orders.The Standing Orders may also provide for attendance and speaking rights (but not voting rights) of Associate Members or non-members, or a quorum.

# The Executive Committee

1. There shall be an Executive Committee (“the Exec”) who shall administer the business ofthe MCR between MCR meetings.
2. The membership of the Exec shall be:
   1. The President, who shall be responsible for speaking on behalf of the MCR, coordinating the actions of the MCR officers, and chairing meetings of the MCR and the Exec;
   2. The Vice-President, who shall be responsible for assisting the President and other Committee members with their duties;;
   3. The Treasurer, who shall hold responsibility for the MCR Finances;
   4. The Welfare Officer, who shall be responsible for the welfare of MCR Members;
   5. The Secretary, who shall be responsible for communication between the Exec and Members of the MCR, and the organisation of MCR meetings and elections;
   6. The Social Secretary, who shall organise social events for the Members and Associate Members of the MCR.
   7. The Scholarly Activities Officer, who shall be responsible for the organisation of activities that aim to advance the academic abilities of the MCR
3. The Exec shall be collectively responsible for the business of the MCR, except where specific responsibilities have been conferred, by this Constitution, the Standing Orders, or decisions of MCR meetings, upon individual officers or committees.
4. The Exec shall meet at least once a month.
5. All members of the Exec must be full MCR members during the entirety of their term of office, where the term of office shall be defined by the Standing Orders.
6. The position of President shall be held by a member who will be a postgraduate student for the duration from the October after their election until the following July. At the time of the election this student must be a current MCR member but is not required to be a current postgraduate.
7. No person may hold more than one position simultaneously. However, if a position is vacant, the duties of that position shall be executed by other members of the Exec.
8. The Exec shall be responsible for ensuring that an MCR representative attends meetings of the College Council.
9. The Standing Orders may provide for means to delegate responsibilities between Exec members, and delegate duties to any Member of the MCR.
10. Additional responsibilities may be given in the Standing Orders.

# Other MCR Positions

1. The Standing Orders shall provide for the election or appointment of representatives to any committee of the College, JCR, SCR, PGA, DSU or University committee that the MCR is entitled to attend.
2. Additional non-executive MCR officers may be provided for by the Standing Orders, which shall describe their responsibilities and the composition.

# Elections and Appointments

1. All members of the Exec shall be elected by the membership of the MCR in accordance with the Standing Orders. If the post of President is vacant, the Exec shall elect one of their number as Acting President, who shall have the same rights and responsibilities as President in the Constitution and the Standing Orders until a President can be elected by the MCR.
2. The Standing Orders shall describe the means to elect or appoint other officials and committee representatives.
3. There shall be means to remove any elected officer by a Vote of No Confidence, subject to appeal on the grounds of mistaken facts, given in the Standing Orders.
4. The Standing Orders may provide for means for a position to be held jointly by more than one person.

# Finance

1. The finance of the MCR shall be administered by the Treasurer. If the position of Treasurer is vacant, the President or Vice-President may administer finances. All references to “the Treasurer” in this section shall apply to anyone administering finances.
2. The MCR shall not take out a loan or commit the MCR to any future payment options which would have a significant possibility of causing the MCR to become overdrawn. The Standing Orders shall describe the approval required for the Treasurer to make any other expenditure.
3. Cheques must be signed by two of the Treasurer, President, Vice-President or College Bursar. One of the signatories must be either the President or College Bursar.
4. The Treasurer shall prepare a summary of the MCR’s accounts each year, and a budget each term, which shall be presented to an MCR meeting and College Council. These shall also be available for inspection by any other member of Josephine Butler College on request to the Treasurer.

# Access to Information

All Students shall be entitled to see any information that the MCR holds about them within seven days of written request to the President.

# Standing Orders

1. There shall be Standing Orders to regulate the business of the MCR, which shall include the following items required by this Constitution:
   1. The MCR subscription. (Section 3)
   2. The chair and business of MCR meetings. (Section 4)
   3. Terms of office. (Section 5)
   4. Any additional responsibilities of Exec members. (Section 5)
   5. Representatives to external committees, the existence and duties of any non-executive officers, and the existence, composition and duties of any non-executive committees. (Section 6)
   6. The conduct of elections to Exec positions, the method of election or appointment to other MCR positions, and the means to remove elected officers by a Vote of No Confidence. (Section 7)
   7. The requirements to approve expenditure from the MCR account. (Section 8)
   8. The procedure for adopting changes to the Constitution or Standing Orders. (Section

13).

1. Standing Orders on other matters may also be formed.
2. The Standing Orders may provide for their own suspension with immediate effect, for a period up to the start of the next MCR meeting.

# Interpretation of the Constitution and Standing Orders

1. This Constitution and the Standing Orders shall be interpreted by the Exec. A ruling of the Exec on the Constitution or Standing Orders may only be overturned through the appeals procedure.
2. During MCR meetings, the chair may make rulings on this Constitution and the Standing Orders relating to the conduct of the meeting, but any ruling may be overturned by the Exec.
3. Notwithstanding paragraph 1, the President may make rulings on this Constitution and the Standing Orders outside the MCR meetings if he/she considers the matter too urgent to wait for the next Exec meeting. Any decisions made in this manner shall be subject to approval by the Exec at their next meeting.

# Appeals and Complaints

Any student who is dissatisfied with his/her dealings the MCR may appeal against the action to the College, in particular for the following reasons:

1. A student is dissatisfied with the actions of any officer or committee, and does not wish to raise the matter at an MCR meeting;
2. A student disagrees with a ruling on the Constitution or Standing Orders;3. A student considers an MCR meeting or election to have been run unfairly;

4. A student considers a decision of the MCR to be unfair.

Before a formal appeal can be made, the parties concerned must attempt to reach an agreement on the matter, where the President (or Vice-President if the dispute is with the President) shall arbitrate. If an agreement cannot be reached, the Principal shall also be invited to arbitrate. If the appeal is concerned with the interpretation of the Standing Orders or the way an MCR meeting or election was run, this appeal may result in a decision of a meeting on an election being declared void. This procedure shall not apply to an appeal against a Vote of No Confidence.

If an agreement cannot be reached by the internal procedure, or the appeal is made against a Vote of No Confidence, the matter shall be referred to the Principal and Chair of the College Council, who shall then deal with the appeal in accordance with the University Code of Practice.

# Changes to the Constitution and Standing Orders

The Standing Orders shall outline the procedure for proposing changes to the Constitution and Standing Orders, subject to the following rules:

1. Any Member of the MCR may propose a Motion to change the Constitution or Standing

Orders;

1. A Motion to change the Constitution or Standing Orders must be submitted in writing at least seven days before the MCR meeting at which it will be considered, and shall be published as soon as possible;
2. Such changes shall only be carried if approved by a two-thirds majority of a quorate MCR meeting;
3. Any changes much be approved by College Council at the next available opportunity.

In the event that, following a change to the Constitution and Standing Orders, there are conflicts, the following rules shall apply:

1. In a conflict between the Constitution and Standing Orders, the Constitution shall take precedence;
2. If articles of the Constitution, or likewise the Standing Orders, are in conflict with each other, the Exec shall make a ruling on the interpretation of the conflicting parts. If in doubt, the most recently adopted part shall take precedence.

# Officer-Holders’ Indemnity

Every Executive or Non-Executive Officer shall be entitled to be indemnified out of the assets of the MCR against all losses or liability which may be incurred in or about the proper execution of their office or otherwise in relation thereto and no officer, appointee or member shall be liable for any loss, damage or misfortune which may happen or be incurred by the MCR in the proper execution of their duties of their office or in relation thereto, provided that nothing in this clause shall affect their liability for the consequences of any negligent or criminal action on their part.

# Effect and Revocation

This constitution was approved and adopted by a two-thirds majority of a quorate MCR meeting on the 17th of January 2013 and further approved by Josephine Butler College Council on the 6th of March 2013. In doing so it revokes all previous constitutions of or pertaining to Josephine Butler College MCR.

Nicola Scott

MCR President 2012-2013

This constitution was updated on the 22nd of September 2019 to include the position of Treasurer (approved by MCR Member Vote on 1st September 2019) and position of Scholarly Activities Officer (approved 2018) into the MCR Executive Committee, and to update the pre-requisites for the position of President (approved 2018).

Huw Thomas

MCR President 2019-2020