



Halifax College Student Association  
Constitution

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**DEFINITIONS**

**HCSA**  
**Committee**  
**College Council**  
**College Constitution**  
**YUSU**  
Halifax College Student Association  
The Officers of the HCSA  
Halifax College Council  
Halifax College Constitution  
The University of York Students' Union

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## ARTICLES

- GENERAL
  - This document, hereafter referred to as the Constitution, defines the constitution of the HCSA.
  - For the purpose of the College Constitution, this document is designated Terms of Reference of the Student Organisation.
  - Articles I to X constitute the main body of the Constitution. Subsequent annexes constitute the byelaws.
  - The Constitution shall govern all activities undertaken by the HCSA.
  - The Committee shall review the Constitution at least once every five years.
- AMENDMENTS & INTERPRETATION
  - Amendments to the main body of the Constitution require a referendum of the HCSA membership, as outlined in Article VIII.
  - Amendments to the byelaws require a simple majority vote of the Committee.
  - The Constitution and any amendments thereof shall be subject to ratification by the College Council before they come into force.
  - The President of the HCSA shall resolve any disputes regarding the meaning and interpretation of this document.
  - Any member of the HCSA may challenge the President's interpretation by submitting an appeal to the College Council.
  - Nothing in the Constitution may contradict the College Constitution or Ordinances and Regulations of the University of York.
  - Nothing in the byelaws of the Constitution may contradict the main body of the Constitution.
- PURPOSE & GOVERNANCE
  - The HCSA is a Student Organisation of Halifax College of the University of York, constituted by the College Council in accordance with the College Constitution.
  - The purpose of the HCSA shall be to:
    - Represent, promote and defend the interests and wellbeing of all their student members;
    - Develop and promote the College's sense of community and unique identity;

- Promote a culture of respect within the college, and towards the local community, and combat all forms of discrimination;
  - Provide social, cultural, sporting and recreational activities, as well as forums for discussion and debate, for the personal development of their members;
  - Promote and support opportunities for student members to develop their skills and experiences through voluntary, charitable and enterprise activities;
  - Represent their members to the College Council and management, the Students' Unions, the University and any external bodies;
  - Work with the College Council to develop and implement the College strategy and to support the charitable strategies of the Students' Unions.
- The HCSA shall be governed by its membership through a committee of elected officers.
- General oversight of the HCSA shall fall under the remit of the College Council.
- YUSU shall exercise operational oversight over the following HCSA affairs, as deemed necessary by the College Council:
  - Financial management;
  - Health & safety and risk assessment;
  - Conduct of elections and referenda.
- MEMBERSHIP
  - Membership of the HCSA extends to all members of Halifax College who are fully registered students at the University of York.
  - Notwithstanding any decisions reached by the University of York in accordance with its Statutes and Regulations (including those concerned with student discipline), all members are entitled to use HCSA facilities, participate in HCSA activities, stand for election to the Committee and vote in Committee elections and referenda.
  - Membership of the HCSA ceases immediately upon any of the following:
    - A person ceasing to be a member of Halifax College;
    - A person ceasing to be a registered student of the University of York;
    - A person submitting a notice of intent to withdraw from the association to the Committee.
  - Former members who meet the criteria outlined in Clause 1 may re-join HCSA by submitting a notice of intent to re-join to the Committee. Their membership shall be reinstated upon receipt of the notice.
  - Any members of HCSA granted suspension of studies by the University of York shall have their HCSA membership suspended until such time that they return to their studies.
    - Suspended HCSA members may not stand for election to the Committee, hold office in the HCSA or vote in any HCSA election or referenda.

- OFFICERS
  - The HCSA shall be governed by officers, comprising those listed in Annexe I of the byelaws, as well as the following:
    - President
    - Treasurer
    - Vice President for Events and Services
    - Vice President for Wellbeing and Liberation
    - Vice President for Sport and Activities
    - Secretary
  - All of the officers of HCSA shall be collectively referred to as the Committee.
  - Officers listed in Clause 1 shall be designated Executive Officers, and shall collectively form the Executive sub-committee.
    - The Executive shall have the power to veto decisions by the Committee, providing a simple majority of the Executive Officers present believe one or more of the following criteria have been met:
      - Constitutional infringement;
      - Financial risk;
      - Threat of bringing the HCSA into disrepute;
      - Threat of the HCSA neglecting its legal obligations.
    - The Committee may challenge a veto by the Executive by submitting an appeal to the College Council.
      - The College Council shall have the authority to rule on whether the veto meets the stated grounds, and may only revoke it if it does not.
  - Officers listed in Annexe I of the byelaws are designated non-executive officers.
  - The Committee shall have the authority to make create or remove non-executive officer positions by amending Annexe I of the byelaws, as laid out in Article II.
  - The decision to remove an officer position shall only take force at the time of the next election or when position becomes vacant (whichever happens first).
  - The Committee shall have certain obligations to the HCSA, these shall be as follows:
    - Day-to-day administration, financial management, and governance of the HCSA;
    - Reporting on finances to the College Council in accordance with the requirements stated by the College Council;
    - Publishing annual financial reports to the membership of the HCSA;
    - Maintaining HCSA financial accounts and retaining solvency;
    - Maintaining the following documentation for the HCSA:
      - HCSA Constitution;
      - Makeup of Committee;
      - Election Procedure;
      - Referendum Procedure.

- Organising activities, events and campaigns on behalf of the HCSA;
  - Representing the student membership of the HCSA;
  - Allocating resources to groups or clubs within Halifax College;
  - Determining HCSA strategy and executing it in line with the purpose of the organisation, as defined in Article III.
- The Committee may elect to create or dissolve any sub-committees as deemed necessary for the smooth operation of the HCSA.
- All sub-committees shall be chaired by an Executive Officer.
- The Committee shall hold at least one quorate meeting per term.
- Committee meetings shall be deemed quorate if either:
  - At least eight officers, including three Executive Officers, are in attendance.
  - At least 30% of the officers positions (disregarding unfilled officer positions), with at least three Executive Officers, are in attendance.
- Decisions at quorate Committee meetings shall be reached by a simple majority.
  - In the event of a tie, the President shall have the deciding vote.
- Where an officer position is filled by multiple members, elected or co-opted together, the individuals shall act as a single officer:
  - At most one vote can be cast by those holding the officer position in any vote held by the committee;
  - At most one individual holding a post may sign any petition in their officer position;
  - The position should be counted only once towards the quoracy requirement and any post holder being present in the meeting shall be sufficient to deem the officer position to be in attendance.
- ELECTIONS & ACCOUNTABILITY
  - All officer positions shall be subject to elections at least once per year.
  - Elections shall be held in the first term of the academic year at the time chosen by the Committee, in consultation with YUSU and other stakeholders.
  - Any member of HCSA may stand for election for any officer position, provided their membership is valid and not suspended at the time of the election.
  - No person shall be allowed to stand for more than one officer position in any election.
  - The Committee shall have the power to call by-elections for any officer positions that have not been filled in the elections, or becomes vacant after 1<sup>st</sup> January.

- The Committee shall have the power to co-opt any eligible member to any non-executive officer position, should that position have not been filled in the elections, or become vacant after 1<sup>st</sup> January.
  - Any member of the HCSA may oppose a co-option by submitting a motion of opposition to the Committee within two term weeks of the co-option being announced;
  - In the event that a co-option is opposed, the co-opted member shall be suspended immediately and a by-election called within two term weeks of the suspension;
  - Executive roles may not be filled by co-option.
- Eligibility to stand in election or to be co-opted for any officer position shall not be affected by a member's past or current service as an officer.
- All officers elected in the first term shall take office on the 1<sup>st</sup> January following the election or by-election.
- Any officer elected through by-election into a position that was or became vacant in the second or third term shall take office the day after election result is announced.
- Any officer co-opted into a vacant position shall take office the day after their co-option was agreed by the Committee.
- An officer shall cease their role:
  - On 31<sup>st</sup> December of the year that the officer took the office;
  - Within seven days, if they resign from their position by submitting a notice of intent to resign to the Committee;
  - If they cease to be a member of HCSA or their membership is suspended;
  - Upon taking any other officer role following election or co-option;
  - Upon removal subject to Clause 12;
  - Upon removal subject to Clause 14.
- The Committee may remove an officer from their role if:
  - The officer in question misses three or more meetings in a single academic term without apologies;
  - The officer in question is found guilty of misconduct.
  - The procedure for officer removal by the Committee shall be as follows:
    - Five officers or half of the Committee (whichever is smaller) shall submit a document calling for the removal of the officer in question to the Secretary;
    - The Secretary shall inform the entire Committee, as well as the Head of College of the document, and it shall be added to the agenda of the next Committee meeting, to be held no more than a term week later;
    - A debate shall be held at the meeting, followed by a vote by secret ballot;

- The Head of College shall have the option to suspend the officer in question until the next Committee meeting, prohibiting them from fulfilling any of the duties of their role.
  - The officer may appeal to the College Council.
    - The College Council may reverse the decision to remove an officer if it disputes either:
      - Whether the officer in question is guilty of misconduct or;
      - Whether the correct procedure has been followed.
  - The Committee shall be accountable to the membership of the HCSA, who shall have the power to recall any Committee member.
    - The procedure for recall shall be as follows:
      - 70 members of the HCSA shall submit a motion of no confidence to the Committee, who shall inform the Head of College;
      - The Head of College shall have the option to suspend the officer in question, prohibiting them from fulfilling any duties of their role;
      - A by-election shall be held within two term weeks of the motion of no confidence being submitted.
- FINANCE
  - The Committee shall have the authority to spend HCSA funds, as well as to acquire and utilise its assets in such ways as it deems necessary to fulfil purpose of HCSA and responsibilities of the Committee laid out in the Constitution.
  - All Executive Officers shall be signatories for HCSA accounts, wherever possible.
  - The Treasurer shall be responsible for ensuring the following obligations of the Committee are met:
    - Day-to-day financial management of the HCSA;
    - Termly financial reports to the Committee;
    - Annual financial reports to the College Council.
  - Financial oversight shall be managed by YUSU in accordance with their procedures, as deemed necessary by the College Council.
    - Any financial transactions authorised by the officers or the Committee shall comply with financial regulations and processes established by YUSU, as deemed necessary by the College Council.
  - In the event that the HCSA is dissolved, all assets shall be transferred to the ownership of the College Council.
    - In the event that the College Council is defunct, all assets shall be transferred to YUSU.
- REFERENDA
  - A referendum may be called at any time. The procedure for calling a referendum shall be as follows:
    - A simple majority of the Committee vote in favour of a referendum or;

- 50 members of the HCSA submit a motion to the Committee that calls for a referendum.
- The procedure for holding a referendum shall be as follows:
  - The Committee shall announce the referendum within two term weeks of receipt of the motion, and voting shall open a term week after the referendum is announced;
  - The results of the referendum and amount of votes for each option shall be published within a term week of voting closing.
- A referendum result shall only be binding if at least 4% of the HCSA membership cast a vote, including abstentions.
- For a referendum to pass, it shall require a simple majority of over 50%, not including abstentions.
- **GRIEVANCES & DISSOLUTION**
  - In the event that the Committee has not held a quorate meeting for the entire previous academic term, the College Council shall have the right, at their discretion, to dissolve the Committee and call by-elections in accordance with Article VI.
    - In the event that the Committee has been dissolved by the College Council, all powers formerly vested in the Executive shall be held by the College Council until the by-election results are announced.
  - In the event that multiple Committees are dissolved by the College Council in a single academic year, the College Council shall have the right, at their discretion, to dissolve the student association and replace it with an entirely new student organisation. The Terms of Reference outlined in this document shall have no jurisdiction over the new student organisation.
  - In the event that a student is dissatisfied with their dealings with the HCSA, or believes they have been disadvantaged by terminating their HCSA membership, a formal written complaint may be made to the Committee.
    - In the event that the Committee fail to satisfy the complainant, a formal written complaint may be made to the Head of Halifax College.
      - The Head of Halifax College shall have the opportunity to appoint an independent individual to investigate, and the HCSA shall make all reasonable attempts to facilitate the investigation, as requested.
- **COLLEGE COUNCIL**
  - In addition, the College Council shall have authority over the following areas of the HCSA, as outlined in the Constitution:
    - General oversight;
    - Ratification of the Constitution;
    - Setting requirements for financial reporting;
    - Dissolution as outlined in Article IX;
    - Receiving and ruling on appeals regarding:



- Constitutional interpretation;
  - Executive Officer vetoes;
  - Officer removal by the Committee.
- Any other areas where the Constitution grants authority that is not explicitly listed here.
- With the exception of the power to dissolve the HCSA, in the event that it is not reasonably possible to call a College Council meeting, or the College Council is unable to achieve a quorum, all authority granted to the College Council by this document will be vested in the Head of Halifax College, until such a time as the College Council next achieves a quorum.
- Appointments to the College Council shall be governed by section A5 of Annex A of the College Constitution.
  - College Council elections shall be held during first half of the Spring Term;
  - The President and the Treasurer shall sit on the College Council ex officio;
  - One of the four positions shall be restricted to postgraduate students;
  - A maximum of six student members shall sit on the College Council.
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## **BYELAWS**

- **NON-EXECUTIVE POSITIONS**
  - There shall be the following non-executive positions available on the Committee. They shall be filled by election, or co-option after 1<sup>st</sup> January.
    - Events Officers; of which there will be three (3)
      - 2<sup>nd</sup>/3<sup>rd</sup> Year Events Officer
      - Tech Officer
      - Design and Brand Officer
      - Communications Officer
    - Wellbeing Officers; of which there will be two (2)
      - LGBTQ Officer
      - BAME Officer
      - Women's Officer
    - Access Officer
    - International Officer
    - Postgraduate Officer
    - Sport Officers; of which there will be two (2)
    - RAG Officers; of which there will be three (3)
    - Environment Officer
- **CONDUCT OF ELECTIONS**
  - Any member of the HCSA may stand for election to any role.
    - Joint candidates may run for non-executive roles;
    - Executive roles may only be held by single candidates.
  - Elections shall be held using the Single Transferrable Vote system, with voters able to rank candidates in order of preference.
  - 'Reopen Nominations' shall be listed as a candidate in every election.

- Elections shall be overseen by three returning officers. In the event of a dispute, all three returning officers shall have equal standing and the course of action shall be determined by a majority vote.
  - The returning officers shall be:
    - President of the HCSA;
    - Secretary of the HCSA;
    - An individual nominated by the Executive who is not a member of the Committee.
  - In the event that a returning officer wishes to stand in the election, they shall be ineligible to act as a returning officer.
  - In the event that there are a fewer than three returning officers, through either resignation or ineligibility, a replacement shall be appointed by the Executive.
    - Members of the Executive standing in the election shall have no influence over the appointment of the replacement returning officer.
  
- Returning officers shall circulate a document to all candidates outlining the rules of the election and what constitutes electoral malpractice. This document shall be compiled by the returning officers and will require the approval of the Executive.
  - Returning officers shall have the right to set a minimum threshold of votes for election. This threshold will require the approval of the Executive.
  - Returning officers shall have the right to disqualify candidates if they have evidence of electoral malpractice.
    - Disqualified candidates shall have the right of appeal to the College Council.
  
- Elections shall be held annually, during the latter half of the Autumn Term.
  - Where possible, elections shall be held at the same time as other colleges.
  
- In accordance with Clause 6 of Article VI, the Committee shall have the power to co-opt any eligible member of the HCSA into any non-executive role, provided the role lies vacant after 1<sup>st</sup> January.
  - The co-option procedure shall be as follows:
    - A candidate for co-option shall be presented to the Committee;
    - The Committee shall vote on whether to co-opt the candidate;
    - In the event of a tie, the President shall have the deciding vote.