

## Societies Constitution 2019-20

### How to fill out the form

1. Make a copy of this document (File - Make a Copy...)
2. Change the name of the document and call it (your society's name) Constitution 19-20
3. Once completed share the document with [societies@yusu.org](mailto:societies@yusu.org)

### Societies Constitution

Ultimate responsibility for the governance and discipline of societies lies with the Student Activities Officer, who has delegated responsibility to the YUSU Student Opportunities Coordinator (Societies & Student Media).

Copies of the Constitution should be made available to all members.

This document contains your Society's Constitution. There are certain sections that you need to fill out. These are identified by the question boxes and correlate with certain sections in the Constitution marked with the questions.

If you have any queries please email [societies@yusu.org](mailto:societies@yusu.org)

### Purpose of having a constitution:

To provide the University of York University Students' Union (YUSU) Societies with a Constitution that outlines their duties, responsibilities and guidance which members are expected to abide by.

To provide YUSU with details about the Society.

*Capoeira Society*

Constitution 2019-20

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## 1. Definitions

1.1 The society in this document will be referred as the ‘Society’.

1.2 Those chosen to collectively represent the ‘Society’, shall be referred to as the ‘Committee’.

## 2. Name of the Society

2.1 The Society’s name shall be [Question 1]. The Society will be considered a [Question 1.1] and be represented by the relevant member of Societies Committee. People can join the society for the cost of [Question 1.2].

Question 1: <b>Society Name:</b>	Capoeira Society
Question 1.1: <b>Society Category:</b> <i>Double Click the Square, then right click - change the square to another icon to select your category</i>	<input type="checkbox"/> Arts & Cultural <input checked="" type="checkbox"/> Games and Fandom <input type="checkbox"/> Academic and Educational <input type="checkbox"/> International <input type="checkbox"/> Faith <input type="checkbox"/> Campaigning & Political <input type="checkbox"/> Music and Performance <input checked="" type="checkbox"/> Special Interest
Question 1.2 <b>Society Cost</b> Can be free (£4 min to be applicable for Society Grant)	£5

## 3. Aims and Objectives

3.1 The aims and objectives of the Society are to promote the interests and act on behalf of the Society Members.

3.2 To provide an opportunity for members of the Society to meet and participate in the given activities together.

3.3 The Society’s specific aims shall be:

[Particular improvements, changes or differences the Society will make to students, they should not contravene the Union constitution, or be the same as another Society.]

Question 2: <b>Aims of the Society:</b>	To get to know the music, technique and rituals of Capoeira, which is part of the Brazilian culture. Participants in the trainings will be able to work on their strength, flexibility, balance and musical skills.
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3.4 The Society’s specific objectives shall be:

[The areas of activity or overall practical steps the Society plans to accomplish its aims]

<b>Question 3: Objectives of the Society:</b>	Train and learn about the music, moves and games of Capoeira, and providing a safe and structured environment to do so.
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#### 4. Membership

4.1 Membership of the Society will be open to all members of YUSU.

4.2 Membership of the Society, in addition to section 4.1, will be open to non-YUSU members who are not subject to disciplinary proceedings or consequent condition of their membership. This includes students on a leave of absence.

4.3 Non-YUSU members must not exceed 20% of the overall Society membership.

4.4 The Society must have a core minimum membership of 10 YUSU members. If it does not reach this minimum, it will be required to submit proof of its regular activity to the Student Opportunities Coordinator upon request.

#### 5. Code of Practice

5.1 No member should undertake any action that may bring the reputation of the Society, YUSU, or the University into disrepute.

5.2 A member must not participate in or omit to mention anything which might cause damage to themselves or others.

5.3 All members must adhere to the health and safety rules and procedures of YUSU, the Society, and the University.

5.4 No members should attend activities and/or meetings under the influence of alcohol and/or drugs.

5.5 Members must respect the different viewpoints of the Society's members if different from their own.

5.6 Members must respect the property of the University, YUSU, the Society, and of other members.

5.7 Participant selection for Society activities should be free and fair.

5.8 Socials (and any related activity) must be opt-in only and have no effect on eligibility to hold membership of the Society or a committee position.

5.9 Drinking should not be the main purpose of any social, and members should be able to participate in all Society activities without drinking alcohol, and without any coercion to drink.

5.10 The committee will ensure that members of the Society should not pressure or coerce any other member into any action with which they feel uncomfortable.

5.11 Any action taken by the members on behalf of or while representing the Society in any way will also be accountable to the YUSU Code of Conduct found in Bye-Law 12.

5.12 Breaches of this code of practice can result in Society, YUSU, or University disciplinary action.

5.13 Societies must adhere to the GDPR in order to protect their members data, they should make members aware of how their data will be used and be able to justify doing so.

5.14 [Question 4]

<b>Question 4: Additional Codes of Practice:</b>	
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## 6. Society's Committee

6.1 The Committee will be collectively responsible for the effective management and day to day running of the Society.

6.2 All of the Committee must be current YUSU members who are enrolled and studying on a University of York programme.

6.3 The Committee shall have the power to set Society rules, in accordance with the Society Constitution.

6.4 A new Committee must be democratically elected at least annually at the Annual General Meeting (AGM).

6.5 The democratically elected Committee must at minimum consist of:

President/Chair

Secretary

Treasurer

[Question 5]

<b>Question 5: Other Committee Positions</b>	
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6.6 The Committee will ensure an up-to-date list of Committee members is provided to YUSU within two working days of any election

## 7. Duties of the Society's Committee

7.1 The President/Chair is responsible for:

Providing leadership for the Society.

Society Data Protection - see below.

Being a spokesperson/figurehead and representing the Society to relevant external stakeholders.

Ensuring that Society adheres to the relevant policies and to this constitution.

Ensuring the Society Committee contains officers listed in section 6.5.

Attending Society Officer Training and Society Open Meeting.

Calling and chairing meetings of the Society's committee.

Publicising the Society.

Any other duties as mutually agreed by the Committee and the President/Chair

Data Protection:

- All membership personal data is subject to General Data Protection Regulations (GDPR), law and YUSU procedures.
- The President is responsible for the safety and security of all membership personal data held outside of YUSU software and systems and must take all reasonable steps to ensure access to YUSU software and systems is not shared without YUSU consent.
- The President is required to successfully undertake GDPR online awareness and compliance training supplied by YUSU.
- The President must advise YUSU of any breaches of data protection as soon as they are made aware of any such breach.
- The President can formally nominate a Data Protection Officer from the President who is responsible for overseeing the society’s compliance to GDPR and YUSU procedures.
- Key responsibilities include:
  - A. Membership personal data including email addresses are private and confidential and should only be used for society membership purposes and contact that would be reasonably expected as part of the membership offer.
  - B. Bulk or multiple emailing must only be done as “bcc”.
  - C. The President is responsible for obtaining the necessary consents from members to hold and process personal data in relation to membership.
  - D. The President must not share membership personal data with any other society, university department or external organisation without the prior written consent of the data subject or YUSU.
  - E. The President must advise YUSU of any breaches of data protection as soon as they are made aware of the breach.
- Failure to follow YUSU’s data protection guidance and procedures will constitute grounds for de-ratification and/or disciplinary
- procedures.

[Question 6]

<b>Question 6: Society-Specific Duties for the President/Chair</b>	Contact instructors to arrange training sessions.
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7.2 The Society Secretary is responsible for:

Attending Society Officer Training

Taking care of Society admin and updating the Society’s backpages information and membership list

Arranging meetings and booking rooms or venues

Creating agendas and keeping minutes of meetings as necessary

Communicating regularly with members

Being aware of key dates for the Society throughout the year

Organising the AGM (Annual General Meeting)

Any other duties as agreed by the Committee.

[Question 7]

<b>Question 7: Society-Specific Duties for the Secretary</b>	
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7.3 The Treasurer is responsible for:

Administering the Society's finances in accordance with the Constitution, Laws and By-Laws of YUSU

Attending Society Officer Training

Learning and understanding the Students' Union financial system

Applying for the annual grant and extra funding from YUSU where necessary

Keeping track of all income/expenditure

Keeping the committee & members informed of the Society's financial situation

Organising fundraising or sponsorship for the Society

Countersigning every claims form and transport form

Creating a budget for each event

Any other duties as agreed by the Committee

[Question 8]

<b>Question 8: Society-Specific Duties for the Treasurer</b>	Collecting and paying in any session payments. Any purchases for equipment/instruments
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7.4 [Question 9]

<b>Question 9: Duties of other committee members</b>	-
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7.5 No Committee member should be responsible for case work e.g. giving support and advice to any individual student. If and when these cases present they must be referred promptly to the Student Opportunities Coordinator who can ensure the proper support is made available.

## 8. Society Finance

8.1 All Society income and expenditure shall be conducted through the YUSU Finance Office. Holding funds externally will constitute grounds for de-ratification and/or disciplinary procedures.

8.2 The President/Chair, Secretary and Treasurer shall automatically be signatories to the Society accounts, once YUSU has received an up-to-date Signatories Sheet

8.3 Two of these signatories shall be required for each expense claim and for any contract or undertaking, financial or otherwise, on behalf of the Society; one of which must be the Treasurer unless the Treasurer is making the claim.

8.4 The Society's accounts shall be available for inspection at any reasonable time by YUSU staff and on the website backpages.

8.5 An annual membership fee is required from all Society members, including the Committee unless the Society states otherwise thus and agrees not to be eligible for a YUSU grant. The Committee is responsible for determining both this fee and its collection.

8.6 YUSU members shall receive no remuneration from the Society, except in legitimate expenses incurred in connection with the Society business.

## 9. Meetings

9.1 The primary decision-making bodies of the Society are Committee meetings, Annual General Meetings (AGMs) and Extraordinary General Meetings (EGMs).

9.2 All General Meetings must be open and advertised to all members.

9.3 Minutes should be taken at each meeting and published to all members. A copy of the minutes must also be made available to YUSU staff upon request.

9.4 The Committee shall give at least 7 days notice of any General Meeting

9.5 The quorum of a General Meeting shall be 20% of YUSU members of the Society or 10 YUSU members of the Society, whichever is greater.

9.6 An EGM can be called by the Committee of the Society, Societies Committee, or a petition signed by a petition of 25% of YUSU members of the Society or 10 YUSU members of the Society, whichever is greater.

## 10. Election of the Committee

10.1 Only current paid-up members of the Society are allowed to stand for election.

10.2 The Committee must be elected by the Society at an AGM (see section 9), which must be held at least once in every 12 month period, in the time period provided by the Student Opportunities Coordinator

10.3 All members should be made aware of their ability to stand for election and vote.

10.4 Only paid-up Society members who are also full members of YUSU shall be entitled to vote.

10.5 The Committee must be democratically elected in a free and fair election.

10.5.1 All Society members must have the chance to question candidates and submit a vote in private and in absentia (where necessary).

10.5.2 Votes may be counted using either First Past The Post or the Alternative Vote/Single Transferrable Vote, which offer preferential voting.

10.5.3 If desired, YUSU can provide assistance in the running of any election to ensure fairness or to count votes where necessary.

10.6 If any vacancies occur in the Committee during the academic year, they shall be democratically filled as soon as is convenient via an EGM (Extraordinary General Meeting).

## 11. Society Complaints Procedure

11.1 This procedure allows members to raise complaints about any issues relating to the Society, including (but not limited to):

The safety of activities

The standards of instruction

The standard of equipment used for the activities

Bullying and harassment

Disregard of operational policies of YUSU including the Equal Opportunities and Safe Space policies.

11.2 Complaints should first be addressed in writing to the Society President/Chair. When a complaint is made, the President/Chair must consult YUSU for advice.

11.3 If this initial process does not provide a satisfactory outcome, a Formal Complaint should be made to the Student Activities Officer in writing, triggering the use of YUSU's Code of Conduct (Bye-Law 12) which will be followed in addressing Formal Complaints.

11.4 In serious or unresolved cases, the member will be supported by YUSU in progressing the complaint through the University's Code of Practice on Harassment and/or Complaints Procedure.

## 12. Dismissal and Resignation of Committee Members

12.1 No committee member shall be deemed to be dismissed unless they have received during their term of office a vote of 'no confidence' from their Society members.

12.2 Before a vote of 'no confidence' can be considered against a committee member, the complainant must have attempted to settle the matter informally. One of the committee members named in section 6.5 will be responsible for overseeing this informal process, and acting as a mediator when and where they deem necessary.

12.3 Any incident which cannot be satisfactorily resolved in this way must be referred to the YUSU Student Opportunities Coordinator, who will facilitate a vote of 'no confidence'. This request must be accompanied by a petition of 25% of YUSU members of the Society or 10 YUSU members of the Society, whichever is greater.

12.4 If a 'no confidence' motion is called then a Society EGM (see section 9) must be held, and in order for a vote of 'no confidence' motion to be carried it must be supported by two-thirds of those voting.

12.5 If the no confidence motion is successful or a Committee member resigns, then a Committee member must inform YUSU immediately. The Society will then need to hold another EGM to re-elect a new person to the position (see section 9)

12.6 If the no confidence motion is unsuccessful:

12.7.1 YUSU will facilitate support with the Committee to resolve any outstanding issues.

12.7.2 Further 'no confidence' motions must be on different grounds and not within one calendar month of the general meeting at which the last 'no confidence' motion against that Committee member was heard.

## 13. Suspension and Exclusion of Members

13.1 No member shall be deemed to be suspended or excluded without a formal process involving YUSU. This is to ensure fairness and transparency of processes.

13.2 Any matter which may be considered grounds for suspension or exclusion must be referred as a matter of urgency to YUSU who will instigate the process for an investigation.

13.3 If an imminent risk is identified a Society member may be suspended immediately for a period of up to 14 days.

13.3.1 Any assessment of risk must be carried out by YUSU at the earliest opportunity.



13.3.2 If no process is initiated within these 14 days to permanently exclude the member then the suspension will be lifted and considered resolved once 14 days have passed.

13.4 Exclusion of a member is a penalty that can only be considered in exceptional circumstances and subject to the below procedure.

13.5 Any member facing exclusion from a Society must have a fair hearing at which they have the right to speak in their defence, have a supporter present and have been advised of the allegations made, and supporting evidence disclosed at least 7 clear days in advance.

13.5.1 The panel for the hearing will be chaired by the Student Activities Officer (or the York Sport President if there is a conflict of interest) with the following additional members: a member of Societies Committee (who is not a member of any other Society in the same category as the Society) and a member of the York Sport Committee, neither of whom should have previous knowledge of the nature of the allegations, and a YUSU Staff member who will minute the meeting.

13.5.2 Any decision to exclude a member requires a majority vote from the panel and must be communicated in writing, with a statement of reasons, to the excluded member within 7 days.

13.6 A member may appeal against any decision to suspend or exclude them on the grounds of lack of adherence to process, provision of further evidence or evidence that the decision was biased or prejudiced. The member must communicate their intention to appeal in writing to YUSU.

13.7 Any appeal of a decision to suspend or exclude a member must be heard by a panel who were not involved with the original decision, have no prior knowledge of the case and will be chaired by a Full Time Officer. Ideally this panel will also consist of one more member each from Societies Committee and the York Sport Committee. However the panel will primarily be constituted with a view to fairness and elimination of conflict of interest.

13.8 An appeals panel only has the power to uphold or overturn a decision by the initial panel. They may not suggest alternative sanctions.

#### 14. Amendments to the Society Constitution

14.1 The Constitution may be amended by two thirds of the members present at an AGM or EGM.

14.2 If amended, the constitution shall be re-ratified by the Societies Committee before coming into effect.

#### 15. Dissolution

15.1 The Society may be dissolved if deemed necessary by the members in a simple majority vote at an AGM or EGM. Any assets or remaining funds after debts have been paid shall revert to YUSU, in line with charity law requirements.

15.2 In exceptional circumstances, the Society may also be dissolved by Societies Committee if deemed necessary and subject to the approval of the Activities Officer.

16. Declaration (All Committee Members)

16.1 As a Society Committee Member I agree to abide by, enforce and operate in accordance with this Constitution, YUSU's Constitution, YUSU's Policies and guidelines in the Resource Hub.

<p><b>Question 10: Declaration (All committee members)</b> <i>Please state position and name of committee which have agreed with this</i></p>	<p>Manuel Deckart, President Daniel Ellis, Secretary George Duffett, Treasurer</p>
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<p><b>Question 11. Additions to your Society Constitution</b> <i>If your Society has additional constitutional amendments, please include them here and separate each point clearly.</i></p>	<p>Constitution to be reviewed and amended at the first AGM.</p> <p>The first two sessions will be free of any charge, as long as all attendees are covered by insurance.</p>
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