PERMANENT STANDING ORDERS

of

JOSEPHINE BUTLER COLLEGE MIDDLE COMMON ROOM

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# Definitions

In these Permanent Standing Orders and the Operational 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;
4. A “Presessional Associate Member” shall refer to those students to whom associate membership is extended by virtue of their attending an English for Academic Purposes course as defined in Section 3.3;
5. The “Presessional Memorandum of Understanding” shall refer to the document containing provisions and agreements between the MCR and the College pertaining to the Presessional Society of the MCR, as signed and enacted by the MCR President and the College Principal (or their nominated deputies).
6. The “Exec" shall mean the MCR Executive Committee as defined in Section 5;
7. All references to officers and committees shall mean those of the MCR unless stated;
8. The “JCR”, “MCR” and “SCR” shall mean the Junior, Middle and Senior Common Rooms of Josephine Butler College respectively;
9. “PGA” shall mean the Durham Students' Union Postgraduate Association;
10. “DSU” shall mean Durham Students' Union;
11. The “College" shall refer to Josephine Butler College;
12. The “College Regulations" shall mean the regulations of Josephine Butler College as approved by Josephine Butler College Council;
13. The “University Regulations" shall mean the regulations of Durham University as approved by Durham University Council;
14. The “University" shall mean Durham University;
15. The “DSO Framework” or “Constitution” shall refer to the Durham Student Organisation Framework document produced by the University’s Governance and Executive Support Unit as amended at January 2012
16. The “PSOs” shall refer to this document, the Permanent Standing Orders of Josephine Butler College MCR.
17. The “OSOs” shall refer to the Operational Standing Orders of Josephine Butler College MCR, which together with the PSOs set out the provisions for the operation of the MCR.
18. 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.

# Legal Status

1. Josephine Butler College MCR has adopted the DSO Framework as its overarching Constitution and exists as a student organisation within the provisions that Framework. Consequently, it is legally part of the University.
2. These Permanent Standing Orders, along with the Operational Standing Orders containing provisions on certain matters devolved from the Permanent Standing Orders, arise from and are subject to the provisions of the DSO Framework, and set out the procedures for the operation of the MCR at a local level.
3. In accordance with the Framework, the ‘parent body’ of the MCR is the College.

# 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 these PSOs and the OSOs such students shall be referred to as Mature Students.
	4. Persons previously having been granted Associate Membership who have been elected to an MCR Committee position in accordance with relevant provisions within the Permanent or Operational Standing Orders, for the duration of their term of office only.
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. Presessional associate membership shall, subject to the paying of a levy as defined in the OSOs, be granted to the students of the College who are studying an English for Academic Purposes course at the University. Such students are ordinary associate members of the MCR and additionally are members of the Presessional Society as defined in the PSOs and OSOs.
4. 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).
5. Procedures for students who would otherwise be eligible to become Presessional Associate Members to opt-out of being such shall be set out within the Presessional Memorandum of Understanding.
6. 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 OSOs). Formal decisions shall be binding on all officers and committees of the MCR, unless it is in conflict with the Constitution, PSOs, OSOs, College or University Regulations, or the Law.
	2. There shall be at least one MCR meeting held each term. All Members shall be entitled to attend, speak, vote and stand for election to any position with the exception of President, who must be a postgraduate at the time of election. In the event that there is no postgraduate candidate for MCR President, undergraduate fourth year full MCR members who will be postgraduate students the next academic year shall be allowed to stand for election for MCR President
	3. The convening and business of MCR meetings shall be regulated by the Operational Standing Orders. The Operational 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 of the 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, co-ordinating 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 the Constitution, these PSOs, the OSOs 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 OSOs.
	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 PSOs and/or OSOs 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 OSOs.

# Other MCR Positions

* 1. The OSOs 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 OSOs, 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 OSOs. 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, PSOs, and OSOs until a President can be elected by the MCR.
	2. The OSOs 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 OSOs.
	4. The OSOs may provide for means for a position to be held jointly by more than one person.

# Finance

* 1. The finances of the MCR shall be administered by the Treasurer. If the position of Treasurer is vacant, the President or Vice-President may administer finances. In either case, the person responsible for administering the finances of the MCR is the “DSO Treasurer” for the purposes of interpreting the Constitution and takes on the responsibilities specified there accordingly, and 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 OSOs shall describe the approval required for the Treasurer to make any other expenditure.
	3. The MCR shall operate and maintain a bank account for day-to-day expenditure which shall remain separate from other bank accounts held by non-MCR departments of the University’s in its entirety and will not be part of any central University banking arrangements. This account shall in general be administered by the Treasurer and President on behalf of the MCR.
	4. Cheques must be signed by two of the Treasurer, President or College Bursar.
	5. The Treasurer shall prepare a summary of the MCR's accounts each year together with a budget for the following year, which shall be presented to an MCR meeting and College Council. These shall also be made available for inspection by any other member of Josephine Butler College MCR on request to the Treasurer within seven days of such a request.
	6. The Treasurer shall maintain a cashbook to be updated and reconciled to bank statements at least monthly in accordance with the requirements of the Constitution. This cashbook must be capable of recording VAT information in a format as may be reasonably required by the University in accordance with the Constitution.
	7. The Treasurer shall maintain a register of the physical assets owned by the MCR and this register shall be reported to the University in accordance with the requirements of the Constitution.
	8. The Treasurer shall undertake a quarterly variance analysis exercise comparing actual movement on the MCR’s bank account to the budget. This should be reported to College Council as the representative of the University, in accordance with the requirements of the Constitution.

# Access to Information

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

# Operational Standing Orders

* 1. In addition to this document, there shall be further Operational Standing Orders to regulate the business of the MCR, which shall include the following items required by these Permanent Standing Orders:
		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)
	2. The Operational Standing Orders may create provisions for other matters.
	3. The Operational 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. The Constitution, PSOs and OSOs shall be interpreted by the Exec. A ruling of the Exec on the Constitution, PSOs and OSOs may only be overturned through the appeals procedure.
	2. During MCR meetings, the Chair may make rulings on the Constitution, PSOs and OSOs 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 the Constitution, PSOs and OSOs 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

1. 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.
	1. 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.
	2. If an agreement cannot be reached, the Principal shall also be invited to arbitrate.
	3. 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.
	4. This procedure shall not apply to an appeal against a Vote of No Confidence.
	5. 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 PSOs and OSOs

* 1. The OSOs shall outline the procedure for proposing changes to the PSOs and OSOs, subject to the following rules:
		1. Any Member of the MCR may propose a Motion to change the PSOs or OSOs;
		2. A Motion to change the PSOs or OSOs must be submitted in writing at least seven days before the MCR meeting or online vote at which it will be considered, and shall be published as soon as possible;
		3. Such changes shall only be carried if approved by a two-thirds majority of a quorate MCR meeting or online vote in the case any element of the changes include a change to the PSOs, or else shall be carried if approved by a simple majority of a quorate MCR meeting or online vote in the case the changes pertain only to the OSOs;
		4. Any changes must be preapproved or approved at the next available opportunity by College Council.
	2. In the event that, following a change to the PSOs and/or OSOs, there are conflicts, the following rules shall apply:
		1. In a conflict between the Constitution and the PSOs and/or OSOs, the Constitution shall take precedence;
		2. In a conflict between the PSOs and the OSOs, the PSOs shall take precedence;
		3. If articles of the Constitution, or likewise either of 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.

# Review of Durham Student Organisation Status

* 1. The Constitution provides for the MCR to revoke the DSO Framework as its Constitution at one year’s notice, following an initial two-year opt-in period. Any such notice must be communicated to the University at the end of an academic year.
	2. The procedure for proposing that the MCR opt-out of the DSO Framework as its Constitution shall in general follow the same provisions as those for proposing a change to the PSOs.
	3. In each academic year in which the MCR could permissibly notify the University that it wishes to opt-out of the DSO Framework under the provisions contained within that document, the Exec shall be mandated to consider, at the beginning of the University’s Easter term, whether opting-out of the DSO Framework would be in the best interests of the MCR. Such considerations should be with reference to alternative organisational structures which it would be feasible for the MCR to operate under, such as that of an independent charity or as a committee of the JCR.
	4. Details of these considerations should be contained within the minutes of the meetings of the Exec, and should otherwise be made available to the general membership of the MCR.
	5. Should the Exec consider opting-out of the DSO Framework and adopting another organisational structure to be in the best interests of the MCR following the above mandate, they shall jointly bring a motion forward at the next quorate MCR meeting proposing that the MCR opt-out of the DSO Framework at the next available opportunity.

# Office-Holders' Indemnity

* 1. 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.
	2. 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.
	3. Nothing in this section shall affect an officer, appointee or member’s liability for the consequences of any negligent or criminal action on their part.

# Updates

These Permanent Standing Orders were updated on Twenty Second of September 2019 to add the position of Treasurer to the MCR Executive Committee, which was approved by MCR Members in a quorate online vote on the First of September 2019. The position of Scholarly Activities officer, and pre-requisites for the position of President have been updated. These were approved in 2018.