

# OUSIA CONFERENCE 2011

Final Motions

Order Paper

OC/11/CD1

CIRCULATION

**Conference Attenders**  
**Unit Chairs and Secretaries**  
**Members of Assembly Executives**  
**Affiliated Societies Chairs and Secretaries**  
**Societies Standing Committee Chair**  
**Disabled Students Group Chair and Secretary**  
**Executive Committee**  
**Steering Committee**

# Welcome to your Conference Documentation for OUSA Conference 2011

*Steering Committee organises Conference business. It does not deal with the administrative and social aspects of Conference or the conduct of elections. It is responsible for the preparation of this document, which is called Conference Document 1 (or CD1 for short) and which lists all the motions which have been proposed by different units of the Association. However, there is much more than just the text of the motions in the document.*

***This white introductory section is designed to give you all the information you need to understand what is happening at Conference. While you will probably want to refer to it several times when you are there, please take the time to read it through before you get to Conference.***

*If you need any advice on any matter relating to the business of Conference, please do not hesitate to contact one of the members of Steering Committee who will do their best to assist you. We will have a clearly signed desk at registration and, whilst Conference is in session, we can be found at the Steering Committee table at the front of the hall. We can also be identified by our distinctive badges (see below). Please note your queries about Conference business should be raised with Steering Committee, and not staff recording the minutes. If you are interested in knowing more about Steering Committee please visit our display outside the hall.*

**OUSAs CONFERENCE  
STEERING COMMITTEE  
2011**



***Sandy Gibson***  
**Chair of Steering Committee**

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All motions and amendments are presented in (coloured) sections numbered 1. to 5. as follows:-

Section		Page number
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<b>5.</b>	Motions Relating to Policy Affirmations and Deletions (green)	39

Each of the sections 1. to 5. is divided into blocks. The motions will be debated in the order indicated in the Outline Timetable.

## **THE ORDER PAPER CD1 – an explanation**

- This Order Paper lists all the motions and amendments to be put before Conference. It also contains details of the order in which Steering Committee recommends that they be dealt with, the time limits for speeches and the proposed timetable for other business items.
- Unless otherwise stated, the effective date of implementation of motions to change the Constitution, if carried, will be immediately following the 2011 OUSA Conference.
- Some motions may have an aim written before the text of the motion. This is only for information and does not form part of the motion.
- The first item of business at the start of Conference is for the Order Paper to be formally moved. Once it has been adopted, a two-thirds majority vote is required to make any changes to it.
- Occasionally errors get through to the final documents. If Conference approves a motion containing errors, they form part of OUSA policy. Errors may be removed by the mover of the motion moving a drafting amendment, but Steering Committee should be advised of such amendments beforehand.
- The proposed order of debate of motions and amendments is given in the outline timetable, but please be aware that this is not a rigid schedule but a guideline, and may be subject to change.

### **Steering Committee Notes**

Some of the motions have a Steering Committee Note after them stating that a motion incorporates an amendment by a sponsoring unit. Since it is an automatic part of Conference procedure to invite any sponsoring unit to accept or reject amendments at the start of the debate we have made the assumption that no sponsoring unit will reject its own amendment. Therefore, to simplify matters for all delegates, the motion has been shown on the order paper with the amendment incorporated, unless there were further amendments.

## **Emergency Motions**

Units may wish to propose an emergency motion. The requirements for an emergency motion to be considered can be found in Standing Order 1.12. To submit an emergency motion you must hand it in to Steering Committee before 9.30 am on Saturday, signed by any two of:- the unit's officers, the unit's delegate(s), the Executive Committee Member for the Region/Sub-region concerned.

## **ANNUAL REPORTS – CD3**

- Together with this document you will have received CD3, which comprises the Annual Reports of all those elected to Office at the previous meeting of Conference, together with others designated as having a responsibility to make such a report.
- All attenders will have received with their Conference documents a form inviting them to submit written questions on these reports. Time will be allocated in the programme for such questions to be answered or for important updates on any reports to be given.

**OUTLINE TIMETABLE OF CONFERENCE BUSINESS  
SATURDAY SESSION 1 09.00 – 12.30**

<b>Time</b>	<b>Item</b>	<b>Page/CD No</b>	<b>Comments</b>
<b>09.00</b>	President's Opening Remarks Collection of Ballot Papers Adoption of Order Paper & Steering Committee Business Adoption of 2010 Conference Minutes & Matters Arising Notification of Pre-Conference E C Election Results	CD1  Previously Published CD7 p2	
	Policy Motions relating to The Open University (Section 3)	CD1 p35	Block A 29 - 35
	David Knight, OU Director of Associate Lecturer Services and the Regional Group for the South		Coming changes to the AL Role
	Reports: Deputy President Chair of OSL VP Finance VP Education VP Communications	CD3 p9 CD3 p59 CD3 p37 CD3 p19 CD3 p13	
	Award of Honorary Life Membership		
<b>10.00</b>	Motions to Change the Constitution (Section 1)	CD1 p2	Block B 1-2
<b>11.00</b>	Will Swann, OU Director, Students and Member of the Vice Chancellor's Executive		OU & OUSA in a Different Landscape
	Policy Motions relating to The Open University (Section 3)	CD1 p32	Block C 15 - 18
	Aaron Porter, NUS President Fraternal Greetings from the National Union of Students		
	Policy Motions relating to OUSA (Section 2)	CD1 p28	Block D 3 - 7
<b>12.15</b>	Rachel Garnham The OU History Project: How you can contribute		Includes footage of Harold Wilson addressing OUSA Conference 1977
	Chair's Closing Remarks		
<b>12.30</b>	Session 1 Ends		

**SATURDAY SESSION 2 15.00 – 17.15**

<b>Time</b>	<b>Item</b>	<b>Page/CD No</b>	<b>Comments</b>
<b>15.00</b>	Announcement of Officer Election Results		
	Motions relating to Policy Affirmations and Deletions (Section 5)	CD1 p40	Block E 37 - 40
	Paul Mylrea, Director of Communications for the BBC		How OUSA could become more visible in defending open access
	Reports: Chair of Societies General Manager VP Representation	CD3 p71 CD3 p63 CD3 p49	
<b>15.45</b>	Award of Honorary Life Membership		
	Policy Motions relating to OUSA (Section 2)	CD1 p29	Block F 8 - 10
	Bruce Heil, Chair, A L Executive Fraternal Greetings		
	Policy Motions relating to Other Bodies (Section 4)	CD1 p38	Block G 36
<b>16.45</b>	Reports: Chair of OUSET VP Equal Opportunities OU Council Member	CD3 p67 CD3 p25 CD3 p57	
	Policy Motions relating to OUSA (Section 2)	CD1 p29	Block H 11 – 14
	Chair's Closing Remarks		
<b>17.15</b>	Session 2 Ends		

**SUNDAY SESSION 3 09.00 – 13.00**

<b>Time</b>	<b>Item</b>	<b>Page/CD No</b>	<b>Comments</b>
<b>09.00</b>	Announcement of Societies AGM Election Results (Collection of Ballot papers for Student Trustees if appropriate)		
	Emergency Motions		
	Reports: President VP Student Support VP Constitution	CD3 p3 CD3 p53 CD3 p15	
	Prof John Hatchard Bribery and Corruption!		Visiting Prof from USA currently with OU Law School
<b>10.00</b>	President's Business: Consultation on the new Bye-Laws	Separate Report	Group work followed by plenary session
<b>11.45</b>	Rachel Burn Project Manager, Student Support Review		
	Policy Motions relating to The Open University (Section 3)	CD1 p33	Block I 19 - 28
<b>12.25</b>	Any Other Outstanding Business		
	President's Closing Remarks		
<b>13.00</b>	Conference Stands Adjourned		

## CONFERENCE PROCEDURE

For the full procedure, please refer to Standing Order 1 of the Constitution.

What follows is a simplified, practical reference, aimed particularly at helping newer delegates and observers to follow and participate in the debates.

### 1) Motion without amendments

- (a) The Chair invites the unit which submitted the motion to move it (i.e. to propose it).
- (b) The Chair invites others to speak, trying to ensure a balanced debate.
- (c) At the end of the debate the mover has the right of reply, to sum up the arguments for the debate. No new material may be introduced during a summing-up.
- (d) Vote.

### 2) Motion with amendment

- (a) The mover of the motion is asked if they accept the amendment.
- (b) If the mover accepts the amendment(s), the amended motion becomes the substantive motion which is debated as in 1(a) - 1(c) above.
- (c) If the mover does not accept the amendment, the mover of the amendment is called to speak.
- (d) The Chair invites others to speak, trying to ensure a balanced debate.
- (e) After the amendment has been debated, the mover of the amendment has the right of reply.
- (f) There is a vote on the amendment.
- (g) If the amendment is carried, the amended motion becomes the substantive motion (i.e. the motion which has been amended) which is proposed by the unit which submitted the amendment and debated and voted on as in 1(b) - 1(d) above.
- (h) This explains the general principles: if there is more than one amendment the Chair will explain the exact procedures.

### 3) Voting

- (a) In order to vote, you should raise your delegate card. If the delegate is absent from the hall, they may leave their delegate card with an observer from the same unit who may cast a vote on their behalf.
- (b) While a vote is taking place, no-one other than a member of OUSA staff or a member of Steering Committee is permitted to enter the hall.
- (c) For most motions to be carried, a simple majority is sufficient. However, amendments to the Constitution, procedural motions and recommendations of Steering Committee require a two-thirds majority. Constitutional amendments also require that the number of votes in favour of the motion is not less than 50% of the total delegates registered at Conference.
- (d) The result of a vote will normally be declared on a visual inspection, unless a count is called for by the Chair, or other delegates. In this case you will be asked to keep your cards raised while tellers pass along the aisles to conduct the count.

- (e) If the result of the count is close, a recount may be called for. May we remind delegates of the Association policy, that this is a recount and not a re-run of the original vote, and as such delegates should vote as they did the first time.

#### 4) Procedural motions

- (a) These are designed to help Conference proceed efficiently with its business. A procedural motion may be proposed by standing, calling "Procedural Motion", and when acknowledged by the Chair, proposing the particular motion.
- (b) Procedural motions may not be proposed during a point of order or point of information, or during the taking of a vote. At any other time they will take precedence over all other business.
- (c) All procedural motions must be formally seconded.
- (d) If the following procedural motions are put only one speech for and one speech against shall be allowed:
  - (i) a vote of no confidence in the Chair;
  - (ii) a challenge to the Chair's ruling;
  - (iii) a motion for a temporary Chair;
  - (iv) a motion for a temporary adjournment of the meeting;
  - (v) that the matter lie on the table;
  - (vi) that the matter be referred to the appropriate Standing Committee, Sub-Committee or Working Party for investigation or re-examination;
  - (vii) that Standing Orders be suspended in whole or in part.

Should one of the above motions be proposed, Steering Committee will ensure that delegates are given an explanation as to the consequences before they are required to vote.

- (e) If the following procedural motions are put, only the mover of that procedural motion shall be entitled to speak to it, and the mover of the motion being debated at the time may exercise the right of reply before a vote is taken:
  - (i) that the motion be voted on in parts [i.e. that it be divided into more than one motion so that parts may be voted on separately];
  - (ii) that the motion be not put [i.e. that Conference is being asked to make a conscious decision not to decide for or against the motion];
  - (iii) that the motion be now put [i.e. that a vote is taken immediately with no further debate];
  - (iv) that the meeting move to the next business [i.e. that Conference is being asked to spend no further time at all on this motion, not even for a vote].

No delegate who has already spoken on the motion or amendment in question may propose the procedural motions in (e)(iii) or (e)(iv) above.

- (f) The procedural motion that the meeting be closed shall be put to the meeting without discussion [and if carried brings a complete end to this meeting of Conference].

#### 5) Point of Order

This is a question addressed to the Chair concerning the conduct of business and is raised by standing, calling "Point of Order" and, when acknowledged by the Chair, asking "Is it in order that...?" Such an enquiry takes precedence over all other business except voting (unless the question concerns the actual procedure of the

voting taking place). It must not refer to the subject matter under debate, and must contain no argument.

#### 6) Point of Information

Any delegate may offer to give, or may ask for, information concerning the business item currently being discussed. This is done by standing, 'catching the Chair's eye', and saying "Point of Information". The person holding the floor (at the microphone) at that moment need not give way – they may wish to continue to speak; but if they do allow the point of information to be taken then the time taken to hear it is not counted as part of the time allowed for the speech.

#### 7) Suspension of Standing Orders

Any suspension of Standing Orders shall apply for the duration of the matter under discussion only.

### **GUIDE TO THE NUMBERING OF MOTIONS**

The number of each motion is followed by a letter code, indicating the type of motion, using the following key:

M(C) - Motion to Change the Constitution  
M(P) - Policy Motion  
EM(P) - Emergency Policy Motion

Amendments are denoted by the letter A following the motion reference.

These are examples of how the key is used:-

1M(C) = Motion to Change the Constitution  
1M(C)A1 = Motion to Change the Constitution Amendment 1  
33M(P) = Policy Motion  
33M(P)A1 = Policy Motion Amendment 1

**INDEX TO MOTIONS  
(By Motion No.)**

<b>Motion No.</b>	<b>Sponsor</b>	<b>Section</b>	<b>Page Grouped/L inked</b>
1M(C)	Executive Committee	1	
1M(C)A1	Executive Committee	1	
1M(C)A2	OUSA in the East of England	1	
1M(C)A3	OUSA in the Republic of Ireland	1	
1M(C)A4	OUSA in the North West	1	
2M(C)	Executive Committee	1	
3M(P)	OUSA in Scotland	2	
4M(P)	Executive Committee	2	
5M(P)A1	Executive Committee	2	
6M(P)	Executive Committee	2	
7M(P)	OUSA in Wales	2	
8M(P)	OUSA in Wales	2	
9M(P)	Executive Committee	2	
9M(P)A1	OUSA in the North West	2	
10M(P)	Executive Committee	2	
11M(P)	OUSA in Northern Europe	2	
12M(P)	OUSA in Northern Europe	2	
13M(P)	Executive Committee	2	
14M(P)A1	OUSA in the East of England	2	
15M(P)	Executive Committee	3	
15M(P)A1	OUSA in the East of England	3	
16M(P)	Executive Committee	3	
17M(P)	OUSA in the East of England	3	
18M(P)	OUSA in the East of England	3	
19M(P)	Societies Standing Committee	3	
20M(P)	Executive Committee	3	
21M(P)	Executive Committee	3	
22M(P)	Societies Standing Committee	3	
23M(P)	Societies Standing Committee	3	
24M(P)	Societies Standing Committee	3	
25M(P)	Societies Standing Committee	3	
26M(P)A1	Disabled Students Group Committee	3	
27M(P)	Executive Committee	3	
28M(P)	Executive Committee	3	
29M(P)	OUSA in the North West	3	
30M(P)A1	OUSA in the North West	3	
31M(P)	Executive Committee	3	
32M(P)A1	Disabled Students Group Committee	3	
33M(P)	Executive Committee	3	
33M(P)A1	Disabled Students Group Committee	3	
34M(P)	OUSA in Northern Europe	3	
35M(P)	OUSA in Northern Europe	3	
36M(P)	Executive Committee	4	
37M(P)	Executive Committee	5	
38M(P)	OUSA in Northern Europe	5	
39M(P)	Disabled Students Group Committee	5	
39AM(P)	Societies Standing Committee	5	

<b>39BM(P)</b>	<b>Societies Standing Committee</b>	<b>5</b>
<b>40M(P)</b>	<b>Executive Committee</b>	<b>5</b>
<b>40M(P)A1</b>	<b>OUSA in the North West</b>	<b>5</b>
<b>40M(P)A2</b>	<b>OUSA in the North West</b>	<b>5</b>
<b>40M(P)A3</b>	<b>Societies Standing Committee</b>	<b>5</b>
<b>40M(P)A4</b>	<b>OUSA in the North West</b>	<b>5</b>
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32M(P)A1	Disabled Students Group Committee	3		
33M(P)A1	Disabled Students Group Committee	3		
39M(P)	Disabled Students Group Committee	5		
1M(C)	Executive Committee	1		
1M(C)A1	Executive Committee	1		
2M(C)	Executive Committee	1		
4M(P)	Executive Committee	2		
5M(P)A1	Executive Committee	2		
6M(P)	Executive Committee	2		
9M(P)	Executive Committee	2		
10M(P)	Executive Committee	2		
13M(P)	Executive Committee	2		
15M(P)	Executive Committee	3		
16M(P)	Executive Committee	3		
20M(P)	Executive Committee	3		
21M(P)	Executive Committee	3		
27M(P)	Executive Committee	3		
28M(P)	Executive Committee	3		
31M(P)	Executive Committee	3		
33M(P)	Executive Committee	3		
36M(P)	Executive Committee	4		
37M(P)	Executive Committee	5		
40M(P)	Executive Committee	5		
11M(P)	OUSA in Northern Europe	2		
12M(P)	OUSA in Northern Europe	2		
34M(P)	OUSA in Northern Europe	3		
35M(P)	OUSA in Northern Europe	3		
38M(P)	OUSA in Northern Europe	5		
3M(P)	OUSA in Scotland	2		
1M(C)A2	OUSA in the East of England	1		
14M(P)A1	OUSA in the East of England	2		
15M(P)A1	OUSA in the East of England	3		
17M(P)	OUSA in the East of England	3		
18M(P)	OUSA in the East of England	3		
1M(C)A4	OUSA in the North West	1		
9M(P)A1	OUSA in the North West	2		
29M(P)	OUSA in the North West	3		
30M(P)A1	OUSA in the North West	3		
40M(P)A1	OUSA in the North West	5		
40M(P)A2	OUSA in the North West	5		
40M(P)A4	OUSA in the North West	5		
40M(P)A5	OUSA in the North West	5		
1M(C)A3	OUSA in the Republic of Ireland	1		
7M(P)	OUSA in Wales	2		

<b>8M(P)</b>	<b>OUSA in Wales</b>	<b>2</b>
<b>19M(P)</b>	<b>Societies Standing Committee</b>	<b>3</b>
<b>22M(P)</b>	<b>Societies Standing Committee</b>	<b>3</b>
<b>23M(P)</b>	<b>Societies Standing Committee</b>	<b>3</b>
<b>24M(P)</b>	<b>Societies Standing Committee</b>	<b>3</b>
<b>25M(P)</b>	<b>Societies Standing Committee</b>	<b>3</b>
<b>39AM(P)</b>	<b>Societies Standing Committee</b>	<b>5</b>
<b>39BM(P)</b>	<b>Societies Standing Committee</b>	<b>5</b>
<b>40M(P)A3</b>	<b>Societies Standing Committee</b>	<b>5</b>

## **IMPORTANT POINTS TO REMEMBER**

### **Beware of Changes to the Time Table**

- Please note that times other than those for the commencement of Conference sessions are approximate. The timetable may have to be adjusted to take account of various eventualities during Conference. Those intending to participate in debates must not rely on this as an absolute guide as to when that business will be called.
- Motions which have not been debated through lack of time, will be taken under Any Outstanding Business towards the end of the Sunday session.

### **Those Wishing to Speak**

- Those wishing to speak may only do so when invited by the Chair. Seats at the front are reserved for those who wish to catch the Chair's eye.
- All delegates and observers who are full members of OUSA have the right to speak to any motion. Visitors may only speak with the permission of Conference.
- All speakers must address Conference through a microphone. If you are moving a motion or amendment, or you know that you want to speak in a certain debate, please come to the front of the hall in good time so you are ready.
- If you have a difficulty in getting to the rostrum and wish to speak from your seat, please raise your hand with the card provided to indicate that you would like a roving microphone to be brought to you if called to speak.
- No person shall speak more than once in any debate except where they have a right of reply. This does not preclude anyone from raising Points of Information or Points of Order.
- When you start to speak, the first thing you should do is state your name and the unit for which you are a delegate or observer, and the unit you are speaking on behalf of if this is different.
- After you have spoken, if you do not intend to speak again for some time, please return to your normal seat in order to keep the front row clear for others.

### **Time Allowed for Speakers**

- A speaker moving a motion or amendment shall be allowed to speak for a maximum of three minutes. All other speakers in a debate shall have a maximum of two minutes.
- The clock starts from the moment the Chair calls on you to speak. If you are at the back of the hall at that time you may lose a good part of your allotted speaking time.
- Keep an eye on the lights. When the yellow light comes on this is a warning that you have only thirty seconds left to speak. When the red light comes on you must stop.

### **If Your Unit Wants to Withdraw a Motion**

- If for some reason a unit no longer wishes to present a motion which it has on the Order Paper, Conference may be asked for permission for it to be withdrawn. To do this, after coming to the rostrum and giving your name and unit, simply say that you are asking on behalf of the unit concerned for permission to withdraw the motion.

N.B. THIS INFORMATION IS REPEATED ON THE INSIDE BACK COVER OF CD1 FOR READY REFERENCE.



**SECTION 1**  
**MOTIONS TO CHANGE THE CONSTITUTION**  
**AND RELATED POLICY MOTIONS**

N.B. These blocks relate to the Outline Timetable and are intended to help Conference follow the sequence of debate. However, delegates must not rely on this guidance as a substitute for following the business in the Conference Hall, since motions which they intend to move could be taken later or earlier than indicated in this guidance.

**Block B**                      **Motions 1 - 2**                      **Saturday Morning**

## SECTION 1

### MOTIONS TO CHANGE THE CONSTITUTION AND RELATED POLICY MOTIONS

<b>1M(C) Executive Committee</b>	Aim	To create a new Constitution compliant with the requirements for registration as a charity under the 2006 Charities Act.
	Motion	This Association adopts the Constitution which follows, to replace in its entirety the current Constitution:-

### Constitution

of

**Open University Students Association**

**(An Unincorporated Association)**

Date approved by the OUSA Conference	???	2011
Date approved by the Open University Council	???	2011
Date Published on OUSA Web Site	???	2011

## Table of Contents and Comments

<b>Name, Objects and Powers</b>	<b>Page 4</b>
This section describes the organisation, its purpose, the activities it can engage in and the boundaries of its work. It describes what happens if the organisation was to be dissolved and how the constitution can be amended.	
<b>Membership</b>	<b>Page 10</b>
This section describes who the members of the students' union are	
<b>Conferences</b>	<b>Page 11</b>
This section describes how general meetings are called and what business will take place within them.	
<b>Trustees</b>	<b>Page 12</b>
This section describes who the trustees are, how they are appointed, how they can be removed and their powers.	
<b>Proceedings of the Trustees</b>	<b>Page 17</b>
This section lays out how trustee meetings will be called and run and how trustees can make decisions.	
<b>The Central Executive Committee</b>	<b>Page 19</b>
This section describes who the Central Executive Committee are, how they are appointed and their powers.	
<b>Bye Laws</b>	<b>Page 18</b>
This section deals with the powers and responsibilities of Central Executive Committee.	
<b>General</b>	<b>Page 20</b>
This section deals with miscellaneous questions and a table of definitions and interpretations.	

**Constitution**  
**of**  
***The Open University Students Association***

**BACKGROUND**

- A. The Open University Students Association (the “Association”) is a students’ union within the meaning of the Education Act 1994. The Association is devoted to the educational interests and welfare of its Members.
- B. The Association will seek at all times to:
- (i) ensure that the diversity of its membership is recognised and that equal access is available to all Members of whatever origin or orientation;
  - (ii) pursue its aims and objectives independent of any political party or religious group; and
  - (iii) pursue equal opportunities by taking positive action within the law to facilitate participation of groups discriminated against by society.
- C. This Constitution has been structured to give the Board of Trustees reasonable authority to manage the affairs of the Association in a professional manner. The Members enjoy the right, which must be exercised in accordance with charity law, to elect a proportion of the Trustees and to dismiss all of the Trustees. The Board of Trustees will give the utmost consideration to the views of Members.
- D. Under the Education Act 1994, The Open University has a statutory duty to ensure that the Association operates in a fair and democratic manner and is held to proper account for its finances. The Association therefore works alongside the Open University in ensuring that the affairs of the Association are properly conducted and that the educational and welfare needs of the Association’s Members are met.

**Definitions and Interpretation**

1. The meanings of any defined terms used in this Constitution are set out in Clause 86. If any dispute arises in relation to the interpretation of this Constitution or any of the Bye-Laws, it shall be resolved by the Board of Trustees.

**Name**

2. There shall be a students’ association in the name of The Open University Students Association (and in this Constitution it is called “the Association”).

## **Objects**

3. The Association's objects are the advancement of education of Students at The Open University for the public benefit by:
  - 3.1 defending the principles of equal opportunity and of open access to the University regardless of academic qualifications or financial circumstances;
  - 3.2 promoting the interests and welfare of Students at The Open University during their period of study and representing and supporting Students;
  - 3.3 being the recognised representative channel between Students and The Open University and any other external bodies;
  - 3.4 asserting that all students studying with the Open University have the right to have their views heard and acknowledged by the University; and
  - 3.5 providing social, cultural, and recreational activities and forums for discussions and debate for the personal development of its Students.

## **Powers**

4. To further its objects, but not to further any other purpose, the Association may:
  - 4.1 provide services and facilities for Members;
  - 4.2 establish, support, promote and operate a network of student activities for Members;
  - 4.3 support fundraising activities carried out by its Members for Open University Student Educational Trust (Ouset), including the provision of administrative support, banking facilities and acting as a holding trustee of any funds raised;
  - 4.4 alone or with other organisations:
    - 4.4.1 carry out campaigning activities;
    - 4.4.2 seek to influence public opinion; and
    - 4.4.3 make representations to and seek to influence governmental and other bodies and institutions  
regarding the reform, development and implementation of appropriate policies, legislation and regulations provided that all such activities shall be confined to the activities which an English and Welsh charity may properly undertake and provided that the Association complies with the Education Act and any guidance published by the Charity Commission;
  - 4.5 write, make, commission, print, publish or distribute materials or information or assist in these activities;
  - 4.6 promote, initiate, develop or carry out education and training and arrange, provide or assist with exhibitions, lectures, meetings, seminars, displays or classes;

- 4.7 promote, encourage, carry out or commission research, surveys, studies or other work and publish the useful results;
- 4.8 provide or appoint others to provide advice, guidance and representation;
- 4.9 co-operate with other charities and bodies and exchange information and advice with them;
- 4.10 become a member, affiliate or associate of other charities and bodies;
- 4.11 support, set up or amalgamate with other charities with objects identical or similar to the Association's objects, and act as or appoint trustees, agents, nominees or delegates to control and manage such charities;
- 4.12 purchase or acquire all or any of the property, assets, liabilities and engagements of any charity with objects similar to the Association's objects;
- 4.13 raise funds and invite and receive contributions from any person provided that the Association shall not carry out any taxable trading activities in raising funds;
- 4.14 borrow and raise money on such terms and security as the Association may think suitable (but only in accordance with the restrictions imposed by the Charities Act 1993);
- 4.15 purchase, lease, hire or receive property of any kind including land, buildings and equipment and maintain and equip it for use;
- 4.16 sell, manage, lease, mortgage, exchange, dispose of or deal with all or any of its property (but only in accordance with the restrictions imposed by the Charities Act 1993);
- 4.17 make grants or loans of money and give guarantees;
- 4.18 set aside funds for special purposes or as reserves against future expenditure;
- 4.19 invest and deal with the Association's money not immediately required for its objects in or upon any investments, securities, or property;
- 4.20 delegate the management of investments to an appropriately experienced and qualified financial expert provided that:
  - 4.20.1 the investment policy is set down in writing for the financial expert by the Trustees;
  - 4.20.2 every transaction is reported promptly to the Trustees;
  - 4.20.3 the performance of the investment is reviewed regularly by the Trustees;
  - 4.20.4 the Trustees are entitled to cancel the delegation at any time;
  - 4.20.5 the investment policy and the delegation arrangements are reviewed at least once a year;
  - 4.20.6 all payments due to the financial expert are on a scale or at a level which is agreed in advance and are notified promptly to the Trustees on receipt; and

- 4.20.7 the financial expert may not do anything outside the powers of the Trustees;
- 4.21 arrange for investments or other property of the Association to be held in the name of a nominee (being a company or a limited liability partnership registered or having an established place of business in England and Wales) under the control of the Trustees or a financial expert acting under their instructions and to pay any reasonable fee required;
- 4.22 lend money and give credit to, take security for such loans or credit and guarantee or give security for the performance of contracts by any person or company;
- 4.23 open and operate banking accounts and other facilities for banking and draw, accept, endorse, negotiate, discount, issue or execute negotiable instruments such as promissory notes or bills of exchange;
- 4.24 trade in the course of carrying out any of its objects;
- 4.25 establish or acquire subsidiary companies to carry on any taxable trade;
- 4.26 subject to Clause 5 (Limitation on private benefits), employ and pay employees and professionals or other advisors;
- 4.27 grant pensions and retirement benefits to employees of the Association and to their dependants and subscribe to funds or schemes for providing pensions and retirement benefits for employees of the Association and their dependants;
- 4.28 pay out of the funds of the Association the cost of any premium in respect of any indemnity insurance to cover the liability of the Trustees (or any of them) which by virtue of any rule of law would otherwise attach to them in respect of any negligence, default, breach of trust or breach of duty of which they may be guilty in relation to the Association provided that no such insurance shall extend to:
- 4.28.1 any claim arising from any liability incurred by the Trustees to pay a fine imposed in criminal proceedings or a sum payable to a regulatory authority by way of a penalty in respect of non-compliance with any requirement of a regulatory nature (however arising);
- 4.28.2 any liability incurred by the Trustees in defending any criminal proceedings in which the Trustees are convicted of an offence arising out of any fraud or dishonesty, or wilful or reckless misconduct; or
- 4.28.3 any liability incurred by the Trustees to the Association that arises out of any conduct which the Trustees knew (or must reasonably be assumed to have known) was not in the interests of the Association or in the case of which they did not care whether it was in the best interests of the Association or not; and
- 4.29 do all such other lawful things as shall further the Association's objects.

## **5. Limitation on private benefits**

- 5.1 The income and property of the Association shall be applied solely towards the promotion of its objects.

- 5.2 Except as provided below no part of the income and property of the Association may be paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to any Member of the Association. This shall not prevent any payment in good faith by the Association of:
- 5.2.1 any payments made to any Member in their capacity as a beneficiary of the Association;
  - 5.2.2 reasonable and proper remuneration to any Member for any goods or services supplied to the Association provided that if such Member is a Trustee Clause 5.3 shall apply;
  - 5.2.3 interest on money lent by any Member to the Association at a reasonable and proper rate; and
  - 5.2.4 any reasonable and proper rent for premises let by any Member to the Association.
- 5.3 Except as provided below no Trustee may sell goods, services or any interest in land to the Association; be employed by, or receive any remuneration from, the Association; or receive any other financial benefit from the Association. This shall not prevent any payment in good faith by the Association of:
- 5.3.1 any payments made to any Trustee or Connected Person in their capacity as a beneficiary of the Association;
  - 5.3.2 reasonable and proper out of pocket expenses of the Trustees;
  - 5.3.3 reasonable and proper remuneration to any Officer Trustee or Connected Person for any goods or services supplied to the Association on the instructions of the Trustees provided that:
    - (a) for the avoidance of doubt, the authorisation under this provision shall extend to the remuneration of Officer Trustees and Connected Persons under contracts of employment with the Association;
    - (b) subject to Clause 5.3.3(a), the authorisation under this provision shall not extend to the service of acting as Trustee;
    - (c) if the person being remunerated is a Trustee the procedure described in Clause 67 (Conflicts of Interest) must be followed in considering the appointment of the Trustee and in relation to any other decisions regarding the remuneration authorised by this provision;
    - (d) if the person being remunerated is a Connected Person the procedure described in Clause 67 (Conflicts of Interest) must be followed by the relevant Trustee in relation to any decisions regarding such Connected Person;
    - (e) this provision may not apply to more than half of the Trustees in any financial year (and for these purposes such provision shall be treated as applying to a Trustee if it applies to a person who is a Connected Person in relation to that Trustee); and
    - (f) at all times the provisions of the Education Act are complied with;

- 5.3.4 interest on money lent by any Trustee or Connected Person to the Association at a reasonable and proper rate;
  - 5.3.5 any reasonable and proper rent for premises let by any Trustee or Connected Person to the Association;
  - 5.3.6 reasonable and proper premiums in respect of indemnity insurance effected in accordance with Clause 4.28;
  - 5.3.7 any payments made to any Trustee or officer under the indemnity provisions set out at Clause 84; and
  - 5.3.8 any payments authorised in writing by the Charity Commission.
- 5.4 In Clauses 5.2 and 5.3, references to the Association shall be read as references to the Association and/or any Subsidiary Company.
- 5.5 For any transaction authorised by Clause 5.2 or Clause 5.3, the Trustee's duty (arising under the Companies Act 2006) to avoid a conflict of interest with the Association shall be disapplied provided the relevant provisions of Clause 5.2 or Clause 5.3 have been complied with.

### **Incorporation**

6. OUSA Conference may authorise the Trustees to transfer the assets and liabilities of the Association to a limited liability entity established for exclusively charitable purposes with the same or similar objects, and to dissolve the Association at any time following the transfer if it is considered appropriate to do so.

### **Dissolution**

7. If any property remains after the Association has been wound up or dissolved and all debts and liabilities have been satisfied, it shall not be paid to or distributed among the trustees of the Association. It shall instead be given or transferred to some other charitable institution or institutions having similar objects to those of the Association and which prohibits the distribution of its or their income and property among its or their members to an extent at least as great as this Constitution imposes upon the Association. The institution or institutions which are to benefit shall be chosen by the Trustees of the Association at or before the time of winding up or dissolution.

### **Amendments to the Constitution**

8. The Trustees and the Open University shall review this Constitution after 2 years from the date it comes into effect and every four years thereafter.
9. No amendment of this Constitution shall be made which would have the effect of the Association ceasing to be a charity.
10. Clause 3 (Objects) and Clause 5 (Limitation on private benefits) may not be amended without the prior written consent of the Charity Commission.
11. Save where the amendment to the Constitution is a consequential amendment due to a change in the Bye-Laws (for example, the number or heading names of Clauses), the Constitution may be amended by a

resolution of OUSA Conference passed and supported by at least 75% of those present and voting provided the Open University Council approves the amendments (as required for the purposes of compliance with Section 22 of the Education Act).

## **Membership**

### **Members**

12. The Members of the Association shall be as follows:
  - 12.1 each and every registered student, aged 18 or over, who has not opted out by notifying the General Manager of his or her wish not to be a Member of the Association;
  - 12.2 any student holding an elected or appointed position specified in this constitution who was a registered student at the time of such election or appointment;
  - 12.3 any student who applies for and is granted extended membership to cover a gap in registered student status not exceeding twelve months;
  - 12.4 any student under the age of 18, who shall have associate membership, the rights and privileges of which shall be determined from time to time by the Board of Trustees;
  - 12.5 those granted various types of honorary membership which shall not confer any rights under this constitution;
  - 12.6 the Immediate Past President who shall not have any specific rights under this constitution by virtue of holding that title.
  - 12.7 Only those students covered by clauses 12.1 to 12.3 above shall be eligible to hold any elected position within the Association.
13. Membership shall not be transferable and shall cease on death. A Member shall automatically cease to be a Member of the Association if:
  - 13.1 he or she ceases to be in compliance with Section 12;
  - 13.2 in the case of Members other than the Officer Trustees, a resolution is passed at a meeting of the Trustees at which at least half of the Trustees are present resolving that the Member be expelled on the ground that his or her continued membership is harmful to or is likely to become harmful to the interests of the Association. Such a resolution shall not be passed unless the Member has been given at least 14 clear days' notice that the resolution is to be proposed, specifying the circumstances alleged to justify expulsion, and has been afforded a reasonable opportunity of being heard by or of making written representations to the Trustees.
14. Members' details shall be as held on the University database of registered students in the case of categories 12.1 and 12.4 and as held on the Association's database in the case of categories 12.2, 12.3, 12.5 and 12.6.

15. Members of the Association shall be entitled to the benefits set out in the Code of Practice.

## **Conferences**

### **Conference**

16. The Association shall hold a biennial Conference which shall be the Association's General Meeting. Not more than 30 months shall pass between the date of one Conference and the next. The Conference shall be held at such time and place as the Trustees shall think suitable. The Conference shall elect the Officer and Student Trustees, and Conference shall have the power to refer back any decision made by the Board of Trustees and Central Executive Committee subject to clauses 39 to 42.

### **Extraordinary Conference**

17. The Trustees may call an extraordinary Conference at any time. The Trustees shall call such a meeting on receiving a requisition to that effect, signed by at least 5 Members of Assembly Executives, each from a different National or Regional Assembly, with the authority of their Assemblies.

### **Arrangements of Conferences**

18. Biennial and Extraordinary meetings of Conference will be carried out by a combination of face to face and online components.

### **Length of Notice**

19. Biennial Conference shall be called by at least ten weeks written notice and an extraordinary meeting by at least six weeks written notice.

### **Contents of Notice**

20. Every notice calling a meeting of Conference shall specify the place, dates and time of the meeting. If the meeting is an extraordinary meeting of Conference the agenda must say so, the only item on the agenda shall be the motion from the Trustees or National or Regional Assemblies requesting the meeting. If the meeting is a Biennial Conference, the notice must say so and the business to be transacted shall include:
  - 20.1 ratification of minutes of previous Biennial Conference ;
  - 20.2 receiving the report of the Trustees and the Central Executive Committee on the Association's activities since the previous Biennial Conference;
  - 20.3 election of Association Officers and Board of Trustee Members;
  - 20.4 receiving a report on policy statements for ratification;
  - 20.5 receiving the accounts of the Association for the completed financial years since the previous Biennial Conference;
  - 20.6 appointment or reappointment of the auditors;

- 20.7 approving the list of affiliations of The Association; and
- 20.8 open questions to the Trustees and Central Executive Committee by the Members.

### **Service of Notice**

21. Notice of Conferences shall be given to every active member and shall be openly published and advertised across the University community.

### **Quorum**

22. No business shall be transacted at any Conference unless a quorum is present. No decision of Conference shall be valid if the number of delegates participating in that decision is less than 40% of registered delegates, the count of delegates will be aggregated across face to face and virtual components.

### **Chair**

23. The President shall preside as chair of Conference or shall appoint a chair from amongst Association Officers or Immediate Past President.

### **Attendance**

24. Trustees and Central Executive Committee Members are expected to attend and participate in all the component parts of Conferences but shall only be entitled to be registered to exercise voting rights at one component of each Conference.
25. Each registered delegate shall have one vote on all matters determined by Conference.

### **Votes of Members at Conference**

26. Every Member has the right to register an interest to attend Conference and, where successfully appointed as a delegate member, have the right to vote. A resolution put to the vote of a Conference shall be decided by every delegate member having a single vote.
27. Every resolution put to the vote of Conference shall be decided by a simple majority of the votes cast, aggregated across component parts, unless this Constitution provides otherwise.

### **Appointment of Trustees**

28. The Trustees shall be made up of the following persons:
  - 28.1 not more than 4 Officer Trustees, elected in accordance with Clause 29;
  - 28.2 not more than 4 Student Trustees elected in accordance with clause 31; and
  - 28.3 not more than 2 External Trustees, appointed in accordance with Clause 33.

### **Officer Trustees**

29. Up to 4 Officer Trustees shall be elected by secret ballot by the Delegate Members at Conference at an election to be held in accordance with the Bye-Laws. The

Officer Trustees shall be elected to posts set out in the Bye-Laws. The Officer Trustees shall remain in office for a term of two years commencing in accordance with the Bye-Laws. Each Officer Trustee must be a member as defined by clause 12.1 or 12.3 at the time of his or her election.

30. An Officer Trustee may be re-elected for a maximum further term of two years by the Delegate Members at Conference at an election to be held in accordance with the Bye-Laws. For the avoidance of doubt, an Officer Trustee's terms of office may be either consecutive or non-consecutive.

### **Student Trustees**

31. Up to 4 Student Trustees, being members of the Central Executive Committee who are not Officer Trustees, shall be elected by secret ballot of the Delegate Members of Conference at an election to be held in accordance with the Bye-Laws. The Student Trustees shall remain in office for a term of two years commencing in accordance with the Bye-Laws. Each Student Trustee must be a member as defined by clause 12.1 or 12.3 at the time of his or her election. .
32. A Student Trustee may be re-elected for a maximum further term of two years at an election to be held in accordance with the Bye-Laws. For the avoidance of doubt, a Student Trustee's terms of office may be either consecutive or non-consecutive.

### **External Trustees**

33. Up to 2 External Trustees may be appointed by a 75% majority vote of the Central Executive Committee. Unless their appointment is terminated in accordance with Clauses 35 to 37, External Trustees shall remain in office for a term of up to two years commencing in accordance with the Bye-Laws.
34. External Trustees may serve a maximum of four terms which may either be consecutive or non-consecutive.

### **Disqualification, Resignation and Removal of Trustees**

35. The office of a Trustee shall be vacated if:
  - 35.1 he or she becomes prohibited by law from being a charity trustee;
  - 35.2 he or she resigns by notice to the Association (but only if at least four Trustees will remain in office when the notice of resignation is to take effect);
  - 35.3 the Trustees reasonably believe he or she is suffering from mental or physical disorder and is incapable of acting as a trustee and they resolve that he or she be removed from office;
  - 35.4 he or she fails to attend two consecutive meetings of the Trustees and in the opinion of the Trustees there are no mitigating circumstances for that failure and the Trustees therefore resolve that he or she be removed for this reason; or
  - 35.5 he or she is removed from office under Clause 36 or Clause 37.

## **Removal of Trustees by the Members or the Central Executive Committee**

36. The office of a Trustee shall be vacated if:
- 36.1 a motion of no confidence in the Trustee is passed by a simple majority of the Central Executive Committee provided that at least two-thirds cast a vote. Such a motion shall only be triggered by a Secure Petition of no confidence signed by at least 100 Members; or
  - 36.2 a motion of no confidence in the Trustee is passed by a 66% majority in a vote of the Central Executive Committee.

## **Removal of Trustees by the Board & Rights of Removed Trustee**

37. The office of External Trustee shall be vacated if a majority resolution of no confidence is passed by the Trustees. For the avoidance of doubt:
- 37.1 the Trustee concerned and any Trustee who has a conflict of interest in relation to the matter shall not vote on this resolution and quorum shall be adjusted accordingly in accordance with clause 59;
  - 37.2 a resolution to remove a Trustee in accordance with this Clause shall not be passed unless the Trustee concerned has been given at least 14 clear days' notice in writing that the resolution is to be proposed, specifying the circumstances alleged to justify removal from office, and has been afforded a reasonable opportunity of being heard by or making written representations to the Trustees; and
  - 37.3 a Trustee removed from office in accordance with this Clause shall be entitled to appeal the decision to remove him or her to an Appeals Panel within 14 days of the resolution. The Appeals Panel shall be made up of a nominee of The Open University, one independent person and a chief executive/general manager and officer of another students' union. The independent person shall be a Member who is not a Trustee or a member of a Central or Assembly Executive. The selection of the members of the Appeals Panel and its procedures shall be set out in the Bye-Laws.

## **Replacement of Trustees**

38. If an Officer Trustee resigns, is disqualified or removed from office at any time prior to the commencement of their term of office, the vacancy that results on the Board of Trustees shall be filled in accordance with the Bye-Laws.

If an Officer Trustee resigns, is disqualified or removed from office after the commencement of their term of office the vacancy shall be filled in accordance with the Bye-Laws. Any person elected under this Clause may be required to assume the responsibilities of the Officer Trustee.

If a Student Trustee resigns, is disqualified or removed from office at any time the vacancy that results on the Board of Trustees shall be filled in accordance with the Bye-Laws.

## **Powers of the Trustees**

39. The Board of Trustees shall be responsible for the management and administration of the Association and (subject to the Education Act, this Constitution and the Bye-Laws) may exercise all the powers of the Association. A meeting of the Trustees at which a quorum is present may exercise all powers exercisable by the Trustees.
40. No alteration of this Constitution or the Bye-Laws shall invalidate any prior act of the Trustees which would have been valid if that alteration had not been made.
41. The Board's powers under Clause 39 shall include but not be limited to responsibility for:
  - 41.1 the governance of the Association;
  - 41.2 the budget of the Association; and
  - 41.3 the strategy of the Association.
42. The Board of Trustees may override any decision and Policy made by Conference or by the Central Executive Committee which the Trustees consider (in their absolute discretion):
  - 42.1 has or may have financial implications for the Association;
  - 42.2 is or may be in breach of, contrary to or otherwise inconsistent with charity or education law or any other legal requirements (including ultra vires);
  - 42.3 is not or may not be in the best interests of the Association or all or any of its charitable objects; or
  - 42.4 will or may otherwise affect the discharge of any or all of the responsibilities referred to in Clause 41.
43. The continuing Trustees or a sole continuing Trustee may act notwithstanding any vacancies in their number. However, if and so long as the number of Trustees is less than the number fixed as the quorum in Clause 59, the Trustees may only act to increase the number of Trustees (including by arranging an election) so that there is a quorum.
44. All acts done by a meeting of Trustees, or of a committee of the Trustees, shall be valid, even if it is later discovered that any Trustee who participated in the vote:
  - 44.1 was not properly appointed;
  - 44.2 was disqualified from holding office;
  - 44.3 had vacated office; or
  - 44.4 was not entitled to vote.

#### **Delegation of Trustees' powers**

45. The Trustees may, by power of attorney or otherwise, appoint any person to be the agent of the Association for such purposes and on such conditions as they determine.

46. The Trustees may delegate any of their powers or functions to any committee or the implementation of any of their resolutions and day-to-day management of the affairs of the Association to any person or committee in accordance with the conditions set out in this Constitution.

#### **Delegation to committees**

47. In the case of delegation to committees:
- 47.1 the resolution making that delegation shall specify those who shall serve or be asked to serve on such committee (though the resolution may allow the committee to make co-options up to a specified number);
  - 47.2 subject to Clause 50, the composition of any such committee shall be entirely in the discretion of the Trustees and may comprise such of their number (if any) as the resolution may specify;
  - 47.3 the deliberations of any such committee shall be reported regularly to the Trustees and any resolution passed or decision taken by any such committee shall be reported forthwith to the Trustees and for that purpose every committee shall appoint a secretary;
  - 47.4 all delegations under this Clause shall be revocable at any time; and
  - 47.5 the Trustees may make such regulations and impose such terms and conditions and give such mandates to any such committee or committees as they may from time to time think fit.
48. The Trustees shall establish the following committees (which is a non-exhaustive list) in accordance with their powers under Clauses 46 and 47:
- 48.1 Appointments Committee;
  - 48.2 Finance Committee; and
  - 48.3 Remuneration and HR Committee.

#### **Delegation of day-to-day management powers to General Manager**

49. In the case of delegation of the day-to-day management of the Association to the General Manager:
- 49.1 the delegated power shall be to manage the Association by implementing the policy and strategy adopted by and within a budget approved by the Trustees and if applicable to advise the Trustees in relation to such policy, strategy and budget;
  - 49.2 the Trustees shall provide the General Manager with a description of his or her role and the extent of his or her authority;
  - 49.3 the General Manager shall report regularly to the Trustees on the activities undertaken in managing the Association and provide them regularly with management accounts sufficient to explain the financial position of the Association; and

- 49.4 the Trustees shall provide the General Manager with a performance management structure to aid his or her work plan and development.

### **Bank Account**

50. For the avoidance of doubt, the Trustees may (in accordance with Clauses 46 and 47) delegate all financial matters to any committee provided that such committee shall include at least one Trustee. The Trustees may empower such committee to resolve upon the operation of any bank account according to such mandate as it shall think fit provided that the signature of at least one Trustee shall be required for cheques above a certain amount as set out in the Bye-Laws and provided always that no committee shall incur expenditure on behalf of the Association except in accordance with a budget which has been approved by the Trustees.

### **Proceedings of Committees**

51. The meetings and proceedings of any committee shall be governed by the provisions of this Constitution regulating the meetings and proceedings of the Trustees so far as the same are applicable and are not superseded by any Bye-Laws made by the Trustees and the Central Executive Committee.

### **Proceedings of Trustees**

52. Subject to the provisions of this Constitution and the Bye-Laws, the Trustees may regulate their proceedings as they think fit.

### **Trustees' meetings**

53. The Trustees shall hold a minimum of four meetings in any twelve month period.
54. Three Trustees may call a meeting of the Trustees.
55. Guests or observers can attend meetings of the Trustees at the discretion of the Chair.

### **Length of notice**

56. A Trustees' meeting shall be called by at least fourteen clear days' notice unless either:
- 56.1 all the Trustees agree to shorter notice; or
- 56.2 urgent circumstances require shorter notice.

### **Contents of notice**

57. Every notice calling a Trustees' meeting shall specify the place, date and time of the meeting and the general particulars of all business to be considered at such meeting.

### **Service of notice**

58. Notice of Trustees' meetings shall be sent to each Trustee by post or by electronic communication.

## **Quorum**

59. The quorum for Trustees' meetings shall be four and such quorum must include at least two Officer Trustees. Where the resolution or issue under discussion concerns a matter in respect of which some or all of the Trustees have a conflict of interest, the quorum shall be four.

## **Chair and Deputy Chair**

60. The President shall be the Chair of the Trustees.
61. The Trustees shall appoint a Trustee to be Deputy Chair of the Trustees and may at any time remove him or her from office. The role of the Deputy Chair will be to support the Chair.
62. In the absence of the Chair and the Deputy Chair, another Trustee appointed by the Trustees present shall preside as chair of the meeting.

## **Decision making by Trustees at meetings**

63. Questions arising at a meeting shall be decided by a majority of votes. In the case of an equality of votes, the Chair shall be entitled to a casting vote in addition to any other vote he or she may have.

## **Virtual meetings**

64. A Trustees' meeting may be held by electronic means within an agreed timeframe provided that all Trustees have access to full participation in the meeting.

## **Trustee decisions without a meeting**

65. The Trustees may take a unanimous decision without a Trustees' meeting by indicating to each other by any means, including without limitation by electronic communication, that they share a common view on a matter. Such a decision may, but need not, take the form of a resolution in writing, copies of which have been signed by each Trustee or to which each Trustee has otherwise indicated agreement in writing.
66. A Trustees' resolution which is made in accordance with Clause 65 shall be as valid and effectual as if it had been passed at a meeting of the Trustees duly convened and held, provided the following conditions are complied with:
  - 66.1 approval from each Trustee must be received by one person being either such person as all the Trustees shall have nominated in advance for that purpose or such other person as volunteers if necessary ("the Recipient"), which person may for the avoidance of doubt, be one of the Trustees;
  - 66.2 following receipt of response from all of the Trustees, the Recipient shall communicate to all of the Trustees by any means whether the resolution has been formally approved by the Trustees in accordance with this Clause;
  - 66.3 the date of the decision shall be the date of the communication from the Recipient confirming formal approval; and
  - 66.4 the Recipient prepares a minute of the decision in accordance with Clause 76.

## **Conflicts of Interest**

67. Whenever a matter is to be discussed at a meeting or decided in accordance with Clause 65 and a Trustee has a Personal Interest in respect of that matter then he or she must:
  - 67.1 declare his or her interest to the Trustees;
  - 67.2 remain only for such part of the meeting as in the view of the other Trustees is necessary to inform the debate;
  - 67.3 not be counted in the quorum for that part of the meeting (or decision-making process); and
  - 67.4 withdraw during the vote and have no vote on the matter.
68. If any question arises as to whether a Trustee has a Personal Interest, the question shall be decided by a majority decision of the other Trustees.

## **The Central Executive Committee**

69. The Central Executive Committee shall include:
  - 69.1 all Association Officers;
  - 69.2 Central Executive Committee members for Nations and Regions; and
  - 69.3 the second student member of the Open University Council.
70. The Central Executive Committee shall meet in accordance with the Bye-Laws. The Central Executive Committee's responsibility shall not include the duties of the Trustees as set out in Clause 39 but shall include representation and campaigning work and the implementation of Policy save in so far as these responsibilities have not been delegated to another committee.
71. The General Manager and the Association's senior management team may attend meetings of the Central Executive Committee at the request of the Central Executive Committee.

## **Powers of the Central Executive Committee**

72. The Central Executive Committee shall have the authority to:
  - 72.1 represent the voice of the Students;
  - 72.2 subject to Clause 42, set the Policy of the Association ;
  - 72.3 make, repeal and amend the Bye-Laws jointly with the Trustees in accordance with Clause 74;
  - 72.4 receive a quarterly report from the Trustees; and
  - 72.5 appoint honorary members in accordance with Clause 12.5 and the Bye-Laws.

73. The composition and proceedings of the Central Executive Committee shall be set out in the Bye-Laws. No Member may hold more than one seat on the Central Executive Committee at any one time.

### **Bye-Laws**

74. The Trustees and the Central Executive Committee shall have the power from time to time to jointly make, repeal or amend Bye-Laws as to the management of the Association and its working practices provided that such Bye-Laws shall not be inconsistent with this Constitution.

### **General**

#### **Irregularities**

75. The proceedings at any meeting or the passing of a written resolution or the making of any decision shall not be invalidated by reason of any accidental informality or irregularity (including any accidental omission to give or any non-receipt of notice) or by reason of any business being considered which is not specified in the notice.

#### **Minutes**

76. The Trustees shall keep minutes of:
- 76.1 all proceedings at general meetings of the Association and of meetings of the Trustees, and of committees of Trustees, including the names of the Trustees present at each such meeting; and
  - 76.2 all resolutions of the Members and of the Trustees and any such minute, if purported to be signed by the chair of the meeting at which the proceedings were had, or by the chair of the next succeeding meeting, shall, as against any Member or Trustee of the Association, be sufficient evidence of the proceedings or the resolution.
77. The minutes of the meetings referred to in Clause 76 above shall normally be considered open and shall be available to the Members on the Association's website, except where those minutes relate to any reserved or confidential matters, including without limitation staff-related or disciplinary matters. Copies of the minutes shall also be kept in the Association's offices.

#### **Accounts and Reports**

78. The Trustees shall comply with the requirements of the Education Act and the Charities Act 1993 as to keeping financial records, the audit or examinations of accounts.
79. The Members of the Association have the right to ask the Trustees questions in writing about the content of any documents referred to in Clause 78.

#### **Notices**

80. Subject to Clause 81, any notice to be given to or by any person pursuant to this Constitution shall be in writing.
81. The Association may give any notice to a Member either:
- 81.1 personally;
  - 81.2 by sending it by post in a prepaid envelope addressed to the Member at his or her address;
  - 81.3 by leaving it at the address of the Member;
  - 81.4 by electronic communication to the Member's address; or
  - 81.5 by posting it on the Association's website.
82. A Member present at any meeting of the Association shall be deemed to have received notice of the meeting and, where requisite, of the purpose for which it was called.
83. Proof that an envelope containing a notice was properly addressed, prepaid and posted shall be conclusive evidence that the notice was given. A notice shall be deemed to be given at the expiration of 48 hours after the envelope containing it was posted or, in the case of a notice contained in an electronic communication, at the expiration of 48 hours after the time it was sent or in the case of a notice posted on the Association's website at the expiration of 48 hours after it was posted.

### **Indemnity**

84. Without prejudice to any indemnity to which a Trustee may otherwise be entitled, every Trustee shall and every other officer or auditor of the Association may be indemnified out of the assets of the Association against any liability incurred by him or her in defending any proceedings, whether civil or criminal, in which judgment is given in his or her favour or in which he or she is acquitted or in connection with any application in which relief is granted to him or her by the court from liability for negligence, default, breach of duty or breach of trust in relation to the affairs of the Association, and against all costs, charges, losses, expenses or liabilities incurred by him or her in the execution and discharge of his or her duties or in relation thereto.

### **Trustees' Indemnity Insurance**

85. The Trustees shall have power to resolve pursuant to Clause 4.28 to effect trustees' indemnity insurance, despite their interest in such policy.

### **Definitions and Interpretations**

86. In this Constitution, the following terms shall have the following meanings:

<b>Term</b>	<b>Meaning</b>
86.1	<p>“Association”</p> <p><i><b>The Open University Students Association;</b></i></p>

86.2	“Association Officers”	the President, Deputy President and Vice Presidents, including those who are Officer Trustees
86.3	“Board of Trustees” or “Board”	the board of Trustees of the Association;
86.4	“Bye-Laws”	the bye-laws setting out the working practices of the Association made from time to time in accordance with Clause 74;
86.5	“the Central Executive Committee”	the Officer Trustees, other elected Association Officers, Student Member of the University Council, Central Executive Committee Members for Nations and Regions
86.6	“Chair”	the chair of the Board of Trustees, who shall be the President of the Association in accordance with Clause 60;
86.7	“clear days”	in relation to the period of a notice, that period excluding the day when the notice is given or deemed to be given and the day for which it is given or on which it is to take effect;
86.8	“Code of Practice”	the Code of Practice relating to the Open University’s obligations under Section 22 of the Education Act;
86.9	“Connected Person”	any person falling within one of the following categories and where payment to that person might result in the relevant Trustee obtaining benefit: (a) any spouse, civil partner, parent, child, brother, sister, grandparent or grandchild of a Trustee; or (b) the spouse or civil partner of any person in (a); or (c) any other person in a relationship with a Trustee which may reasonably be regarded as equivalent to such a relationship; or (d) any company or LLP or firm of which a Trustee is a paid director, member, partner or employee, or shareholder holding more than 1% of the capital;
86.10	“Constitution”	this constitution of the Association;
86.11	“Deputy Chair”	the deputy chair of the Board of Trustees, who shall be appointed in accordance with Clause 61;
86.12	“Education Act”	the Education Act 1994;

86.13	“External Trustee”	a Trustee appointed in accordance with Clause 33 who for the avoidance of doubt shall not be deemed to be either a major union office holder or a sabbatical union office holder for the purposes of Section 22 of the Education Act;
86.14	“Full Term”	A full term is defined as having completed fifteen months out of a twenty four month term;
86.15	“General Manager”	the General Manager of The Association who is appointed by the Board of Trustees;
86.16	“in writing”	means written, printed or transmitted writing including by electronic communication;
86.17	“Members”	members of the Association being Students at the Open University (as further defined in Clause 12.1) and the Officer Trustees;
86.18	“Office”	the head office of the Association;
86.19	“Officer Trustee”	an Association Officer elected in accordance with Clause 29 and therefore being a Trustee;
86.20	“The Open University”	The Open University, incorporated by Royal Charter (RC 000391), an exempt charity in England & Wales and a charity registered in Scotland (SC 038302).
86.21	“Open University Students Educational Trust”	Open University Student Educational Trust is a Charity operated by the Association and is registered with the Charity Commission with Registration Number 285189 and SCO 38300
86.22	“Personal Interest”	a financial interest or an interest that does not arise in the ordinary course of being a Member or a Trustee (for example, being a member of a club or society);
86.23	“Policy”	representative and campaigning policy set by Conference or the Central Executive Committee in accordance with Clauses 16 to 17 and Clause 72.2 respectively;
86.24	“President”	the president of the Association, as elected by the Members in accordance with the Bye-Laws;
86.25	“Regions and Nations”	the OUSA Regions and Nations as defined

- in the Bye-Laws;
- 86.26 “Secure Petition” a written request to the Association which shall be fixed in a pre-arranged place or places or held securely on-line;
- 86.27 “Student” any individual who is formally registered for an approved programme of study provided by the Open University. For the avoidance of doubt, the Open University shall determine whether or not an individual has student status;
- 86.28 “Student Trustee” a Trustee elected in accordance with Clause 31;
- 86.29 “Subsidiary Company” any company in which the Association holds more than 50% of the shares, controls more than 50% of the voting rights attached to the shares or has the right to appoint a majority of the board of the company;
- 86.30 “Trustee” and “Trustees” the Officer Trustees, the Student Trustees, and the External Trustees;
87. Words importing the singular shall include the plural and vice versa and words importing the masculine shall include the feminine and vice versa.
88. Any reference to a statute, statutory provision or subordinate legislation (“legislation”) shall (except where the context otherwise requires) be construed as referring to such legislation as amended and in force from time to time and to any legislation which (either with or without modification) re-enacts, consolidates or enacts in rewritten form any such legislation.

**Annexe to the Constitution:**

1. This Annexe shall exist until OUSA Conference 2012
2. Those members elected to serve on the Executive Committee for the period until the Association’s Conference in June 2012 shall be deemed collectively to comprise the Central Executive Committee (C E C) with authority to carry out all the duties ascribed to the C E C under the Constitution.
3. Those members elected to the following positions at Conference 2011:
  - President
  - Deputy President
  - Vice President Finance
  - Vice President Constitutions
  - Student Trustees (x 4)

shall be deemed to be Trustees and will form the Board of Trustees with authority to carry out all the duties ascribed to the Board of Trustees under the Constitution.

4. Until Bye-Laws are created governing the conduct of elections to casual vacancies for any of the above positions, such elections shall be conducted in accordance with the rules existing under OUSA's previous Constitution.
5. The C E C (as defined in paragraph 2 above) are charged with the responsibility of implementing the new Constitution as expeditiously as possible and in accordance with the following principles;
  - a. Bye-Laws and other organisational arrangements should embody the policies on Futures agreed by the Association's Conference
  - b. National and Regional Assemblies already in existence will be recognised under the new Constitution and will not be required to undergo further annual elections until the Bye Laws prescribe a common, annual election process. However, they will be able to request inclusion in the schedule of elections referred to at c.
  - c. Forums operating under the old Constitution will continue to be recognised until the C E C has agreed with them a schedule of elections to create their Assemblies; such elections will have been completed by the end of 2011
  - d. There will be a properly specified procedure for winding up branches and forums.

<b>1M(C)A1 Executive Committee</b>	Aim	To enable OUSA to register with the OSCR (Office of the Scottish Charity Regulator) as well as the Charity Commission for England and Wales
	Amendment	At section 4.4 after the word "Welsh" add "and Scottish" and after the word "Commission" add "and OSCR" At section 10 after the word "Commission" add "and OSCR" At section 86 add the definition for "OSCR" as "Office of the Scottish Charity Regulator"
<b>1M(C)A2 OUSA in the East of England</b>	Amendment	Clause 16 delete "a biennial" and replace with "an Annual" delete "30" and replace with "15"; Clause 20 introductory paragraph delete "a Biennial" and replace with "an Annual" Clauses 18, 19, 20.1, 20.2, 20.5 delete "Biennial"

and replace with “Annual”.

**1M(C)A3  
OUSA in  
the  
Republic of  
Ireland**

Aim

to elect some members of the Board of Trustees without those members having to stand for election for some other post.

Amendment

Amend Clause 31 to read:

Student Trustees

31. Up to 2 Student Trustees, being members of the Central Executive Committee who are not Officer Trustees, shall be elected by secret ballot of the Delegate Members of Conference at an election to be held in accordance with the Bye-Laws. Up to 2 Student Trustees, not being members of the Central Executive Committee, shall be elected by secret ballot of the Delegate Members of Conference at an election to be held in accordance with the Bye-Laws. The Student Trustees shall remain in office for a term of two years commencing in accordance with the Bye-Laws. Each Student Trustee must be a member as defined by clause 12.1 or 12.3 at the time of his or her election.

**1M(C)A4  
OUSA in  
the North  
West**

Amendment

Remove the words “the Members or” from the title of the heading immediately above clause 36.

**2M(C)  
Executive  
Committee**

Motion

Add as e. to the Annexe to the Constitution:-

Any period of office served by any member of the Executive Committee between April 2011 and the end of July 2012 will be discounted for the purposes of calculating the limitation on periods of office contained within the Constitution.

## **SECTION 2**

### **MOTIONS RELATING TO OUSA**

N.B. These blocks relate to the Outline Timetable and are intended to help Conference follow the sequence of debate. However, delegates must not rely on this guidance as a substitute for following the business in the Conference Hall, since motions which they intend to move could be taken later or earlier than indicated in this guidance.

<b>Block D</b>	<b>Motions 3 - 7</b>	<b>Saturday Morning</b>
<b>Block F</b>	<b>Motions 8 - 10</b>	<b>Saturday Afternoon</b>
<b>Block H</b>	<b>Motions 11 - 14</b>	<b>Saturday Afternoon</b>

## SECTION 2

### MOTIONS RELATING TO OUSA

	Communication	Publications	1.a.iii
<b>3M(P) OUSA in Scotland</b>	Motion	Delete 2003/95 and replace with;  This Association welcomes the creation of Policy Reviews and Position Statements as agreed by OUSA Conference 2010, and see this is a way forward to ensuring we have proactive positions on the key issues affecting the student body.  To ensure that all new Position Statements are able to be fully enacted upon, the current Register of Decisions requires a complete overhaul, and to this end the Association agrees that all existing policy shall fall at the close of OUSA Conference 2012, unless it is under a Policy Review at that point.  From the close of OUSA Conference 2012, the Register of Decisions shall be replaced by a new Register of Position Statements.	
<b>4M(P) Executive Committee</b>	Motion	This Association instructs the Executive Committee to carry out a total revision of the Association's Register of Decisions and to produce a concise and coherent Policy Statements, covering all aspects of the Association's activities, to replace it at Conference 2012.	
	Communication	Website	1.a.iv
<b>5M(P)A1 Executive Committee</b>	Motion	This Association resolves that any of its associated domain names should be approved by the O U S A office, with the Domain Name Registrant listed as the O U S A Office. These websites should be accessible in line with current standards.  <b>Steering Committee Note: This motion incorporates an amendment from the sponsoring unit</b>	
	Equal Opportunities		1.b.
<b>6M(P) Executive Committee</b>	Motion	This Association is committed to equality of opportunity in every field of its activities, committed to the concept of one Student Association, seeking to represent all students of the Open University whilst	

dedicated to identifying and eliminating inequality and valuing diversity within both the Association and the Open University.

<b>Policies Affecting the Constitution</b>		<b>1.d</b>
<b>7M(P) OUSA in Wales</b>	Motion	<p>Delete policy 2010/24 and replace as below:</p> <p>This Association will retain its tradition of all its student volunteers being unpaid, whether elected or appointed.</p>
<b>Organisation and Structure</b>		<b>Conference</b>
		<b>1.e.ii</b>
<b>8M(P) OUSA in Wales</b>	Motion	<p>Delete policy 2006/60 and replace with:</p> <p>Provision of Training in Conference Procedures and Protocols:</p> <p>This Association instructs all National/Regional Forums and Assemblies to provide training in Conference procedures and protocols prior to Conference.</p>
<b>Organisation and Structure</b>		<b>Elections</b>
		<b>1.e.iii</b>
<b>9M(P) Executive Committee</b>	Motion	<p>This Association is committed to actively encouraging as many students as possible to consider standing for election to any of the positions on the Executive Committee and to allowing those entitled to vote to have a free choice amongst the declared candidates. Policy 2010/32 is therefore deleted.</p>
<b>9M(P)A1 OUSA in the North West</b>	Amendment	<p>Insert the word “one” after the word “any”.</p>
<b>Organisation and Structure</b>		<b>Local Units</b>
		<b>1.e.vi</b>
<b>10M(P) Executive Committee</b>	Motion	<p>This Association encourages all Association Officers to attend their Regional or National meetings.</p>
<b>11M(P) OUSA in Northern Europe</b>	Motion	<p>This Association is aware of the fact that communication is very important. This Association resolves that each Nation / Region and each local group should be allowed to send out 4 newsletters yearly. This Association believes that a</p>

pool of newsletters based on unused allocation creates more flexibility. This Association instructs the (Central) Executive Committee to review this idea.

**12M(P)  
OUSA in  
Northern  
Europe**      Motion      This Association resolves that each Nation / Region and each local group should be allowed to send out a minimum of 4 newsletters yearly or its equivalent resource and calls upon the Executive Committee to produce a 'minimum level of communications support' policy for Assemblies and Groups.

**Organisation and Structure**

**Ouset**

**1.e.xi**

**13M(P)  
Executive  
Committee**      Motion      Delete 2007/51, 2007/49, 2007/50 and replace with:-  
  
The Open University Students Educational Trust (Ouset), a charity set up and run by students, provides assistance to Open University students encountering financial hardship in relation to their O U studies. Funding sources will include, but not be restricted to: sponsorship from individuals and organisations, fundraising events and donations. Ouset should be promoted wherever appropriate.

**Organisation and Structure**

**Representation**

**1.e.xii**

**14M(P)A1  
OUSA in  
the East of  
England**      Motion      Conference instructs Central Representatives to make known, in a brief report to students generally, the nature of those issues that are under consideration at governance committees whilst preserving the requirement not to publicise information that may be of a potentially sensitive nature or that names individuals. The report should be produced within a month of the governance committee.

**Steering Committee Note: This motion incorporates amendments from the sponsoring unit**

**SECTION 3**  
**MOTIONS RELATING TO THE OPEN UNIVERSITY**

N.B. These blocks relate to the Outline Timetable and are intended to help Conference follow the sequence of debate. However, delegates must not rely on this guidance as a substitute for following the business in the Conference Hall, since motions which they intend to move could be taken later or earlier than indicated in this guidance.

<b>Block A</b>	<b>Motions 29 - 35</b>	<b>Saturday Morning</b>
<b>Block C</b>	<b>Motions 15 – 18</b>	<b>Saturday Morning</b>
<b>Block I</b>	<b>Motions 19 – 28</b>	<b>Sunday Morning</b>

## SECTION 3

### MOTIONS RELATING TO THE OPEN UNIVERSITY

	<b>Administration</b>	<b>Collaboration</b>	<b>2.a.i</b>
<b>15M(P) Executive Committee</b>	Motion	<p>This Association values and will retain its tradition of student volunteers being unpaid. We call upon The Open University to support this practice and honour the role given to OUSA in the University Charter by ensuring:</p> <p>a) that only students appointed by OUSA have the status of student representatives and</p> <p>b) that student volunteers recruited by the University for purposes other than representation are reimbursed the full cost of any expenses incurred but are not given payment for their services.</p>	
<b>15M(P)A1 OUSA in the East of England</b>	Amendment	<p>Delete "and" at the end of paragraph a) Delete paragraph b)</p>	
<b>16M(P) Executive Committee</b>	Motion	<p>This Association values and will retain its tradition of student volunteers being unpaid with the exception of reimbursement of out of pocket expenses. We call upon the Open University to support this practice and also request that the University ensures that any additional student volunteers it needs are also recruited through OUSA under the same terms.</p>	
<b>17M(P) OUSA in the East of England</b>	Motion	<p>The Association calls upon the University to continue without any exceptions with the custom and practice that all student representatives to the Open University Consultative and Governance Structures shall be, as appropriate, either elected through elections organised by OUSA or appointed by OUSA.</p>	
<b>18M(P) OUSA in the East of England</b>	Motion	<p>Conference believes that meaningful representation of the consensus student viewpoint can only take place where students have an opportunity to discuss issues arising within the University's governance structure. Conference recognises that some matters are necessarily confidential and that these should be protected by the "Green Paper" system but believes that such</p>	

matters are only a minority of the business. Conference calls on the University not to place any unreasonable or unnecessary restrictions on reporting by student representatives nor upon discussions within the student body.

	<b>Communication</b>	<b>General</b>	<b>2.b.iii</b>
<b>19M(P) Societies Standing Committee</b>	Motion	This Association deplores the loss of "small ad" advertising in Sesame and asks the University to explore ways in which it can fund a page in Sesame specifically for "small-ads" with appropriately low rates.	
<b>20M(P) Executive Committee</b>	Motion	The Association calls for the University to provide communications systems for O U and OUSA business, social and course forums that are fit for purpose, and that are as accessible as possible. The Association also calls upon the University to communicate to students in a way that is suitable for the needs of the individual student.	
	<b>Communication</b>	<b>Website</b>	<b>2.b.iv</b>
<b>21M(P) Executive Committee</b>	Motion	This Association urges the University to make websites customisable and to provide a clear, easy-to-follow method for providing feedback on websites to the University. This Association urges the University to involve students in all stages in the development of new web pages and web-based applications.	
	<b>Education</b>	<b>Animals in Experiments</b>	<b>2.c.i</b>
<b>22M(P) Societies Standing Committee</b>	Motion	This Association calls for the complete cessation of research using animals and unethically-sourced animal materials at the O U, and for its replacement with methods such as, but not limited to, epidemiological and clinical studies, scanning technology, in vitro studies and computer modelling and the use of ethically-sourced animal (including human) tissue and/or materials.	
<b>23M(P) Societies Standing Committee</b>	Motion	This Association recognises that for ethical, religious, cultural or other personal reasons some students are unable to take part in experiments involving or using animals, animal tissue or animal materials, and to enable all students to take these courses it calls upon the University to ensure that:	

non-animal alternatives are provided on all relevant courses;

the option of using non-animal alternatives is publicised in all course-choice publications and course materials, and in the Prospectus on its website;

its Animal Use Statement reflects this.

<b>24M(P) Societies Standing Committee</b>	Motion	<b>Steering Committee Note: This request to reaffirm existing policy was inadvertently included as a policy motion in CD5/6. We have now corrected this error by renumbering it as 39AM(P) and including it in Section 5</b>
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<b>25M(P) Societies Standing Committee</b>	Motion	<b>Steering Committee Note: This request to reaffirm existing policy was inadvertently included as a policy motion in CD5/6. We have now corrected this error by renumbering it as 39BM(P) and including it in Section 5</b>
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**Education**

**Course Choice**

**2.c.viii**

<b>26M(P)A1 Disabled Students Group Committee</b>	Motion	This Association urges the Open University to review its Postgraduate Modules, because some students are excluded from studying at this level for reasons including, but not limited to, ill-health, disability, or other considerations.
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Therefore we request the Open University considers:

- a. allowing students the option to take postgraduate modules greater than 30 credits over at least 2 years
- b. including more 30 credit modules at Postgraduate level
- c. introducing 30 point Postgraduate modules with at least a nine month duration.

**Steering Committee Note: This motion incorporates amendments from the sponsoring unit**

**Education**

**Course Delivery**

**2.c.ix**

<b>27M(P)</b>	Motion	This Association calls on the University to
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Therefore this Association urges the Open University to ensure that any changes made to qualifications take into account the time students need to complete these qualifications.

**Steering Committee Note: This motion incorporates amendments from the sponsoring unit**

**Open University Equality and Equal Opportunity 2.d**

**33M(P) Executive Committee**      Motion      This Association calls on the Open University to support all students in such a manner as to ensure they are not disenfranchised in any aspect of their education and ability to study. Information concerning the student's additional needs should be made available to tutors, residential school and other staff responsible for ensuring the quality of the student's educational experience.

**33M(P)A1 Disabled Students Group Committee**      Amendment      At the beginning of the last sentence insert 'With the student's permission' and before tutors insert 'the relevant'

**Fees and Funding      Fee Payment      2.e.ii**

**34M(P) OUSA in Northern Europe**      Motion      This Association urges the Open University to provide a Euro account, so students living in the Eurozone can pay their fees more easily.

**35M(P) OUSA in Northern Europe**      Motion      This Association calls on the Open University to negotiate with the Open University's bank(s) a considerable decrease in bank charges for the payment of fees, for example by students living in the Eurozone wishing to take advantage of the Single European Payment Area system.

## **SECTION 4**

### **MOTIONS RELATING TO OTHER BODIES**

N.B. These blocks relate to the Outline Timetable and are intended to help Conference follow the sequence of debate. However, delegates must not rely on this guidance as a substitute for following the business in the Conference Hall, since motions which they intend to move could be taken later or earlier than indicated in this guidance.

**Block G**

**Motion 36**

**Saturday Afternoon**

## SECTION 4

### MOTIONS RELATING TO OTHER BODIES

**Policies relating to other institutions**

**Government Bodies**

**3.c**

**36M(P)  
Executive  
Committee**

Motion

This Association is extremely concerned about the UK Government's intention to withdraw a massive amount of public funding from Higher Education in England and believes that the implications will affect students across the UK and beyond. Whilst warmly welcoming the long awaited commitment to recognise part time study as being equally valuable as full time study, we believe that Governments must continue to see public funding in Higher Education as an investment rather than simply a cost. In the fees and funding discussions across the UK nations, the Association's priorities will be to maximise the influence of O U students on decision-makers by campaigning and lobbying to:-

- protect the right of open entry to our University
- protect and advance the University's capacity to widen participation
- champion the cause of lifelong learning
- keep fees at affordable levels for all students wishing to benefit from study with the O U
- continue to press for the removal of the E L Q (equivalent or lower level qualifications) policy in England.

## **SECTION 5**

### **MOTIONS RELATING TO POLICY AFFIRMATION AND DELETIONS**

N.B. These blocks relate to the Outline Timetable and are intended to help Conference follow the sequence of debate. However, delegates must not rely on this guidance as a substitute for following the business in the Conference Hall, since motions which they intend to move could be taken later or earlier than indicated in this guidance.

**Block E**

**Motions 37 - 40**

**Saturday Afternoon**

## SECTION 5

### MOTIONS RELATING TO DELETIONS AND POLICY AFFIRMATIONS

#### POLICIES FOR REAFFIRMATION

<b>37M(P) Executive Committee</b>	Motion	Reaffirm the following policies:		
		Policy Number	Register of Decisions Section	Policy Title
		2006/86	1.e.xiii	Preference for Nearest Residential School
		2006/83	1.e.xiii	Training of all Representatives Funded Centrally
		2006/76	1.e.xiii	Attendance of Vice Presidents at Residential School
<b>38M(P) OUSA in Northern Europe</b>	Motion	Reaffirm the following policies:		
		Policy Number	Register of Decisions Section	Policy Title
		2006/64	1.e.ix	Continuation of Own Membership Card
		2006/102	2.b.iii	Request Officially Translated Certificates
		2006/142	2.c.xxii	Day Schools and Directed Study Days as Alternative to Short Tutorials
		2006/157	2.f	Support for the Bologna Declaration
<b>39M(P) Disabled Students Group Committee</b>	Motion	Reaffirm the following policies:		
		Policy Number	Register of Decisions Section	Policy Title
		2006/51	1.a.iv	Develop and adopt website strategy
		2006/52	1.a.iv	Develop and use Guidelines for accessible web sites
		2006/55	1.e.i	Advice to students and societies on disability issues
		2006/94	2.b.i	Ensuring that conferencing system meets diverse needs to students
		2006/105	2.b.iii	Provision of alternatives to PDF course materials
		2006/106	2.b.iii	Minimum standard of PDF materials

2006/110	2.b.iv	Accessible and user friendly internet sites
2006/113	2.b.i	Accessible appeals and complaints procedure
2006/129	2.c.vii	Choice of electronic medium for course materials
2006/143	2.c.xxi	Alternatives to residential schools
2006/145	2.c.xx.ii	Universal policy for staff telephonic contacts with students
2006/147	2.c.xx.ii	Study and tutorial centres
2006/148	2.d	Mentors for students with mental health disabilities
2006/149	2.d	Appropriate services for students with impaired hearing

**39AM(P) Societies Standing Committee** Motion Reaffirm the following policy:

2006/112	2.c.i	Harmful use of animals
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**39BM(P) Societies Standing Committee** Motion Reaffirm the following policy:

2006/111	2.c.i	Representation on University Boards or Committees
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## POLICIES FOR DELETION

**40M(P) Executive Committee** Motion Delete the following policies:

Policy Number	Register of Decisions Section	Policy Title
2007/21	1.a.i	OUSA Controllers Advisory Panel
2007/22	1.a.i	OUSA Controllers Advisory Panel membership
2007/20	1.a.i	Information on Decisions
2009/28	1.a.ii	Electronic Updates
20003/95 (R2008)	1.a.iii	Register of Decisions Policy Expiry
2003/94 (R2008)	1.a.iii	Register of Decisions Redundant Policies
2007/27	1.a.iii	Electronic Bulletin
2007/25	1.a.iii	Contact details for Regional support links
2002/129 (R2007)	1.a.iii	Contact details of SSL's

2002/109(R2007)	1.c	Branch and Regional Support	
2007/31	1.c.	Car Stickers	
2009/52	1.e.x.	Review of Merchandise	
2003/113 (R2008)	2.a.i	Publicity for SAL'S, SSL'S and DSL's	
2004/42 (R2009)	2.b.iii	Promoting OUSA	
2004/41 (R2009)	2.b.iii	Promoting OUSA and Activities	
2004/40 (R2009)	2.b.iii	Access to University Mailings	
2008/114	2.c	Communication with Associate Lecturer	
2007/71	2.c	Student Support Review	
2007/70	2.c	Providing Support	
2004/78 (R2009)	2.c	Studying for Self Enrichment	
2007/74	2.c.i	Teaching Methods	
2007/72	2.c.i	Introducing Courses	
2003/34 (R 2008)	2.c.i	Ethically Sourced Tissue	
2006/113	2.c.ii	Accessible Appeals and Complaints Procedure	
2002/55 (R2007)	2.c.ii	Course Results	
2008/118	2.c.iii	Reasons for Deferral of Results	
2003/59 (R 2008)	2.c.iii	Reasons for Deferral of Results	
2010/ 80	2.c.iv	Value of TMAs	
2009/ 62	2.c.iv	Copy of TMA	
2008/122	2.c.iv	e-TMA Deadline Problems	
2008/121	2.c.iv	Size of e-TMAs	
2008/120	2.c.iv	Consistent Cut Off Times for Electronic Submissions	
2008/119	2.c.iv	Acknowledgement for the Special Circumstances Form	
2007/78	2.c.iv	Word Counts	007/77 Word Counts
		of Referencing	
2007/76	2.c.iv	Referencing	
2004/58 (R2009)	2.c.iv	T M A Remarking	
2002/47 (R2007)	2.c.iv	T M A Marks	
2000/33 (R2007)	2.c.iv	Participation in Course Conferencing	
2007/80	2.c.v	Retention of Flexibility	
2007/81	2.c.vi	Student Support for Students who Withdraw	
1989/74 (R2007)	2.c.vi	Provision of New Services for Independent Learning	
2009/68	2.c.vii	Course Expiry List	
2008/128	2.c.vii	Warning on Course Description	
2008/127	2.c.vii	Extra Costs in all Published Media	
2008/125	2.c.vii	Expansion of Music Courses	
2008/124	2.c.vii	Conversion Courses for Foreign Qualifications	
2008/123	2.c.vii	Set up of New Courses	
2002/43 (R2007)	2.c.vii	Changes to Award Criteria	
2009/69	2.c.viii	Openness of the Open University	
2008/129	2.c.viii	Postgraduate Study Programmes	
2009/75	2.c.ix	Printed Course Material	
2009/74	2.c.ix	Materials for Non-Online Courses	
2009/73	2.c.ix	Hard Copy of Documents	
2009/72	2.c.ix	Equal Access to Course Materials	

2009/71	2.c.ix	E-versions of Course Materials
2009/70	2.c.ix	Study Break
2008/136	2.c.ix	Supplementary Material in Alternative Formats
2008/135	2.c.ix	Computer Based Course Material
2008/134	2.c.ix	Registration of C Ds
2008/133	2.c.ix	Opening of Course Websites
2008/132	2.c.ix	Course Material in all Formats for all Courses
2008/131	2.c.ix	Electronic Documents
2008/130	2.c.ix	Availability of Digital Media
2007/89	2.c.ix	Course Materials in Voice Recorded Format
2007/88	2.c.ix	Postal Deliveries
2007/87	2.c.ix	Parcel Post Delivery Times
2007/86	2.c.ix	Dispatch of Course Materials
2007/85	2.c.ix	Updating of all Formats of Course Material
2007/82	2.c.ix	Collection for Local Depot
2004/79 (R2009)	2.c.ix	E-Books
2004/72 (R2009)	2.c.ix	Material Dispatch Data
2003/62 (R 2008)	2.c.ix	Accessible Course Software for Disabled Students
2002/79 (R2007)	2.c.ix	Course materials in Appropriate Format
2002/35 (R2007)	2.c.ix	Opposition to Increased Costs for Flexible Start Dates
2001/91 (R2007)	2.c.ix	Timing of Education Course Project Assignments
2010/82	2.c.x	Science Degrees
2010/ 81	2.c.x	Five Year Phase Out of Awards
2001/79 (R2007)	2.c.xi	Course Results
2009/79	2.c.xiv	Examination Feedback
2009/78	2.c.xiv	Use of Amanuensis
2009/77	2.c.xiv	Changes to Exceptional Examination Circumstances
2007/92	2.c.xiv	Exam Conditions
2007/91	2.c.xiv	Adverse Conditions During Exams
2007/90	2.c.xiv	Plagiarism
2004/94 (R2009)	2.c.xiv	Disclosure of Oral and Written Results for Modern Languages Exams
2004/64 (R2009)	2.c.xiv	Exam Results
2004/63 (R2009)	2.c.xiv	Exam Centre Closures and Alternatives
2004/54 (R 2009)Pt 1	2.c.xiv	Policy on Plagiarism
2003/50 (R 2008)	2.c.xiv	Specific Gender of Invigilator for Home Examinations
2003/46 (R 2008)	2.c.xiv	Instructions of Requirements for Marking of Additional Questions
2003/45 (R 2008)	2.c.xiv	Informing University of Disturbances During Examinations
2002/50 (R2007)	2.c.xiv	Trained and Competent Amanuensis
2001/84 (R2007)	2.c.xiv	Specimen Exam Papers
2001/82 (R2007)	2.c.xiv	Interruption for Identification
2001/80 (R2007)	2.c.xiv	Feedback
1997/40 (R2007)	2.c.xiv	Change of Exam Venue
1992/59 (R2007)	2.c.xiv	Location of Examination Centres

2008/137	2.c.xv	Legible Feedback
2007/95	2.c.xv	Feedback from Students
2007/94	2.c.xv	Return of PT3
2003/51 (R 2008)	2.c.xv	Tutor Handwriting
1999/69 (R 2008)	2.c.xvi	Access to Graduation Ceremonies
2009/86	2.c.xviii	Student Home Page
2009/85	2.c.xviii	Access to Eduroam
2009/84	2.c.xviii	Paper Based Submission
2004/87 (R2009)	2.c.xxv	Venues and Public Transport
2004/86 (R2009)	2.c.xxv	Tutor Contact
2003/53 (R 2008)	2.c.xxv	Tutor/Student Communications
2002/48 (R2007)	2.c.xxv	Change of Tutor
2001/107 (R2007)	2.c.xxv	Electronic Communications Support for Remote Students
2001/58 (R2007)	2.c.xxv	Telephone Tuition
2001/57 (R2007)	2.c.xxv	Value of Tutorials
2003/37 (R 2008)	2.c.xx	Notification of changes in structure of qualification
2009/83	2.c.xviii	Extra – curricular Help
2009/82	2.c.xviii	Introduction to the Open University On-Line Community
2009/81	2.c.xviii	Default Method of Communication
2009/80	2.c.xviii	Speed of Connection Required
2007/99	2.c.xviii	Anti-Virus and Firewall Software
2007/98	2.c.xviii	Assistance with Software Provided by L T S
2007/97	2.c.xviii	Technical Support for Non-Windows Platforms
2007/96	2.c.xviii	Assistance on Applying for a Personal Computer
2003/73 (R 2008)	2.c.xviii	FirstClass Server Status on O U Home Page
2007/100	2.c.xix	Accreditation for Work with OUSA
2006/140	2.c.xix	Stepping Stone Qualifications
2004/91 (R2009)	2.c.xix	Notify Students Before Qualification Ceases to Exist
2004/66 (R2009)	2.c.xix	30 Point Courses
2003/37 (R 2008)	2.c.xix	Notice of Changes in Structure of Qualifications
2002/74 (R2007)	2.c.xix	Communication and Support for Postgraduate Opportunities
2003/58 (R 2008)	2.c.xxi	Inclusion of Part-Time Research Students
2003/57 (R 2008)	2.c.xxi	Provision of Further Resources for Research Students
2003/56 (R 2008)	2.c.xxi	Research Student Teaching Experience
2003/55 (R 2008)	2.c.xxi	Provision of Full Time Research Degrees
2009/87	2.c.xxii	Internet Access for OUSA Representatives

2008/138	2.c.xxii	Student Progress
2007/110	2.c.xxii	Security
2007/109	2.c.xxii	Day Schools
2007/108	2.c.xxii	Video Conferencing
2007/107	2.c.xxii	Students with Drug and Alcohol Problems
2007/106	2.c.xxii	Instruction to Associate Lecturers
2007/105	2.c.xxii	Childcare Facilities
2007/104	2.c.xxii	Crèche and Childcare Facilities
2007/103	2.c.xxii	Crèche Facilities
2007/102 (R2009)	2.c.xxii	Reports of Practical Difficulties by Students with Disabilities
2003/63 (R 2008)	2.c.xxii	Provision of Ground Floor Study Rooms
2002/83 (R2007)	2.c.xxii	Clash with OUSA Conference
2002/81 (R2007)	2.c.xxii	Helpers for Disabled Students
2002/80(R2007)	2.c.xxii	Format of Notes
1998/62 (R2007)	2.c.xxiv	Set Books Written by Members of Course Team
2010/83	2.c.xxv	Flexible Tutorial Locations & Timing
2009/91	2.c.xxv	Tutorial Materials
2009/90	2.c.xxv	Online Tutorials
2009/89	2.c.xxv	Size of Online Tutor Groups
2009/88	2.c.xxv	Out of Region Tutors
2008/142	2.c.xxv	Change of Venue
2008/141	2.c.xxv	Contact with Tutors
2008/140	2.c.xxv	Increased Tutorial Provision
2006/147	2.c.xxv	Study and Tutorial Centres
2004/88 (R2009)	2.c.xxv	Number of Tutorial Venues
2002/62 (R 2007)	2.d.i	Notification of changes to fees

**40M(P)A1**    Amendment    Remove 2004/42 (R2009) from the list of policies for deletion  
**OUSA in the North West**

**40M(P)A2**    Amendment    Remove 2004/41 (R2009) from the list of policies for deletion  
**OUSA in the North West**

**40M(P)A3**    Amendment    Remove policies 2007/74, 2007/72 and 2003/34 (R2008)  
**Societies Standing Committee**

**40M(P)A4**    Amendment    Remove 2004/91 (R2009) from the list of policies for deletion.  
**OUSA in the North**

**West**

**40M(P)A5**    Amendment    Remove 2003/37 (R2008) from the list of policies for deletion.  
**OUSA in**  
**the North**  
**West**

## **IMPORTANT POINTS TO REMEMBER**

### **Beware of Changes to the Time Table**

- Please note that times other than those for the commencement of Conference sessions are approximate. The timetable may have to be adjusted to take account of various eventualities during Conference. Those intending to participate in debates must not rely on this as an absolute guide as to when that business will be called.
- Motions which have not been debated through lack of time will be taken under Any Outstanding Business towards the end of the Sunday session.

### **Those Wishing to Speak**

- Those wishing to speak may only do so when invited by the Chair. Seats near the front of the hall are reserved for those who wish to catch the Chair's eye.
- All delegates and observers who are full members of OUSA have the right to speak to any motion. Visitors may only speak with the permission of Conference.
- All speakers must address Conference through a microphone. If you are moving a motion or amendment, or you know that you want to speak in a certain debate, please come to the front of the hall in good time so you are ready.
- If you have a difficulty in getting to the rostrum and wish to speak from your seat, please raise your hand with the card provided to indicate that you would like a roving microphone to be brought to you if called to speak.
- No person shall speak more than once in any debate except where they have a right of reply. This does not preclude anyone from raising Points of Information or Points of Order.
- When you start to speak, the first thing you should do is state your name and the unit for which you are a delegate or observer, and the unit you are speaking on behalf of if this is different.
- After you have spoken, if you do not intend to speak again for some time, please return to your normal seat in order to keep the marked seats clear for others.

### **Time Allowed for Speakers**

- A speaker moving a motion or amendment shall be allowed to speak for a maximum of three minutes. All other speakers in a debate shall have a maximum of two minutes.
- The clock starts from the moment the Chair calls on you to speak. If you are at the back of the hall at that time you may lose a good part of your allotted speaking time.
- Keep an eye on the lights. When the yellow light comes on this is a warning that you have only thirty seconds left to speak. When the red light comes on you must stop.

### **If Your Unit Wants to Withdraw a Motion**

- If for some reason a unit no longer wishes to present a motion which it has on the Order Paper, Conference may be asked for permission for it to be withdrawn. To do this, after coming to the rostrum and giving your name and unit, simply say that you are asking on behalf of the unit concerned for permission to withdraw the motion.